



COMMONS REGISTRATION ACT 1965

Reference No. 234/U/39

In the Matter of The Gravel Pit, Hopton, SuffolkDECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL.33 in the Register of Common Land maintained by the former West Suffolk County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one claimed to have information as to its ownership

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Bury St. Edmunds on 6 November 1979.

Hopton-Cum-Knettishall Parish Council was represented at the hearing by a member of the Council, Mr W L Shickle. Mr Shickle said the land was used by the local villagers and was thought to be parish property, but evidence to support a claim to ownership was not adduced.

Mr Rands, of the Registration Authority, who was in attendance referred me to an Award made in 1827 whereby the land in question was allotted to the Surveyor of Highways for a gravel pit. Having regard to the provisions of Section 25 of the local Government Act 1894 and Section 118 of the local Government Act 1929, it is conceivable that ownership could have subsequently ~~been~~ vested in the district council or the county council, but no claim or evidence in support of a title so derived was made or given before me.

On the evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 30 (1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated 26 November 1979

*L. J. Harris Smith*

Commons Commissioner.