

In the Matter of The Green, Beyton, Suffolk

DECISION

This reference relates to the question of the ownership of land known as The Green. Beyton, being the land comprised in the Land Section of Register Unit No. VG 68 in the Register of Town or Village Greens maintained by the 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 Ipswich on 20 January 1982.

At the hearing the Beyton Parish Council was represented by Mr J W Holmes, one of its members.

By an assent made 31 August 1966 Robert Orford William Walpole, Ronald Orford Spencer Walpole, and Horace Orford Norwood Walpole, the executors of Victor Orford Louis Walpole, vested in themselves the manor or reputed manor of Beyton and all the commonable and demesne lands thereto belonging. The testator had a good root of title in an indenture made 22 June 1878 between (1) Barbara Sophia Harriet Bennet (2) William Sturman Walpole.

There was nothing in the documents of title to identify the commonable and demesne lands to which they related, but on 28 May 1958 the testator leased the land the subject of the reference to the Parish Council for 21 years for the annual rent of £5. On the expiration of the lease the tenanty was renewed and still subsists, the rent now being paid to Mr R O W Walpole, Mr R O S Walpole and Mr H O N Walpole.

On this evidence I am satisfied that Mr R O W Walpole, Mr R O S Walpole and Mr H O N Walpole are the owners of the land, and I shall accordingly direct the Suffolk County Council, as registration authority, to register them as the owner of the land under section 8(2) 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. 27th day of January

Dated this

1982

Chief Commons Commissioner