



COMMONS REGISTRATION ACT 1965

Reference No 234/U/13

In the Matter of Thorpeness Common (North),
Aldringham, Suffolk Coastal D

DECISION

This reference relates to the question of the ownership of land known as Thorpeness Common (North), Aldringham, Suffolk Coastal D being the land comprised in the Land Section of Register Unit No CL 172 in the Register of Common Land maintained by the former East 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 Mrs M G H L Ogilvie the executrix of A S Ogilvie deceased and Mr D E Staff claimed to be the owners of parts of the land in question, and no other person 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 27 October 1976.

Mr J M Margaron of Messrs Cross Ram & Co appeared on behalf of Mrs Ogilvie and Mr Staff; he produced a vesting instrument dated 13th January 1972 whereby all that part of the land in question (OS 270) other than the triangular island site at the south was vested in Alexander Stuart Ogilvie who died on 6 September 1972 and the grant of probate of his will to Mrs Ogilvie the sole executrix named therein. Mr Margaron also produced a conveyance dated 18 December 1962 whereby the said triangular island site, and other land was conveyed to Mr Staff.

On this evidence I am satisfied that Mrs Ogilvie is the owner of all the land in question other than the said island site and that Mr Staff is the owner of the said island site, and I shall accordingly direct the Suffolk County Council, as registration authority, to register Mrs M G H L Ogilvie as the owner of the all the land in question other than the said island site and to Mr D E Staff as the owner of the said island site in each case under section 3(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.

Dated this 21st day of February

1977

G A. Sefton

Commons Commissioner