



COMMONS REGISTRATION ACT 1965

Reference No. 234/U/41

In the Matter of Two pieces of land at
the junctions of Great Ashfield/Hunston/
Badwell Ash Roads, Badwell Ash,
Mid Suffolk D

DECISION

This reference relates to the question of the ownership of two pieces of land at the junctions of Great Ashfield/Hunston/Badwell Ash Roads, Badwell Ash, being the land comprised in the Land Section of Register Unit No. CL 24 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 Mr and Mrs Linn claimed to be the freehold owners of part 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 12 January 1979.

Mr A B Lambert of Messrs Gross & Co appeared for Mr and Mrs Linn and produced a conveyance dated 23 March 1977 where by part of the land in question namely that part ~~South~~ of the Badwell Ash Road (hereafter called Linns Land) was conveyed to Mr and Mrs Linn. He also produced a conveyance dated 21 November 1967 whereby the official custodian for charities and the Trustees of the relevant charity conveyed 'Linn Land' to B W Belcher and a statutory declaration by W Y Nunn, one of the Trustees that Linns Land had for upwards of 25 years belonged to the said charity. Mr and Mrs Linn are successors to B W Belcher. On this evidence I am satisfied that Mr and Mrs Linn are the owners of 'Linns Land', and I shall accordingly direct the Suffolk County Council, as registration authority, to register Mr and Mrs Linn as the owners of Linns Land under section 8(2) of the Act of 1965. The other piece of land 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 this

16th

day of

February

1979

G. A. Little

Corrected under Regulation 33
G. A. Little 4/6/79
Commons Commissioner