



In the Matter of Wenhaston Black Heath (Greater Part)

*Suffolk Coastal D.*

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.53 in the Register of Common Land maintained by the Suffolk County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

I held a hearing (adjourned from 14 December 1982) for the purpose of inquiring into the question of the ownership of the land at Colchester on 30 October 1984.

There was no appearance at the hearing by any claimant. In 1979 it was decided by Mr C A Settle, Commons Commissioner (Decision dated 28 March 1979) that the land in question is owned by the successors to the trustees appointed by a Deed of Appointment dated 31 December 1926. It was not then nor has it yet proved possible to trace such successors, nor have new trustees been appointed. In these circumstances I am not satisfied that any known person is the owner of the land, and it will therefore remain subject to protection under section 9 of the Act of 1965. This will not prejudice an application by such successors, if traced or appointed, for the question of ownership to be referred again by the registration authority to the Commons Commissioner.

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

*3<sup>rd</sup>*

day of

*December*

1984

*L. J. Morris Smith*

Commons Commissioner