

COMMONS REGISTRATION ACT 1965

Reference No. 35/U/21

In the Matter of Land at junction of Ashley and Dalham Roads, Gazeley Forest Heath D., Suffolk

DECISION

This reference relates to the question of the ownership of land known as Land at junction of Ashley and Dalham Roads, Gazeley, Forest Heath District, Suffolk being the land comprised in the Land Section of Register Unit no. CL.43 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 the Suffolk County Council claimed to be the freehold owner 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 Bury St. Edmunds on 22 April 1975. Mr. I.N. Whittaker appeared on behalf of the Suffolk County Council and Mr. V.C. Phillips clerk to the Gazeley Parish Council appeared on behalf of the Parish Council.

Mr. Phillips accepted that the facts in this reference were indistinguishable from those in Reference No. 35/U/20 (CL.42) and for that reason did not contest Suffolk County Council's claim to ownership.

On this evidence I am satisfied that the Suffolk County Council is the owner of the land and I shall accordingly direct the Suffolk County Council, as registration authority, to register itself as the owner of the land under section 8(2) of the Act of 1965.

I am required by regulation 50(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

30 7

day of

april

1975

Commons Commissioner