



COMMONS REGISTRATION ACT 1965

Reference No. 234/U/173

In the Matter of The Green, Hesselton, Suffolk

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. VG. 77 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 or 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 30 July 1987.

There was no appearance at ^{the} hearing by any claimant.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Suffolk County Council, as registration authority, to register Hesselton Parish Council as the owner of the land under section 8(3) 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 28 October 1987

L. J. Morris Smith
Commons Commissioner

COPY OF AN ENTRY IN THE PROVISIONAL REGISTER OF COMMON LAND OR TOWN OR VILLAGE GREENS.

COMMONS REGISTRATION ACT 1965

NOTE: This section contains the registration of the land comprised in this register unit.

Registration authority

WEST SUFFOLK COUNTY COUNCIL

Register unit No. VG.77

Edition No. 1

Register of TOWN OR VILLAGE GREENS

LAND SECTION—Sheet No. 1.

See Overleaf
for Notes

No. and date of entry	Description of the land, reference to the register map, registration particulars, etc.
1. 2 June 1968 entry (low)	The piece of land called The Green in the Parish of Hesselton, West Suffolk as marked with a green line inside the boundary on sheet TL 96 SW of the register map and distinguished by the number of this register unit. Registered pursuant to application No. 152 made 20 June 1968, by the Hesselton Parish Council.—(Registration-provisional).—
2. October 1970	The registration at entry No. 1 above, being undisputed, became final on 1 October 1970.

No. and date of note	Notes	No. and date of note	Notes
1. June 1968.	<p>Bertram Louis Mitcham of Shrubbery Farm, Hessel^{ts} near Bury St. Edmunds, Suffolk, claims to be entitled to a vehicular right of way to, plot number 95 on the Ordnance Survey Map for the Parish of Hessel^{ts}, over the land comprised in this register unit. (This note is made pursuant to application No. 185 made 27 June 1968, by the said Bertram Louis Mitcham).</p>		
2. 3 April 1969.	<p>Colin Stafford Rowland and Diana Rowland of West View, Hessel^{ts} near Bury St. Edmunds, Suffolk, claim to be entitled to a right of way at all times and for all purposes on foot or with vehicles from the premises known as West View, Hessel^{ts} over the land comprised in this register unit to connect with the Felsham to Beyton county road, which said right of way is reserved unto the said Colin Stafford Rowland and the said Diana Rowland by way of easement contained in a conveyance dated 12 August, 1968. (This note is made pursuant to application No. 247 made 28 March 1969, by the said Colin Stafford Rowland and the said Diana Rowland).</p>		
3. May 1969	<p>The application of The Commons, Open Spaces and Footpaths Preservation Society of 166 Shaftesbury Avenue, London W.C.2., No. 249, made the 21 April 1969, is noted in respect of the registration at entry No. 1.</p>		

NOTE: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority

WEST SUFFOLK COUNTY COUNCIL

Register unit No. VG. 77

Edition No. 1

Register of TOWN OR VILLAGE GREENS

See Overleaf
for Notes

RIGHTS SECTION—Sheet No. 1.

1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
1. 24 January 1970	278 19 Dec. 1969	Arthur Philip Baaly, Malting Farm, Hessett, Bury St. Edmunds. (Owner)	A right to graze up to 15 head of cattle or 45 head of sheep over the whole of the land comprised in this register unit. (Registration provisional)	Malting Farm, Hessett, Bury St. Edmunds, Suffolk, as shown edged red on the supplemental map bearing the number of this registration.
2 14 June 1985		The registration at entry No. 1 above, which was disputed, became void on 15 April 1985.		

No. and date of note	Notes	No. and date of note	Notes
1. 15 March 1971	<p>The objection No. 0/73 of the Hesselton Parish Council (Clerk - Mr. A.W. Worley of Shangri-la, Heath Rd., Hesselton) made the 20 February, 1971 is noted in respect of registration entry No. 1 in this section.</p> <p>(See Entry No. 2 overleaf)</p>		

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Register of TOWN OR VILLAGE GREENS

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority
WEST SUFFOLK COUNTY

Register unit No. VG 77

Edition No. 1

See Overleaf
for Notes

OWNERSHIP SECTION—Sheet No. 1

1 <i>No. and date of entry</i>	2 <i>No. and date of application</i>	3 <i>Name and Address of person registered as owner</i>	4 <i>Particulars of the land to which the registration applies</i>
1 17 February 1988		Hessett Parish Council Registered finally on 17 February 1988 as directed by the Commons Commissioner on 26 January 1988.	The whole of the land comprised in this register unit

COMMONS REGISTRATION ACT 1985
WEST SUFFOLK COUNTY COUNCIL
REGISTRATION AUTHORITY.
25 JUN 1968

Clerk of the West Suffolk County
Council. Registration Authority.

