



In the Matter of A Strip of Land, Long Stratton,
Norfolk

DECISION

This reference relates to the question of the ownership of a strip of land in the parish of Long Stratton, being the land comprised in the Land Section of Register Unit No CL 194 in the Register of Common Land maintained by the former Norfolk 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 G S Alexander 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 Norwich on 14 March 1978.

At the hearing Mr Alexander appeared in person.

The land the subject of the reference consists of a green lane running from Wood Green in the north to Crow Green in the south. Mr Alexander is the owner of both Wood Green and Crow Green, but the lane is not included in the conveyance by which he acquired those areas in 1963. One of Mr Alexander's sons owns land on the east side of the lane. Two other farmers have rights of way over the lane.

Mr Alexander and his two sons have spent considerable sums of money on clearing the lane, which was at one time overgrown and have since kept it open. The other farmers who have a right of way over the lane have also helped to keep it passable by filling holes with stones.

In my view, this evidence is equally consistent with Mr Alexander's having a right of way along the lane as with his having acquired a title to the soil by adverse possession. I am unable to draw an inference that he is the owner merely because he owns the land at each end of the lane.

On the evidence I am not satisfied that any person is the owner of the land, and it 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

21st

day of

April

1978

G. S. Alexander