



In the matter of Additional piece of land forming part of Holt Lowes, Holt and Edgefield and being part of OS Parcel No. 414, North Norfolk D (No. 3)

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DECISION

This reference relates to the question of the ownership of land described above being part of the land comprised in the Land Section of Register Unit No. CL 152 in the Register of Common Land maintained by the 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 W J F Ross Limited ("Ross") 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 16 November 1981.

At the hearing Mr T H Robinson, Solicitor, appeared on behalf of Ross, and there also attended the Rev. Stephen Gregory and Mr A D Pond, Administrative Officer of Norfolk County Council.

The land in question ("the claimed piece") is the rectangular area in the southern section of this Register Unit and adjoins on its northern and north western boundaries Register Unit CL 113. Mr Robinson produced an examined Abstract of Title commencing with a Conveyance on sale dated 10 April 1958 whereby the claimed piece, part of Edgefield Heath and comprising 9.25 acres part of OS No. 414, was (together with other property) conveyed to a Mr J H Rawlings. The Abstract continues with a number of successive Conveyances of property comprising the claimed piece, the last being a Conveyance dated 28 February 1960 to Mr G A Gent. In which the claimed piece is designated by reference to the later OS Map as No. 5500. By a Conveyance of the same date it was part of property thereby conveyed by Mr G A Gent to Ross.

On this evidence I am satisfied that Ross is the owner of the claimed piece, and I shall accordingly direct the Norfolk County Council, as registration authority, to register W J F Ross Limited as the owner of the claimed piece under section 3(2) of the Act of 1965.

Mr Gregory said that he had a claim as trustee to the remainder of the land and I had received a letter from the Charity Commission which appeared to relate to this claim. Mr Gregory was not in a position to formulate his case at the hearing and in any event the reference before me relates only to the claimed <sup>piece</sup> and not to any other part of the land comprised in the Register Unit.

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.