



In the Matter of Broomscot Common, Garboldisham,  
Breckland D

DECISION

This dispute relates to the registrations at Entry No. 1 in the Land section of Register Unit No. CL 279 in the Register of Common Land maintained by the Norfolk County Council and at Entry No. 1 in the Land section of Register Unit No. VG 152 in the Register of Town or Village Greens maintained by the Council and is occasioned by the conflict between the registrations.

I held a hearing for the purpose of inquiring into the dispute at Norwich on 16 March 1981. The hearing was attended by Mr A D Pond, Administrative Officer of Norfolk County Council, and by Mr A S Wedderburn, Chair<sup>man</sup> of Garboldisham Parish Council, the applicant for the CL registration. The VG registration was made by the County Council as registration authority, without application.

The VG land is part only of the CL land, and the parties were agreed that the VG registration should be confirmed as to this part. The Charity Commission had furnished affidavit evidence which supported the VG registration, and in these circumstances I confirm that registration. This resolves the conflict: as regards the remainder of the CL land, the affidavit evidence indicated that this land did not qualify as common land for the purposes of the Commons Registration Act 1965. There was however no Objection to the CL registration, and the reference is only of the conflict between the two registrations. This conflict having been resolved, it is not I think open to me to go into the further question of the validity of the registration of the part of the common land not affected by the conflict. Accordingly I confirm the CL registration modified by the exclusion of the land comprised in the VG registration.

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

15 April

1981

*L. H. Morris Smith*

Commons Commissioner