



COMMONS REGISTRATION ACT 1965

Reference No. 225/U/245

In the Matter of Cockles Point, (part),
Stokesby, Great Yarmouth B

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. CL 251 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 Mr P W Juby 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 March 1981.

The hearing was attended by Miss M Reckitt, Solicitor, appearing on behalf of Mr Juby and by Mr A D Pond, Administrative Officer of the Registration Authority.

Miss Reckitt produced examined copies of title deeds commencing with a Conveyance dated 24 July 1961, and culminating in a Conveyance dated 15 July 1977, made between (1) Leslie Evans and Betty Evans (2) Paul William Juby and Evelyn Juby. The property comprised in the title is the dwelling house shop and premises with the outbuildings and ground known as the Post Office Stores, Mill Pond, Stokesby. In addition to the deeds, there were a number of statutory declarations put in, deposing to ownership and enjoyment of the property by the successive purchasers. The property includes a substantial part ~~virtually the whole~~ of the Unit land, but it is not possible to identify accurately the boundaries of the property in comparison with the boundaries of the Unit land as delineated on the Register Map.

On the evidence I am satisfied that Mr and Mrs Juby are the owners of the Unit land to the extent that it is comprised in the Conveyance of 15 July 1977. This Conveyance describes the property by reference to the plan annexed to an earlier Conveyance of 24 October 1975 and I shall direct the Norfolk County Council to register Mr and Mrs Juby as owners of so much of the Unit land as falls within the area edged red on that plan. Any part of the Unit land which falls outside that area will 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.

26 May

1981

L. J. Morris Smith