



In the Matter of Cold Blow Pit, Morston, Norfolk.

DECISION

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This reference relates to the question of the ownership of land known as Cold Blow Pit, Morston, being the land comprised in the Land Section of Register Unit No CL 193 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 the Stiffkey and Morston Parish Council 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 15 March 1978.

At the hearing the Parish Council was represented by Mr S E G Presho, one of its members.

Most of the land the subject of the reference is covered in water and has been used for watering the cattle of three farmers. There is no reference to it in the records of the Parish Council, but the Council has looked after the ground round the water. This, in my view, is insufficient to give the Parish Council a possessory title to the land.

In the absence of any other 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 25th day of April 1978

CHIEF COMMONS COMMISSIONER