



COMMONS REGISTRATION ACT 1965

Reference No.25/D/166

In the Matter of Hardwick Narrows,
West Winch and North Runcton, Norfolk (No.1).

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.CL.310 in the Register of Common Land maintained by the former Norfolk County Council and is occasioned by Objection No.91B made by Mr.F.H.Fuller, Clerk to the West Winch Parish Council, and noted in the Register on 4th August 1970.

I held a hearing for the purpose of inquiring into the dispute at Norwich on 26th June 1974. The hearing was attended by Mr.S.A.Mortimore, of counsel, on behalf of Mr.F.W.Fryatt, the applicant for the registration of rights of common over the land comprised in the Register Unit, and by Mr.Fuller.

The land comprised in the Register Unit consists of two separate areas, namely a long narrow strip to the north (Ordnance Survey No.236) and a rectangular piece to the south (Ordnance Survey No.16). Mr.Fuller's objection relates only to the latter.

The land the subject of the dispute has an area of 2.218 acres and is known as Town Yard. It was stated in the Commissioners' Report on the Charities of Norfolk that this land belonged to the poor of the parish of West Winch, but that the origin of the charity was unknown. It appears from an account book produced by Mr.Fuller that the land was let to a tenant as long ago as 6th April 1835. It has been let to a succession of tenants down to the present day.

After considering this evidence, Mr.Mortimore stated that he was instructed to accept it and not to pursue the claim for the inclusion of C.S.No.16 in the Register Unit.

I therefore confirm the registration with the following modification:- namely the exclusion of the field known as Town Yard (Ordnance Survey No.16).

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 15th day of July 1974


Chief Commons Commissioner