



COMMONS REGISTRATION ACT 1965

Reference No.25/U/32

In the Matter of High Common,
Stody, Erpingham R.D., Norfolk

DECISION

This reference relates to the question of the ownership of land known as High Common, Stody, Erpingham Rural District being the land comprised in the Land Section of Register Unit No.CL.134 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 no person claimed to be the freehold owner of the land in question and no 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 14 June 1973. The hearing was attended by Stody Parish Council who were represented by Mr. E. J. Crawley their chairman, and by Erpingham Rural District Council who were represented by Mr. A. Marson their clerk.

Mr. Crawley said:- The land is approximately 6 acres and has been used by the people of Hunworth for recreation, for taking rabbits, and for taking timber for their personal use provided the tree trunk can be "contained in the arms". The land contains 2 old pits which are now disused, overgrown with nettles ferns etc. The land is generally considered as an amenity for the exclusive use of Hunworth people, although others are not prevented from enjoying it. The Parish Council have no documents of title.

Mr. Marson could on behalf of the Rural District Council offer no evidence of ownership.

Although the Parish Council accept responsibility for the land, the circumstances outlined above, I think fall short of showing that they are owners of it. For this I am not satisfied that any person is the owner of the land and it will therefore be 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 9th day of July 1973.

a. a. Baden Fuller

Commons Commissioner