



**COMMONS REGISTRATION ACT 1965**

Reference No. 225/U/269

In the matter of land known as The Hurne, West Runton, Norfolk

Decision

This reference relates to the question of the ownership of the above land being the part of the land comprised in the Land Section of Register Unit No. CL5 in the Register of Common Land maintained by Norfolk County Council shown coloured green on the attached plan of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

The ownership of this Register Unit was the subject of a Decision ("the 1993 Decision") by Mr Martin Roth (the then Chief Commons Commissioner) dated 22 January 1993 under reference number 225/U/261.

It appears from the heading to that reference that it was intended to include therein the question of the ownership of The Hurne. But since the 1993 Decision does not expressly mention The Hurne doubts have arisen whether that question was thereby resolved.

The question has therefore been further referred to the Commons Commissioners by the Norfolk County Council at the request of Mr Robert Einar Windham Batt.

Following upon the public notice of this reference I held a hearing to enquire further into the question at Cromer on 24 February 2000.

The hearing was attended by Mr J Richardson of Norfolk County Council, Mr R E W Batt (the claimant) and others.

By the 1993 Decision Mr Batt's claim to ownership was upheld in relation to (inter alia) the land referred to as O.S. 18 in the list marked "A" therein referred to. Having considered the following copy plans and maps produced to me by Mr Batt namely:

- (i) the plan annexed to this Decision
- (ii) a Tithe Map dated 1839
- (iii) the Register Map produced by Mr Richardson
- (iv) the O.S. Map for 1887 (showing that prior to the construction of the railway The Hurne was connected to the rest of the Common) and
- (v) the O.S. Plan of 1906 2<sup>nd</sup> edition

I am satisfied that O.S. 18 has at all material times included The Hurne.



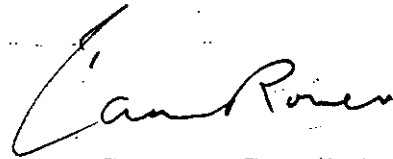
I am also satisfied by the above maps and plans and by the evidence on which Mr Roth relied as mentioned in his Decision that O.S. 18 (including The Hurne) has for many years (going back to the 19<sup>th</sup> Century or earlier) formed part of the Manor of Runtun Hayes, that Mr Batt is now the Lord of that Manor and that as such he is the owner of The Hurne.

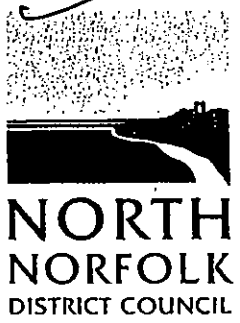
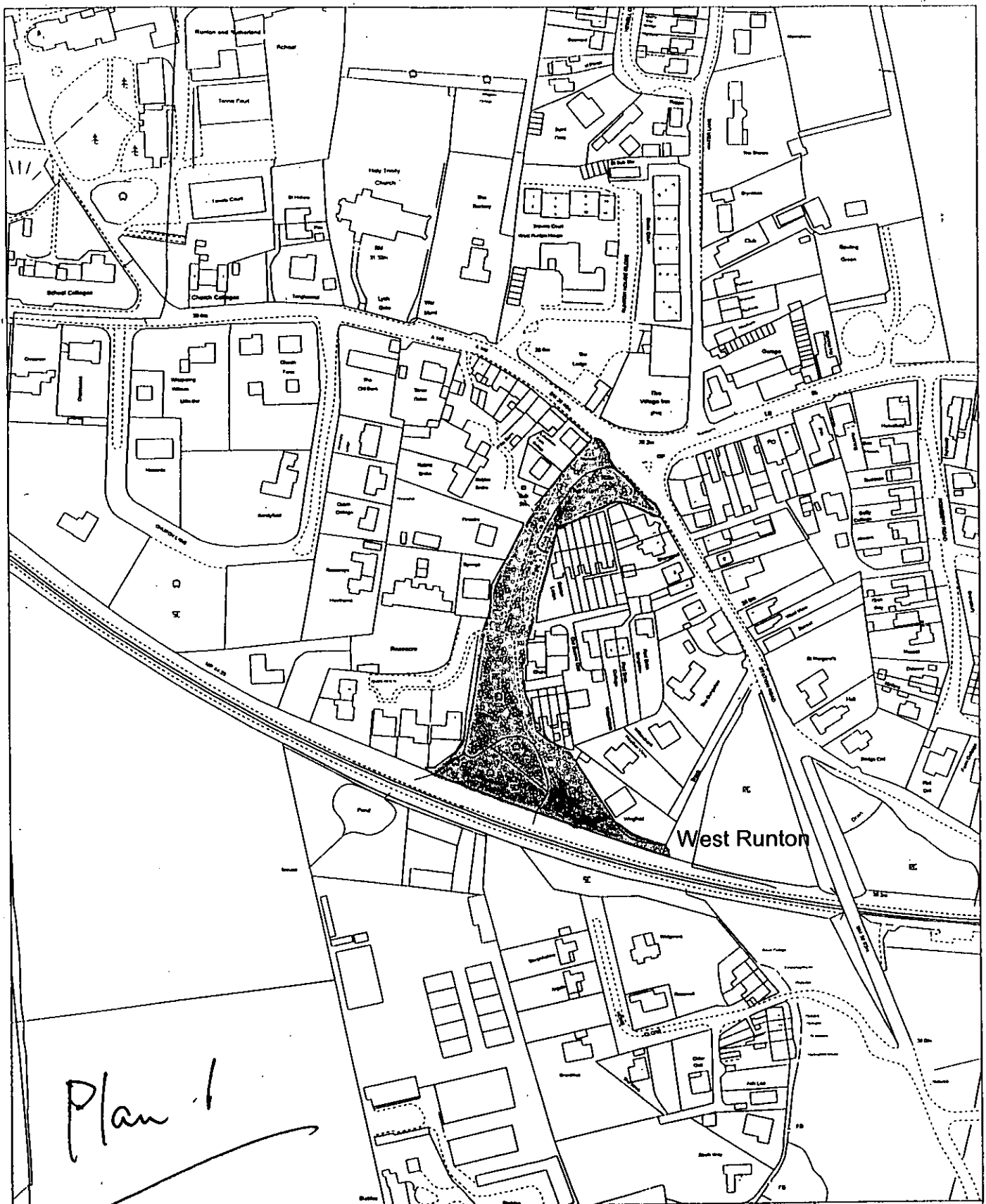
I would mention that no-one other than Mr Batt (whether at the hearing or otherwise) has made any claim to ownership of The Hurne or produced any evidence which casts doubt on Mr Batt's claim.

I shall accordingly direct the Norfolk County Council, as registration authority, to register Mr Batt as the owner of the land under section 8(2) 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 25<sup>th</sup> day of March 2000

  
Commons Commissioner



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