



In the Matter of Newgate Green or Cley Green,
Cley; Norfolk

DECISION

This reference relates to the question of the ownership of land known as Newgate Green or Cley Green, Cley, being the land comprised in the Land Section of Register Unit No CL 284 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 no person claimed to be the freehold owner of the land in question and no one 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 Mr M Curtis, solicitor, appeared on behalf of the Cley Parish Council.

The land in question consists of a triangular area at a road junction. The Parish Council has no title deeds relating to it. Until about 10 years ago the land was grazed, but no payment was made by the owners of the animals. Since the grazing ceased, the Parish Council has paid to have the grass cut and the land kept tidy. 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 19th Day of

May

1978

CHIEF COMMONS COMMISSIONER