



COMMONS REGISTRATION ACT 1965

Reference No. 225/U/227

In the Matter of North Runcton Common,
Norfolk

DECISION

This reference relates to the question of the ownership of part of the land described above and comprised in the Land Section of Register Unit No. CL 112 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 claims to ownership of the land in question were made by Mr J West and by North Runcton Parish Council: 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 Kings Lynn on 5 December 1979.

At the hearing Mrs Irving, of the firm of Hawkins and Company, Solicitors, appeared on behalf of Mr West.

There are two areas of the Common to which the reference relates, the remaining area being already in registered ownership. Those two areas are those edged red on the register map: the larger of the two is the southernmost section of the Common and it is of this ("the South area") that Mr West claims ownership.

By a Conveyance dated 11 October 1934 between Barclays Bank Ltd (1) A Mapus-Smith (2) and Charles W West (3) Manor Farm and land were conveyed to C W West. The land included O.S. No. 8 of 18.088 acres, which is the greater part of the south area. Following the death of C W West his Executor by an Assent dated 11 May 1978 assented to the vesting of this property in the claimant Mr J West.

By a Conveyance dated 16 October 1945 between W P Bussers (1) and Charles W West (2), there was conveyed to C W West a piece of land O.S. No. 20 of 1.502 acres, which is the remaining part of the south area. By an Assent dated 17 March 1967 C W West's Executors assented to the vesting of this piece of land in Rose R West and J West jointly; Rose R West died on 31 January 1977.

On this evidence I am satisfied that Mr J West is the owner of the south area.

The second area to which the reference relates is a small, roughly triangular, piece of land known as The Green, which is near All Saints Church, North Runcton, and is claimed by the Parish Council. The Council was not represented, nor were there any other claimants to this area, at the hearing. I have however, since been provided by the Clerk to the Parish Council with a Conveyance dated



6 February 1978 between R J H Holmes (1) and the Parish Council (2), by which R J H Holmes, the lord of the Manor, conveyed the Green to the Parish Council, which I am satisfied is the owner of this second area.

I shall accordingly direct Norfolk County Council, as registration authority, to register under Section 8(2) of the Act of 1965 Mr J West as owner of the south area and the Parish Council as owner of the second area referred to above.

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

30 January

1980

L. J. Morris Smith

Commons Commissioner