



COMMONS REGISTRATION ACT 1965

Reference No 225/U/118

In the Matter of Oxborough Poor
Fen, Oxborough, Breckland D

DECISION

This reference relates to the question of the ownership of land known as Oxborough Poor Fen, Oxborough, Breckland D being the land comprised in the Land Section of Register Unit No CL. 379 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 the Official Custodian for Charities claimed to be the freehold owner of the land in question and 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 King's Lynn on 26 October 1977.

Mr E H Dodds of Messrs Kenneth Bush & Co appeared on behalf of the Trustees of the Thomas Hewar and Mary Hammond Charities.

Prior to the hearing the Charity Commissioner had sent to the office of the Commons Commissioners an affidavit and the exhibits thereto which established that the above mentioned Charities were entered in the Register of Charities and that the land in question is an endowment of the Mary Hammond Charity.

Mr Dodd had nothing to add to the evidence provided by the Charity Commission and indicated that had the Trustees appreciated that the Charity Commission was providing the requisite evidence they would not have been represented at the hearing.

On this evidence I am satisfied that The Official Custodian for Charities is the owner of the land, and I shall accordingly direct the Norfolk County Council, as registration authority, to register The Official Custodian for Charities 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 14th day of November 1977

Y. A. Little

Commons Commissioner