



COMMONS REGISTRATION ACT 1965

Reference No. 225/U/233

In the Matter of Roydon Common,  
 Roydon, Norfolk

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DECISION

This reference relates to the question of the ownership of land being the part of the land described above and comprised in the Land Section of Register Unit No. CL 77 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 three persons claimed to be the freehold owner of different parts of the land in question ("the Unit land"); 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.

The three claimants were Mr P G Bacon, represented at the hearing by Mr M Yelton of Counsel: Mr C Sandell represented by Mrs R Irving, Articled Clerk, of the firm of Hawkins and Company, Solicitors: and Norfolk Naturalists Trust ("NNT") represented by Mr M E Webb, Solicitor.

Ownership of part of the Unit land is already registered and the present claims relate to other parts: the claims do not overlap and there is no conflict between them.

(a) Mr Bacon's claim relates to land comprised in a Deed of Appointment and Conveyance dated 30 June 1978 and made between A Dubbis (1) G R Bell (2) A Dubbis and G R Bell ("the Vendors") (3) and P G Bacon (4). I will refer to this Conveyance as "the P B Conveyance." The title of the Vendors to Mr Bacon was established by three examined Abstracts of Title commencing with a Vesting Deed of 8 June 1926, a Conveyance dated 22 October 1965 to W Roos and A Dubbis, as joint tenants on trust for sale, and following the death of W Roos, the appointment of G R Bell as new trustee in place of W Roos. On the evidence I am satisfied that Mr Bacon is the owner of the part of the Unit land comprised in the P B Conveyance. This will not include O.S. Number 122 (27 acres) which Mr Bacon does not claim as it had already been sold to Mr Sandell - see (b) below - and was included in the P B Conveyance by mistake.

(b) Mr Sandell's claim is based on a Deed of Appointment and Conveyance dated 2 February 1978 between A Dubbis (1) G R Bell (2) A Dubbis and G R Bell ("the Vendors") (3) and C Sandell (4). The Vendors' title is as mentioned in (a) above and on the evidence I am satisfied that Mr Sandell is the owner of the part of the Unit land comprised in this Conveyance.

(c) N.N.T.'s claim is to a part of the Unit land adjoining the western boundary of the land comprised in the P B Conveyance. The part in question was conveyed to NNT by a Conveyance dated 23 November 1964 between W P Riley (1) and NNT (2) and



I am satisfied that NNT is the owner of the part of the Unit land comprised in this Conveyance.

Accordingly I shall direct the Norfolk County Council as registration authority to register under Section 8(2) of the Act of 1965 Peter Groves Bacon, Clifford Sandell and Norfolk Naturalists Trust as owners respectively of the parts of the Unit land referred to in paragraphs (a) (b) and (c) 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