

In the Matter of Snettisham Beach, Shingle Fields, Snettisham, Norfolk

DECISION

This decision relates to the ownership of the land known as Plot 113 Snettisham Beach being part of the land comprised in the Land Section of Register Unit No. CL.378 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.

This decision is supplemental to my decision in this matter dated 23 May 1994 ("the 1994 decision") and so far as necessary or expedient is made pursuant to the liberty to apply granted by paragraph 8 of that decision.

Plot 113 is one of the plots referred to in the 1994 decision as "the unclaimed plots" and, as mentioned in paragraph 4(b) of that decision, no person had prior to the date thereof claimed to be the owner of that plot and there was no evidence available as to ownership.

However by letter addressed to the Commons Commissioners dated 2 June 1994, Messrs. Bradford & Son, Solicitors of Rotherham, stated that their client Angus Frew Forrest purchased plot 113 in 1959 from the Snettisham Shingle Company and they were endeavouring to trace the title deeds: and applied to re-open the hearing so far as it affected plot 113.

By letter to the Commons Commissioners dated 10 November 1994 Messrs. Bradford & Son stated that the title deeds were sent soon after the purchase to David Eyres, Solicitors, of Queen Street, Sheffield, who had acted for Mr Forrest on his purchase and that this firm had informed Bradford & Son that they were unable to trace the deeds as their file records for 1959 were destroyed many years ago.

By a statutory declaration made on 27 July 1995 Mr Forrest stated that he purchased plot 113 from the Snettisham Shingle Company in 1955 for the sum of £80., that since 1955 he has been in exclusive occupation of the plot and has paid rates thereon to the local authority, that he is still the owner of the property and that from 1955 to the present time he has never had notice of any adverse claim to possession or ownership.

By letters written in August 1995 Anthony Steward Harmer (of 112 The Beach) and Sally Ansell (of 114 The Beach) respectively confirm that to the best of their knowledge information and belief the facts stated in Mr Forrest's statutory declaration are true.

On the above evidence I am satisfied that Mr Forrest's claim is well founded and shall direct that he be registered as owner of plot 113.

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

28

day of

September

1995

Alan Rowen
Commons Commissioner