



COMMONS REGISTRATION ACT 1965

Reference No 225/U/146

In the Matter of The Common, Reedham, Norfolk

DECISION

This reference relates to the question of the ownership of land known as The Common, Reedham, being the land comprised in the Land Section of Register Unit No CL 398 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 Asta Properties (Norfolk) Ltd and the Broadland District Council claimed to be the freehold owners of parts 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 Norwich on 23 May 1978. At the hearing Mr T Townsend, of Counsel, appeared on behalf of the Asta Properties (Norfolk) Ltd, Mrs D M Farnese, and Mr and Mrs R H Taylor, Mr J Richardson, Solicitor, appeared on behalf of the District Council, and Mr H W Garrod solicitor, appeared on behalf of Norwich Brewery Ltd.

The land the subject of the reference consists of a long narrow strip on the north side of the River Yare. The eastern-most part of this strip was conveyed to Asta Properties (Norfolk) Ltd by a conveyance made 4 October 1974 between (1) Reedcraft Ltd (2) Reginald Edward Lawn Spalding and Thomas Gordon Muirhead (3) Asta Properties (Norfolk) Ltd (4) John Denis Muirhead and Pamela Elspeth Muirhead his wife. Reedcraft Ltd had a good title to this part of the land in a conveyance made 20 January 1959. Asta Properties (Norfolk) Ltd divided this part of the land into mooring plots. Plots Nos 3 and 4 were conveyed to Mr and Mrs Taylor by two conveyances each made 31 March 1977 between (1) Asta Properties (Norfolk) Ltd (2) Robert Hudson Taylor and Beryl Joyce Taylor his wife. Plot No 2 was conveyed to Mrs Farnese by a conveyance made 31 October 1977 between (1) Asta Properties (Norfolk) Ltd (2) Dorothy Emily Farnese.

Another part of the land opposite the Lord Nelson Public House and a property known as The Lawrels was conveyed by a conveyance made 21 February 1967 between (1) Bullard and Sons Ltd (2) Watney Mann (East Anglia) Ltd. The title of Bullard and Sons Ltd as to part of the land so conveyed was derived from an indenture made 10 April 1869, as to another part from a conveyance made 30 June 1926, and as to the remainder from a conveyance made 19 November 1947. The name of Watney Mann (East Anglia) Ltd was changed to Norwich Brewery Ltd on 1 December 1976.

The whole of the rest of the land comprised in the Register Unit, with the exception of one small piece, was acquired in 1961 and 1962 by the former Rural District



Council of Blofield and Flegg for the purposes of a scheme for the construction of piling and quarry heading along the river frontage and for the provision of an open space, the former owners of the various parcels being Louis Charles Jackson, Annabella Munro, Harry Reginald Holden, Mabel Alice Norman, Nellie Jane Mutten, Violet Florence May Jefferson, Dorothy Gertrude Rustand, Alfred Donald Babington, and Sybil Maud Babington. This land passed to the District Council upon the loaning into operation of the Local Government Act 1972

On this evidence I am satisfied that Asta Properties (Norfolk) Ltd, Mrs Farnese, Mr and Mrs Taylor, Norwich Brewery Ltd and the District Council are the owners of their respective parts of the land, and I shall accordingly direct the Norfolk County Council, as registration authority to register them as the owners of those parts of land under section 8(2) of the Act of 1965. In the absence of any evidence I am not satisfied that any person is the owner of the remaining small-part of the land, and it will therefore remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 3⁽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

15th

day of

June

1978


Chief Commons Commissioner