



COMMONS REGISTRATION ACT 1965

Reference No. 225/U/105

In the Matter of The Fen,
Barton Turf, Norfolk.

DECISION

This reference relates to the question of the ownership of land known as The Fen, Barton Turf, being the land comprised in the Land Section of Register Unit No. CL 357 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 the Barton Turf Parish Council 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 Norwich on 16 July 1976.

At the hearing the Barton Turn Parish Council was represented by Mr P. Wilton, its Chairman.

By the Inclosure Award, dated 9 November 1810, made under the Barton Turf Inclosure Act of 1809 (49 Geo. III c.8 (private, not printed)) the land the subject of this reference was allotted to the Lords and Lady of the Manor of Barton Kybalds and Barton Bury Hall and Barton Kybalds, the Vicar of Barton Turf, and the Churchwardens and Overseers of the Poor of Barton Turf as trustees for the poor of the parish of Barton Turf. By section 14(2) of the Local Government Act 1894 the Overseers were replaced by persons appointed by the Parish Council.

In these circumstances I am satisfied that the present Trustees under the Award of 1810 are the owners of the land, and I shall accordingly direct the Norfolk County Council, as registration authority, to register them as the owner of the land under section 3(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 30th day of July 1976.


Chief Commons Commissioner