



In the Matter of The Green, Ormesby St.
Margaret, Blofield & Flegg R.D., Norfolk

DECISION

This reference relates to the question of the ownership of land known as The Green, Ormesby St. Margaret, Blofield and Flegg Rural District being the land comprised in the Land Section of Register Unit No.VG.50 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question and no 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 13 June 1973 and 20 March 1974. At the 1973 hearing, on the application of Mr. Young (mentioned below) I adjourned the proceedings without hearing any argument or evidence. At the adjourned 1974 hearing, Ormesby St. Margaret Parish Council were represented by Mr.D-G. Young, articled clerk with Lucas & Willys Solicitors of Great Yarmouth.

Mr. E.G. Tennant, who is 69 years of age, has lived all his life in the Parish and been clerk of the Parish Council for the last 29 years, gave evidence. He produced the Inclosure Award dated 16 May 1845 made under the Ormesby Saint Margaret, Ormesby Saint Michael, Ormesby Saint Peter, Ormesby Saint Andrew and Scratby Inclosure Act 1842 (5 & 6 Vict. Sess. 2; chap. ix). The 1845 Award contained an allotment "unto the Churchwardens and Overseers of the said Parishes of Ormesby Saint Margaret Ormesby Saint Michael and Scratby otherwise Scroteby and to their respective successors for ever one piece of land ... marked 17 on the said map containing by measure two acres and four perches bounded... And we certify and declare that the said last mentioned allotment so made to the said Churchwardens and Overseers is made to them as a place of exercise and recreation for the Inhabitants of the said Parishes and Neighborhood and shall be held by them for that purpose.

Mr. Tennant said (in effect):- the Parishes above mentioned used to be one, but some years ago Ormesby Saint Margaret and Scratby were combined under one parish council and Ormesby Saint Michael continued under another parish council. The land is a village green, a grass land in the middle of the Village. It adjoins the School and is regularly used by the children as a playground. Up to about five years ago it was used annually by a travelling Fun fair. This year a church fete will be held on it. Mr. Tennant identified the land marked 17 on the Award map with that comprised in this Register Unit (except that the former includes a minimal strip not included in the latter).

In my opinion the ownership by the above quoted allotment granted to the Churchwardens and Overseers passed under the Local Government Act 1894 to the Parish Council. On the above evidence I am satisfied that the Parish Council are the owners of the land, and I shall accordingly direct the Norfolk County Council as registration authority to register Ormesby Saint Margaret Parish Council as the owners of the land under section 8 (2) of the Act of 1965.



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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 23rd day of April 1974.

a. a. Baden Fuller

Commons Commissioner