



COMMONS REGISTRATION ACT 1965

Reference No. 225/U/101

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

DECISION

This reference relates to the question of the ownership of land known as The Marsh, Barton Turf, being the land comprised in the Land Section of Register Unit No. CL 352 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 Trustees of the Poor's Allotment, Irstead claimed to be the freehold owners of the land in question and the Barton Turf Parish Council supported this claim. 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 Trustees of the Poor's Allotment were represented by Mr J.V.Gane, their Secretary, and the Parish Council by Mr P. Wilton, its Chairman.

By the Inclosure Award, dated 31 August 1810, made under the Irstead Inclosure Act of 1807 (47 Geo. III, sess.1, c.xix) the land the subject of this reference was allotted to the Lords of the Manors of Neatishead with Irstead and Irstead, the Rector of Irstead, and the Churchwardens and Overseers of the Poor of the Parish of Irstead as trustees for the poor of the parish. By section 14(2) of the Local Government Act 1894 the Overseers were replaced by persons appointed by the Parish Council. The area of the Parish of Irstead is now part of the Civil Parish of Barton Turf.

On this evidence I am satisfied that the Trustees are the owners of the land, and I shall accordingly direct the Norfolk County Council, as registration authority, to register them as the owners of the land under section 8(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 21st day of July 1976.


Chief Commons Commissioner