



COMMONS REGISTRATION ACT 1965

Reference No 225/U/159

In the Matter of The Old Fen,
Garboldisham, Breckland D

DECISION

This reference relates to the question of the ownership of land known as The Old Fen, Garboldisham, Breckland D being the land comprised in the Land Section of Register Unit No VG. 104 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 the Trustees of the Charity known as the Fuel Allotment Garboldisham claimed to be the freehold owners 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 King's Lynn on 27 October 1977.

There was no appearance at the hearing but prior to the hearing the Charity Commission had sent to the office of the Commons Commissioners an affidavit sworn by P G J Mackey on the 20th October 1977 and the Exhibit thereto which proved that the land in question is held upon trust for the poor of the parish for the purpose of supplying the poor of the parish with fuel and that the trustees of the said Charity are the owners of the land in question.

On this evidence I am satisfied that the Trustees of the Charity known as the Fuel Allotment Garboldisham are the owners of the land, and I shall accordingly direct the Norfolk County Council, as the owner of the land, to register the said Trustees as the owner 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 14th day of November 1977

E. A. Little

Commons Commissioner