



COMMONS REGISTRATION ACT 1965

Reference No. 225/U/230

In the Matter of The Plain, Long Stratton,  
South Norfolk District, Norfolk

DECISION

This reference relates to the question of the ownership of land known as The Plain, Long Stratton, South Norfolk District being the land comprised in the Land Section of Register Unit No. VG 142 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 Long Stratton Parish Council claimed (their clerk's letter of 5 September 1978) 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 3 April 1979: At the hearing Long Stratton Parish Council were represented by Mr R W Cooke one of their members.

Mr Cooke who has lived in the Village for about 9 years and been a member of the Parish Council for the last 6 years referred me to my decision dated 23 September 1976 (reference 225/D/78) given on evidence at a hearing in Norwich on 9 June 1976. He said that since the 1976 hearing, the Parish Council had erected on the land the Village Sign and placed on it 2 seats (one was donated), and has also maintained the land.

I consider I can at this hearing properly have regard (as Mr Cooke suggested) to the evidence put before me at the 1976 hearing. Having regard to Mr Self's statement that "The Plain ... for many years belonging to the Parish. Records and ordnance maps verify this", and to the rest of the said evidence, I conclude that the Parish Council are the reputed owners, notwithstanding the contra ownership claim put forward at the 1976 hearing and not repeated at this 1979 hearing. Whether such reputation is enough for me to say that I am satisfied as to the council's ownership and so direct their registration under sub-section (2) of section 8 of the 1965 Act, may not in the particular circumstances of this case, be of much practical consequence, because by sub-section (3) I am required if not so satisfied to direct their registration as owners. However bearing in mind what the land looked like when I inspected it in 1976, I can I think infer from Mr Cooke's evidence of what has happened since the 1976 hearing, that the Parish Council are now in possession. With regard to this and to their reputed ownership, I am satisfied that they are the owners and I shall accordingly direct the Norfolk County Council, as registration authority, to register Long Stratton Parish Council as the owner of the land under section 8(2) of the Act of 1965.



- 2 -

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 — 1979

a. a. Bailen Fuller

Commons Commissioner