



COMMONS REGISTRATION ACT 1965

Reference No. 225/D/76

In the Matter of the Village Hut, Broome,
South Norfolk District, Norfolk

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No VG. 124 in the Register of Town or Village Greens maintained by the Norfolk County Council and is occasioned by Objection No 2673 made by Messrs Cadge & Gilbert and noted in the Register on 14 January 1971.

I held a hearing for the purpose of inquiring into the dispute at Norwich on 10 June 1976. At the hearing Brigadier William Greenwood Carr who is the tenant for life of property known as the Ditchingham Estate, Norfolk, was represented by Mr M C Cadge, solicitor of Messrs Cadge & Gilbert, Solicitors of Loddon.

Mr Cadge said that the Objection, although apparently signed by his firm as principals, was in fact made on behalf of Brigadier Carr.

The registration was made on the application of Broome Parish Council. The grounds stated in the Objection are:- "The land hatched in blue on the attached plan was not a Town or Village Green at the date of the provisional registration"; the said plans show so hatched all or nearly all the land comprised in this Register Unit. In a letter dated 25 May 1976, to the Clerk of the Commons Commissioners, the Parish Clerk writes: "...the late Mrs Margaret Carr of Ditchingham Hall, Norfolk gave the piece of land to Broome in order that a Village Hut might be erected on the site and we hold the deeds. The present Village Hall stands on the site. We do not understand why it has been registered...". In a letter dated 7 June 1976 to myself, the Parish Clerk says: "I am writing to inform you that the Parish Council of Broome wishes to withdraw the registration of Plot VG. 124...Part...is the property of the Ditchingham Hall Estate and the remainder belongs to the Parish Council. I enclose a plan...".

Mr Cadge explained that Mrs Carr referred to was the mother of Brigadier Carr and agreed the ownership of the land is as indicated on the plan enclosed with the June 1976 letter. He contended that I should refuse to confirm the registration.

In the circumstances above described, this contention appears to me to be right, and accordingly I refuse to confirm the registration.

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 16th day of June —

1976

~ ~ Raden Fuller