



In the Matter of The War Memorial,
Saxlingham, Norfolk.

DECISION

This reference relates to the question of the ownership of land known as The War Memorial, Saxlingham, being the land comprised in the Land Section of Register Unit No CL 322 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 no person claimed to be the freehold owner of the land in question and no one 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 14 March 1978.

At the hearing the Saxlingham Nethergate Parish Council was represented by Dr J Fox, its Chairman.

The land in question is a small triangular area at a road junction. The War Memorial was placed on it in 1921, but not by the Parish Council. The Parish Council has repaired the War Memorial from time to time and in 1946 paid for its alteration. In 1964 the Parish Council erected a post and rail fence on the land.

I am satisfied that the Parish Council has been in adverse possession of the land for sufficiently long to have acquired a possessory title.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Norfolk County Council, as registration authority, to register the Saxlingham Nethergate Parish Council 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

25th

day of

April

1978

CHIEF COMMONS COMMISSIONER