



COMMONS REGISTRATION ACT 1965

Reference No.25/U/10

In the Matter of Upper Sheringham Common,  
Upper Sheringham, Norfolk.

DECISION

This reference relates to the question of the ownership of land known as Upper Sheringham Common, Upper Sheringham, being the land comprised in the Land Section of Register Unit No. C.L.54 in the Register of Common Land 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 Sheringham Poor's Allotment Charity claimed to be the freehold owner of the land in question and Mr.R.M. Parker and the Charity Commission 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 4th July 1972. Mr. J. Vertigan, Solicitor, appeared for the Sheringham Poor's Allotment Charity.

The land in question in this reference was allotted to the Lord of the Manor of Sheringham and the Curate, Churchwardens and Overseers of the Poor of the Parish of Sheringham as trustees for the poor inhabitants of the Parish by the inclosure award, dated 26th July 1811, made under the Sheringham Inclosure Act of 1809 (49 Geo.III, c.19 (private)).

There were produced to me an affidavit by a member of the staff of the Charity Commission and a certified copy of an order made by the Board of Charity Commissioners for England and Wales on 28th February 1908, which inter alia vested the land in question in the Official Trustee of Charity Lands. The land is now vested in the Official Custodian for Charities by virtue of section 48(6) of the Charities Act 1960.

For these reasons I am satisfied that the Official Custodian is the owner of the land, and I shall accordingly direct the Norfolk County Council, as registration authority, to register the Official Custodian of Charities as the owner of the land.

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 14<sup>th</sup> day of July 1972

  
Chief Commons Commissioner