



COMMONS REGISTRATION 1965

Reference No 225/U/154

In the Matter of Village Green,
Horning, North Norfolk District
Norfolk

DECISION

This reference relates to the question of the ownership of land known as Village Green, Horning, North Norfolk District, being the land comprised in the Land Section of Register Unit No VG38 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 Horning Parish Council said (letter of 1 February 1975) that they held the conveyance to the Council from the donors of the land in question, and Mr P S Le Grice said (letter of 8 February 1975) that there was a conveyance to the parish Council dated 6 May 1933 and gave other information about the history of the land. No other person claimed to be the freehold owner of the land or 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 7 December 1978. At the hearing Horning Parish Council were represented by Mr L W Mitchell, their clerk.

Mr Mitchell, who has lived in the Village all his life (57 years) and been clerk of the Council since July 1967, in the course of his evidence produced conveyances dated 6 May 1935, 26 November 1927 and 20 October 1919, and drew my attention to my decision dated 11 April 1974 in which I considered the ownership of (among other lands) the Staithe Lower Street which is the land comprised in Register Unit No CL116 in the Register of Common Land, and of which I concluded that the Parish Council are under the said 1927 and 1935 conveyances the owners.

Mr Mitchell said that the CL116 land and the VG38 land adjoining, are dealt with as one piece of land in all the said conveyances, and now appear to be such. In my said decision (at pages 4 and 5) I summarise the evidence then given in relation to the CL116 land and the considerations which I thought to be applicable; all these considerations are equally applicable to the VG38 land.

I need not repeat here what I then said; on substantially the same evidence, I am satisfied that the Parish Council are the owners of the VG38 land, and I shall accordingly direct the Norfolk County Council, as registration authority, to register Horning Parish Council as the owners 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 3rd day of January 1979.

a. a. Baden Fuller

Commons Commissioner