



In the Matter of Boyland Common,
Shelfanger, Norfolk.

DECISION

This reference relates to the question of the ownership of land known as Boyland Common, Shelfanger, being the land comprised in the Land Section of Register Unit No CL 289 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 Mr M Oglesby, solicitor, appeared on behalf of the Shelfanger Parish Council.

Mr Oglesby drew my attention to a number of entries in the Parish Council's minute book from 1932 onwards. These entries show that the Parish Council was taking an interest in the state of the land in question, but it does not appear that the Parish Council ever did anything which could be regarded as taking possession of the land. On the contrary, there were complaints to the former Depwade Rural District Council about the condition of the land.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

21st

day of

April

1978

CHIEF COMMONS COMMISSIONER