



## COMMONS REGISTRATION ACT 1965

Reference Nos. 225/U/140, 225/U/141

In the Matter of (1) Drove  
Hill and (2) Southrepps Common,  
both in Southrepps, North  
Norfolk District, Norfolk

DECISION

These references relate to the question of the ownership of lands known as (1) Drove Hill and (2) Southrepps Common, both in Southrepps, North Norfolk District being the lands comprised in the Land Section of Register Unit (1) No.CL390 and (2) No.CL391 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 Southrepps Parish Council said (letter dated 8.2.75) that it is believed that the Commons are a part of the manorial rights vested in the Suffields of Gunton Park and Miss Harbord (letter of 10 February 1975 from Irelands, Chartered Surveyors of Aylsham on her behalf) claimed to be the freehold owner as Lady of the Manor. No other person claimed to be the freehold owner of the lands in question 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 lands at Norwich on 7 December 1978. At the hearing the Hon Doris Cecilia Harbord was represented by Mr D J W Greenish articled clerk with Lee & Pemberton Solicitors of London.

Mr Greenish in the course of his evidence produced (among other documents): (1) a vesting deed dated 3 May 1927 by which it was declared that the Manors, Mansion House, Park, farms and lands constituting the Gunton Estate were vested in Rt Hon V A C Lord Suffield in fee simple; (2) probate dated 30 October 1944 of his will (he died 10 June 1943); (3) an assent and deed of discharge dated 1 February 1948 by which his personal representatives assented to the vesting in Miss Harbord of all the land comprised in the said vesting deed on the trusts of the said will; and (4) statutory declarations made by Mr R J Wortley who from 1939 to 1965 acted as the Land Agent of the Gunton Estate and who therein said that the lands (CL390 and CL391) together with the Lordship of the Manor of Southrepps has for many years past formed part of the Estate comprised in the said 1927 vesting deed and that he had never heard of any adverse claim.

Mr M J W Gamble chartered surveyor of Irelands said (in effect):- He started looking after the Estate in 1973 when he took over from his partner. The Estate is reputed to be the owner of Southrepps Common (CL391, according to the Register map about 18½ acres). They had been approached on many occasions by the Parish Council regarding its maintenance and associated problems.



- 2 -

He produced a letter of 30 August 1972 and explanatory plan written and prepared on behalf of Mr F B Self about land adjoining the Common and an invoice dated 19 September 1977 for cutting the hedge. He said that the other Southrepps Commons had the same reputed ownership, being Grove Hill (CL390, a comparatively very much smaller area a little to the north east, and Mill Common CL389 a little to the southwest) and referred me to the decision of the Chief Commons Commissioner dated 8 June 1978 reference 225/U/125 in which he had accepted evidence similar to that summarised above as showing Miss Harbord's ownership of the CL 389 land

On the evidence summarised above I am satisfied that Miss Harbord is the owner of the lands and I shall accordingly direct Norfolk County Council as registration authority, to register the Honourable Doris Cecilia Harbord of Gunton Park, Hanworth, Norfolk as the owner of the lands 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 26<sup>th</sup> day of March — 1979

*A. A. Brian Fuller*

Commons Commissioner