



In the Matter of Land at the Junction of
Cargate Lane and Norwich Road, Saxlingham,
Norfolk

DECISION

This reference relates to the question of the ownership of land at the junction of Cargate Lane and Norwich Road, Saxlingham, being the land comprised in the Land Section of Register Unit No CL 318 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 triangle at the junction of two roads. It has a tree growing on it. Round the tree is a seat, which was put there at some time before 1966. The Parish Council has paid for the repair of the seat, from which I infer that it was originally placed there by the Council. The Council has also paid for the cutting of the grass on the land.

This is not a strong case, but I have come to the conclusion that there is just enough evidence to enable me to find 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

21st

day of

April

1978

CHIEF COMMONS COMMISSIONER