



In the Matter of Little Thornage Common,
Thornage, Norfolk.

DECISION

This reference relates to the question of the ownership of land known as Little Thornage Common, Thornage, being the land comprised in the Land Section of Register Unit No CL 439 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, but Mr B Cozens-Hardy 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 15 March 1978.

At the hearing Mr J H Howard, solicitor, appeared on behalf of Mr R H Cozens-Hardy, Miss C M Cozens-Hardy, and Miss H L. E. Cozens Hardy (hereafter referred to collectively as "the Trustees").

The land the subject of the reference was conveyed to Mr B Cozens-Hardy by a conveyance made 11 October 1958 between (1) Herbert Arthur, Baron Cozens-Hardy (2) Basil Cozens-Hardy. Mr Cozens-Hardy died on 11 January 1976 and probate of his will was granted to Mary Cecilia Rosser, David Cozens-Hardy Hirst, John Oldham Turner and Eric Henry Edward Raven (hereafter referred to collectively as "the Executors"). By an assent made 3 June 1977 between (1) The Executors (2) The Trustees the Executors assented in the vesting of the land in the Trustees. Mr B Cozens-Hardy was during his life-time with his farming partner, Mr P H High, in occupation of the land and in receipt of the rents thereof.

On this evidence I am satisfied that the Trustees are the owners of the land, and I shall accordingly direct the Norfolk County Council, as registration authority, to register them 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 21st day of April 1978

CHIEF COMMONS COMMISSIONER