



In the Matter of Recreation Ground, Bramerton,
South Norfolk D.

Decision

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. VG 133 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 Bramerton Parish Council claimed to be the freehold owner of part of the land in question ("the Unit land") and the Commons, Open Spaces and Footpaths Preservation Society 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 16 March 1981.

The hearing was attended by Mr A D Pond, Administrative Officer of the County Council, and by Mr C McQuarrie, Vice-Chairman of the Parish Council.

Mr Harrison, the Clerk to the Parish Council, gave evidence, and an affidavit was produced sworn on 12 March 1981 by Mr J S Holdsworth, a Higher Executive Officer of the Charity Commission. By the Bramerton Inclosure Award of 14 October 1852 there was allotted to the Churchwardens and Overseers of Bramerton Parish a piece of land to be held in trust as a place of exercise and recreation for the inhabitants of the Parish. This piece, of two acres, is numbered 6 on the Award Map and is part of the Unit land: the Award allotted two other pieces, numbered 5 and 8 on the Award Map, which appear to make up the rest of the Unit land, to the Surveyors of the Parish.

The Parish Council claims ownership only of the piece numbered 6.

On the evidence I am satisfied that it is the owner of that part of the Unit land and shall accordingly direct the Norfolk County Council, as registration authority, to register it as the owner of that part under section 2(2) of the Act of 1965. As to the remainder of the Unit land, there was no claim or evidence as to its ownership: I am not satisfied that any person is the owner, and it will therefore ~~remain subject to protection under section 2 of the Act of 1965.~~ ^{present} be registered in the ownership of the Parish Council under section 2(3) of the Act.

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

15 April

1981

L J Harris Smith

Commons Commissioner