



COMMONS REGISTRATION ACT 1965

Reference No 225/U/79

In the Matter of Sidestock, Newton
by Castle Acre, Breckland D

DECISION

This reference relates to the question of the ownership of land known as Sidestock, Newton by Castle Acre, Breckland D being the land comprised in the Land Section of Register Unit No CL. 299 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 each of them Mr A Fountaine and Newton by Castle Acre Parish Meeting claimed to be the freehold owner of the land in question and no other person 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 King's Lynn on 25 October 1977.

Mr H Picarda, counsel, instructed by Messrs Risdons appeared for Mr A Fountaine who claimed ownership as Lord of the Manor. Mr C K Faircloth appeared on behalf of the Parish Meeting and claimed ownership by virtue of a possessory title. Mr Picarda proved Mr Fountaine's "paper title" as Lord of the Manor but in the course of the hearing conceded the possessory title of the Parish Meeting. Mr Faircloth stated that the Parish Meeting had not appointed any Trustees and undertook to procure the appointment of Trustees and to satisfy me before I give the direction hereinafter mentioned that such trustees have been duly appointed.

On this evidence I am satisfied that Newton by Castle Acre Parish Meeting is the owner of the land, and I shall accordingly direct the Norfolk County Council 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 14th day of November 1977

E. A. Le Her

Commons Commissioner