



In the Matter of Snettisham Beach,
Snettisham, Norfolk

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL.260 in the Register of Common Land maintained by the Norfolk County Council and is occasioned by Objection No. 115B made by Mr M H Thursby and noted in the Register on 28 August 1970.

Mr Commissioner Morris Smith held a hearing for the purpose of inquiring into the dispute at King's Lynn on 5 December 1979. The hearing was attended by Miss R Carter, Solicitor, on behalf of the Snettisham Parish Council, the applicant for the registration, and by Mr N Asprey, of Counsel, on behalf of the Objector.

On the application of Miss Carter and Mr Asprey, the matter was adjourned, the hope being expressed that a settlement would be reached. It was a term of the agreement to the adjournment that there would be no order as to costs, save that if the registration had not been withdrawn and a further hearing took place, the Parish Council would pay the Objector's costs of the hearing on 5 December 1979 in any event.

On 6 August 1981 the Solicitors for the Parish Council wrote to the Clerk to the Commons Commissioners stating that in view of an agreement which they had then reached with the Le Strange Estate Trustees (one of whom is the Objector) the application by the Parish Council would more than likely be withdrawn. The letter then continued:-

"We have in fact written to the Solicitors for the Trustees, stating that such is our understanding, but asking that if they wish to be heard to let us know directly. If you do not hear from us within the next few days, we think that you can assume that the position will be as we have stated".

There has been no further communication regarding the matter.

The case was formally put in the list for hearing by me at Golden Cross House, Duncannon Street, London W.C.1, when Mr R Campbell, of Counsel, appeared on behalf of the Parish Council in another matter, but adduced no evidence in support of this registration.

In these circumstances I refuse to confirm the registration, and I make no order as to costs.

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

5th

day of

May

1982


Chief Commons Commissioner