



In the Matter of the Market Place, New
Buckenhams, Breckland District, Norfolk.

DECISION.

This reference relates to the question of the ownership of land known as the Market Place, New Buckenhams, Breckland District being the land comprised in the Land Section of Register Unit No. CL.242 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 Dr. R.A.M. Hamerton claimed to be the owner of the land in question and Mr. P.J. Stimpson suggested that the Church Commissioners might help. In a letter dated 7 November 1964, it was stated on behalf of the Church Commissioners that they do not claim ownership and have no information about possible ownership. No other person claimed to be the freehold owner of the land in question or 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 17 July 1975. At the hearing, Dr. Hamerton was represented by Mr. L. Breeze, legal executive with A.T. Clowes & Son, Solicitors of New Buckenden.

Dr. Hamerton, who has practised in New Buckenden for the last 30 years and lived there for the last 25 years, in the course of his evidence produced (1) an indenture dated 26 September 1884 by which there was conveyed to Mr. A.T. Clowes "ALL THAT Manor...of Buckenhams Nova Burgis or New Buckenhams Borough... and appurtenances to the same belonging And also the Market of New Buckenhams aforesaid and Market Place there And also the Fairs of New Buckenhams aforesaid Together..." ; (2) an abstract dated 1963 of title to the Manor showing the death of Mr. A.T. Clowes on 1 January 1921 and probate of his will dated 25 September 1916 by which he gave the Manor to his son Mr. R. Clowes; and (3) a conveyance dated 7 November 1963 by which Mr. R. Clowes conveyed the said Manor and Market Place by a description identical (so far as now relevant) with that above quoted from the 1884 indenture.

Dr. Hamerton described the land as an extremely pleasant Country Green; we hope (he said) to get a prize this year. Walking over it, after the hearing I am not surprised that those living on it and near it regard it as a valuable amenity.

On the evidence summarised above I am satisfied that Dr. Hamerton is the owner of the land and I shall accordingly direct the Norfolk County Council, as registration authority, to register Dr. Robert Anthony Mountgarret Hamerton of Market Place, New Buckenhams, Norfolk 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 30th — day of July — 1975.

a. a. Bates Fuller

Commons Commissioner.