



COMMONS REGISTRATION ACT 1965

Reference No 225/D/78

In the Matter of The Plain, Long
Stratton, South Norfolk District,
Norfolk

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No VG. 142 in the Register of Town or Village Greens maintained by the Norfolk County Council and is occasioned by Objection No 394B made by Mrs Phoebe Mary Reeve and noted in the Register on 4 September 1972.

I held a hearing for the purpose of inquiring into the dispute at Norwich on 9 June 1976. At the hearing (1) Mrs Reeve was represented by Mr P M Guppy, solicitor of Hill & Perks Solicitors of Norwich agents for Wood Nash & Winter Solicitors of Grays Inn, London, and (2) Long Stratton Parish Council were represented by Mr R W Cooke one of their members.

The registration was made on the application dated 17 June 1969 of Mr A Self; on his application (form CR8) under a heading "Remarks", he described how the land had been used. The grounds stated in the Objection (dated 15 July 1972) are: "I object to the proposed registration of this land as Town or Village Green in as much as the land in question was not a town or village green at the date of registration". In a letter dated 1 June 1976 and addressed to Mr Self, Solicitors acting for Mrs Reeve said: "...She is convinced that there is no question of the land coming within the definition of Town or Village Green as given in the Commons Registration Act 1965. Unfortunately due to age and infirmity it is not practicable for our client to produce oral evidence on this question at the hearing... The question of the ownership of The Plain is not of course a matter at issue... For your information our Client claims to be the legal owner of The Plain subject only to such public rights of way as may exist over it".

The land ("the Unit Land") comprised in this Register Unit is a narrow triangular piece, of which the west side (about 50 or 60 yards long) is the A140 road running through the middle of the Village from Norwich on the north to Ipswich on the south, of which the east side (about the same length) is the front walls of (or perhaps the edge of the footpath in front of) 3 dwelling houses (Long Tuil, Tupsley and Sibford Gower) and the gates to the yard or garden on the south side of one of them, and of which the north side (about 10 yards long or less) is a minor road called Star Lane.

The course of the proceedings was as follows:- Mr Cooke said that Mr Self is deceased (I was later told that he died about 2 years ago). Mr Cooke said that he would support the registration made by Mr Self (the Parish Council are entitled to do this, see regulation 14 of the Commons Commissioners Regulations 1971). Mr Guppy handed in a statutory declaration made on 4 June 1976 by Mrs A M Bonney (she is Mrs Reeve's daughter), to which was exhibited the documents