

COMMONS REGISTRATION ACT 1965

Reference No.25/D/2

In the Matter of The Staithe.

Lower Street, Horning, Norfolk.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.C.L.116 in the Register of Common Land maintained by the Norfolk County Council and is occasioned by the conflicting registration at Entry No.1 in the Land Section of Register Unit No.V.G.60 in the Register of Town or Village Greens maintained by the Council.

All the persons entitled to be heard at the hearing of this dispute agreed that the registration should be confirmed subject to modification and sent to the Clerk of the Commons Commissioners an intimation to that effect signed by or on behalf of all such persons. This intimation did not contain in so many words particulars of the terms of the decision desired, but referred to an annexed map. It seems to me to be desirable, if at all possible, to put the decision into words and to avoid the introduction of a new map at the decision stage. Unfortunately in this case the form of words which I devised and embodied in a decision dated 3rd July 1972 did not give effect to the wishes of the parties. That decision not being in accordance with the agreed terms, it does not comply with Regulation 31 of the Commons Commissioners Regulations 1971 and must therefore be regarded as a nullity.

I have re-drafted the terms of the decision to bring them, so I hope, into accordance with the wishes of the parties, and I accordingly confirm the registration with the following modification:- namely, the exclusion of so much of the land as lies to the south of the southerly face of the buildings shown on the register map as being situate to the west of the Post Office.

Dated this 23th day of July 1972

Chief Commons Commissioner