



COMMONS REGISTRATION ACT 1965

Reference No. 225/U/115

In the Matter of the Staithe, Repps with
Bastwick, Great Yarmouth Borough, Norfolk

DECISION

This reference relates to the question of the ownership of land known as the Staithe, Repps with Bastwick, Great Yarmouth Borough being the land comprised in the Land Section of Register Unit No CL371 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 no person claimed to be the freehold owner of the land in question and no 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 Norwich on 5 December 1978.

At the hearing Mr Edward Christopher Evans-Lombe of Estate Office, Hall Farm, Great Melton, Norwich was represented by Mr A D K Wood, Solicitor of Overbury, Steward & Eaton, Solicitors of Norwich.

The land in this Register Unit is on the southeast side of the River Thurne and on the southwest side of (or of the road leading to) Heigham Bridge. At the hearing I was referred to the Repps-with-Bastwick and Eccles Inclosure Award dated 18 March 1809. Mr Wood in the course of his evidence produced a plan of (or part of) the Lombe Estate, and a way leave agreement dated 3 August 1960 and made between Mr E C Evans-Lombe and Great Yarmouth Waterworks Company.

After some discussion, I gave Mr Evans-Lombe liberty to send to the office of the Commons Commissioners a statement of the evidence which could be given on his behalf at a further hearing, showing his ownership, and said that on receipt of such a statement I would consider adjourning the proceedings.

In a letter received 8 January 1979, Overbury, Steward & Eaton say that their clients have decided not to proceed any further. The information put before me by Mr Wood at the hearing does not in my opinion show that Mr Evans-Lombe is the owner of this land. In the absence of any evidence that anybody else could be the owner I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 1st —

day of February — 1979.

a. a. Bustin Fuller