



In the Matter of the Village Green, Caston,
Breckland District, Norfolk.

DECISION.

This reference relates to the question of the ownership of land known as the Village Green, Caston, Breckland District being the land comprised in the Land Section of Register Unit No. VG.15 in the Register of Town or Village Greens 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 Caston Parish Council claimed to be the freehold owner of the land in question and no other 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 17 July 1975. At the hearing Caston Parish were represented by Mr. C.A. Drake their clerk.

Mr. Drake who has lived in the parish all his life (50 years), was a member of the former Parish Council from 1958 until 1973 (it was then reconstituted), and has since been their clerk, in the course of his evidence referred me to the Caston Inclosure Award dated 23 March 1814 and made under the Caston Inclosure Act 1812 (52 Geo. 3 c.xliii), and produced the Minute books of the Parish Council (one from 1894 to 1950 and the other from 1950 to date) and the Minute Book of the Parish Meetings (from 1894 to date). By the Award the land comprised in this Register Unit was (with other land) allotted to the Churchwardens and Overseers of the Poor of Caston, and the said books contain a number of references to the Village Green and (after 1918) to the War Memorial on it, showing that the land had been continuously administered by the Parish Council.

On the evidence outlined above I am satisfied that the Parish Council are the owners of the land and I shall accordingly direct the Norfolk County Council, as registration authority, to register Caston Parish Council 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. Baden Fuller

Commons Commissioner.