

COMMONS ACT 2006 section 19

The Commons Registration (England) Regulations 2014 No.3038

Application to correct the register on the basis of a mistake by the Commons

Registration Authority in registering land as common in Eaton, Norwich

CL 1 (NOR)

Final Decision

Section 19 of the Commons Act 2006 allows applications to correct certain errors in the registers. Section 19(2) sets out the purposes for which a correction can be made.

Section 19 reads as follows:-

19. Correction

(1) A commons registration authority may amend its register of common land or town or village greens for any purpose referred to in subsection (2)

(2) Those purposes are -

(a) correcting a mistake made by the commons registration authority in making or amending an entry in the register;

(b) correcting any other mistake, where the amendment would not affect -

(i) the extent of any land registered as common land or as a town or village green: or

(ii) what can be done by virtue of a right of common

(c) removing a duplicate entry from the register;

(d) updating the details of any name or address referred to in an entry

(e) updating any entry in the register relating to land registered as common land or as a town or village green to take account of accretion or diluvion

(3) References in this section to a mistake include -

(a) a mistaken omission, and

(b) an unclear or ambiguous description

and it is immaterial for the purposes of this section whether a mistake was made before or after the commencement of this section.

(4) An amendment may be made by a commons registration authority

(a) on its own initiative (NB this power is not yet in force in Norfolk)

(b) on the application of any person.

(5) A mistake in a register may not be corrected under this section if the authority considers that, by reason of reliance reasonably placed on the register by any person or for any other reason, it would in all the circumstances be unfair to do so

Taking this test into account, was a mistake made by the Registration Authority (CRA), as stated by Mr and Mrs Bradshaw in their application for the correction of the register under section 19? Was the extent of the registration of the land as shown on Mr Tusting's application plan faithfully reproduced by the CRA when it compiled the Common Land Registers for Eaton Common Unit CL1 (NOR)?

The case for the correction is based on the following grounds:

- The land registered at the Land Registry under Title Number NK397546 is wrongly shown as being part of Eaton Common registered under entry CL1.
- The original application made to register CL1 did not include this particular parcel of land.

Taking the points above as one, the CRA advises as follows;

Eaton Common was the first CL unit in Norfolk to be considered by the Norwich County Borough Council, (now the Norwich City Council) which was then the Commons Registration Authority (CRA) for Norwich. It is thought the discretionary power provided by the Commons Registration Act 1965 to CRAs to register land 'without application' was used to resolve a dilemma thrown up by two separate applications (one for the registration of the land as common and the other for the registration of rights of common) for land at Eaton. Each of these applications recorded different areas of common land on their accompanying maps.

A copy of the common land map showing the extent of land registered as common under Unit CL 1 (NOR) as marked with a green verge line is attached as Appendix 1.

The section of the register known as the 'Land section' in which the land is described is attached as Appendix 1a, the section recording 'Ownership' is attached as Appendix 1b and the relevant extract from the section in which the 'Rights of Common' are registered is attached as Appendix 1c. Note that these sheets are marked as being 'Edition number 2' and that they all bear the note at the foot of the sheets that 'This Edition was prepared on the basis of documentation passed to the Norfolk County Council following Local Government Re-organisation'

The 'provisional' registration of the land took place on the 12 October 1967. At entry number 1 on the Land sheet it is recorded that the land was 'Registered by the registration authority without application'. The registration of the land was not disputed and so, on the 1 October 1970, the registration of the land was made 'final'.

The two separate land applications – Mr L G Richards and Mr JB Tusting

Within the case file an Ordnance Survey plan circa 1956/7 was discovered on which is outlined in red 'Eaton Common'. The plan (copy enclosed as part of Appendix 2) is marked 'A' and on the back bears the following wording, 'This is the exhibit marked "A" referred to in the statutory declaration of L G Richards made this March 20th 1967 before me' - signed by Jessie R Griffiths, Justice of the Peace for the City of Norwich.

There is no matching application form CR7, which is the prescribed form used by applicants for the registration of land as common. Clearly, this exhibit OS plan has become detached from what was no doubt the first application for registration of the land as common. The declaration would have been part of the application and as with all land applications, is cross referenced to the preceding sections of the form in a way which implies that these sections were completed at the same time or at an earlier date ("I am the person who has signed the foregoing application"). This suggests that the missing application form was completed on or before 20 March 1967 and may well have been Application No.1. The plan excludes the application land but includes land to the north and west and also includes the track to the Railway Keepers Cottage to the east of the application land.

Mr L G Richards was a County Borough Councillor and as such would have had an understandable interest in local issues. Certainly, he is on record as attending the first hearing into the ownership of Eaton Common, which was held on 22 June 1973.

Mr Tusting - There is also a second, documented application for registration of the land as common with the papers. This was made by a Mr J B Tusting on 29 March 1968 (see Appendix 2), some 6 months after the provisional registration. Mr Tusting's application form was accepted by the CRA as 'Application no 3' and did not include the land which is the subject of this application. It did not also include the land to the north and west or the track to the Railway Keepers Cottage.

However, prior to the second application (Tusting) being submitted, the CRA, in August 1967, received an application for the registration of three common rights by a Miss Fitt. This was accepted by the CRA as 'Application no 2' on 3 August 1967. The land coloured pink/red on the supplemental plan attached to the application denotes the land over which Miss Fitt claimed rights of common. This includes the section 19 application land.

I am grateful to Mr Steve Byrne for advising that the one anomaly on Miss Fitt's application form for the registration of her common rights is the official stamp dated 12 October 1967 on the supplemental map. The significance of this date stamp is that 12 October 1967 was the date on which CL1 (NOR) was provisionally registered as common land. Mr Byrne considers it likely that this supplemental map was used as part of the registration process and that in turn this map was used to reconstruct the form.

Referral to the Commons Commissioner (Appendix 2)

The Commons Commissioners considered Eaton Common on three occasions. The first of those was in 1973 when there was a hearing into the ownership of the common. The Decision letter makes reference to the attendance and the provision of evidence by Mr L G Richards. At paragraph 4 it is stated that Mr Richards' application is 'noted' in the land section of the register, though the date given for the Richards application is '6 April 1937', which is obviously a mistake.

Secondly, in 1990 the CRA was in correspondence with the Clerk of the Commons Commissioners, Miss Winifred George, about the scheduled hearing of the objection (under the Commons Registration (Rectification of Registers) Act 1989) made by the British Railways Board to the registration of 'Railway Keepers' cottage and garden curtilage. Mr John Richardson of the CRA, in his letter of 9 November 1990, refers to Mr Tusting's application for the registration of the common. Miss George, in her reply of 16

November 1990 states that 'Mr Tusting's name is not recorded on the copy of the register recently supplied by you to this office. I note however that in the old copy of the register kept on an old file, he is recorded as a noted applicant'.

The application for the removal of the cottage and garden was successful and a copy of the Chief Commons Commissioners decision letter of 31 January 1991 is attached. As noted by Mr Richardson, Miss Fitt's application map did not acknowledge the presence of the 'Railway Keepers' cottage and garden curtilage.

Thirdly, in 1995 the second hearing into ownership was held. OS parcels 7118 and 7920, the application land, were discussed by agents of the then owners of the land who stated that rents had been received in respect of this land for at least 60 years from a succession of tenants. They added that the land was enclosed and separated from what they knew to be the common by a hedge and fence. It had been administered as private enclosed grazing land. The Direction to the CRA was issued on 1 April 1996.

In 2010, the Office of the Commons Commissioner was abolished. The commons work was transferred to the Planning Inspectorate. Unfortunately it does not appear that all of the archive records were similarly passed across as enquiries have revealed that the Planning Inspectorate does not hold records relating to this Council's previous correspondence with the Commons Commissioner and in fact doubts whether they still exist. This is unfortunate as ideally it would have been preferable to have a copy of the original Land section (Edition No.1 prepared by the City Council). This would then have provided a proper timeline for the various land section entries.

This then sets the scene for the registration of the land and it is clear from all of the comments and research above that Mr Tusting's application did not result in the registration of the land at Eaton as Common Land. The land had in fact already been registered by the CRA 'without application', some months before his application was received.

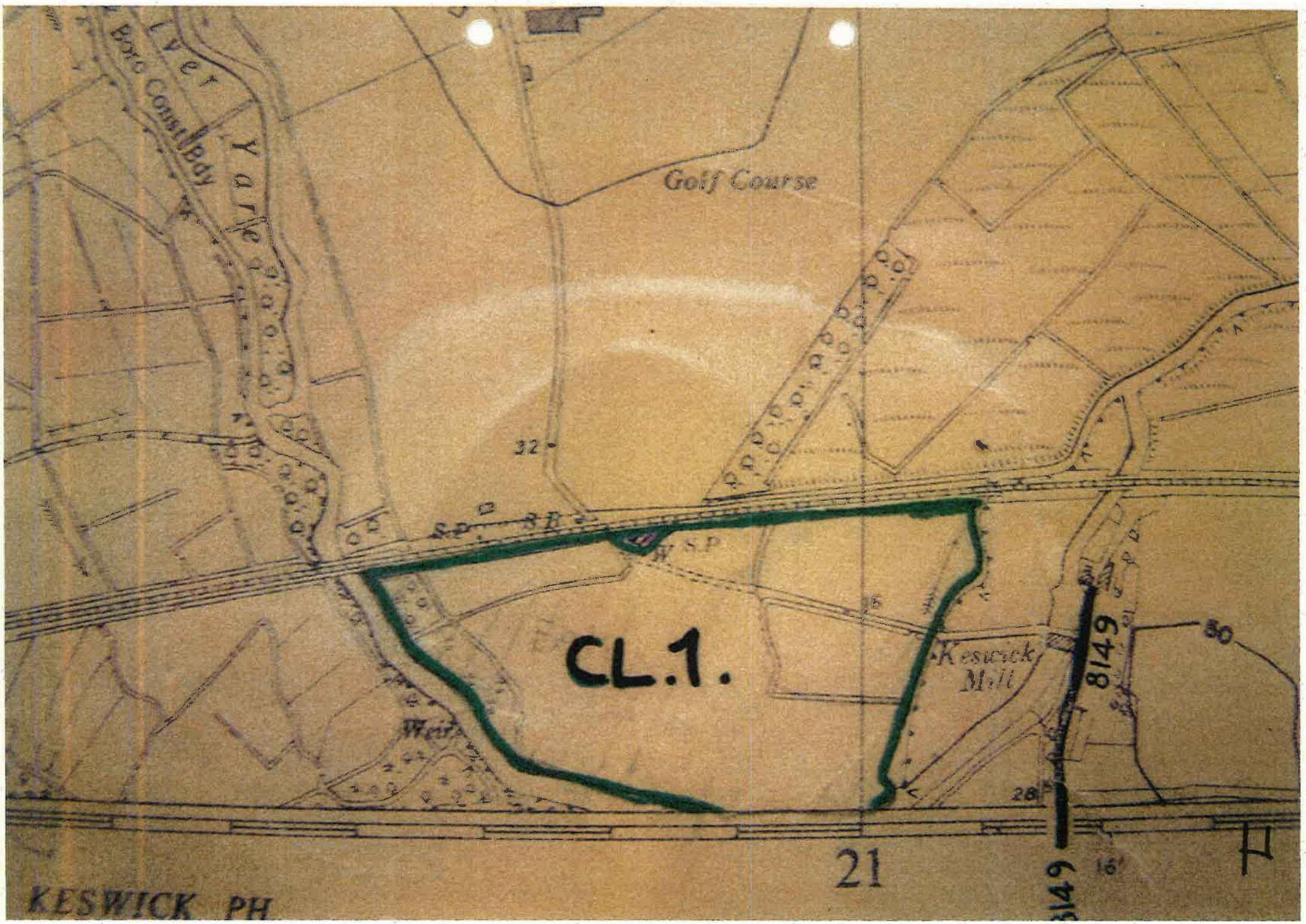
This application has been made under section 19(2) of the Commons Act 2006. The provisions cover errors of transcription or transposition made by CRAs in making or amending an entry in the register. The Explanatory Notes to the 2006 Act make it clear that this is all it covers.

We know that Mr Richards likely made an application and it is again likely that there may have been some doubt as to the extent of the common land to be registered, hence the decision to use the discretionary power contained within the Commons Registration Act 1965 for CRAs to register land without application. The application made by Mr Tusting was not received by the CRA until 6 months after the land had been provisionally registered. The Register had already been compiled by the time the Tusting application had been received. On that basis it is not possible to justify a correction under section 19, on the grounds that the CRA incorrectly recorded the extent of the land detailed on that application map on the Definitive Common Land Map.

The application has not therefore been granted

Abdus Choudhury
Acting Chief Legal Officer,
Nplaw,
Norfolk County Council

Date 8 June 2018



Golf Course

CL.1.

Keswick Mill

KESWICK PH

21

8149

8149

50

28

16

7

32

Boro Consty Bdy

West

W.S.P.

NORWICH CB & PH
NORWICH SOUTH BORO CONST
CL1. ↓

21

Co Boro of Boro Const

8149

Boat House

F/B's

Keswick

Reading Room

25

T

Register of COMMON LAND

Register unit No. CL 1 (Norwich)

Edition No. 2

See Overleaf
for Notes

LAND SECTION—Sheet No. 1

7/74 7140 196423 5m H&S(P)Ltd Op941

No. and date of entry	Description of the land, reference to the register map, registration particulars etc.
1 12 Oct 1967 (See entry No. 2 below)	The piece of land called Eaton Common containing 18.6 acres or thereabouts in the County of the City of Norwich, as marked with a green verge line inside the boundary on the register map and distinguished by the number of this register unit. Registered by the registration authority without application (Registration provisional)
2 1st Oct 1970	The registration at entry No. 1 above, being undisputed became final on 1st October 1970.
3 3rd April 1991	Registration Amendment: the part of the land comprised in this register unit shown hatched violet on the Register Map and marked R1 is removed from the Register of Common Land pursuant to a decision of the Commons Commissioner(Reference No. 225/R/1) made on 31st January 1991 under the Common Lands(Rectification of Registers) Act 1989.
<p>Note. This Edition of the map ^{Sheet} prepared on the basis of documentation passed to the Norfolk County Council following Local Government Re-organisation in 1974</p>	

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority

NORFOLK COUNTY COUNCIL

Register unit No. CLI (Norwich)

Edition No. 2

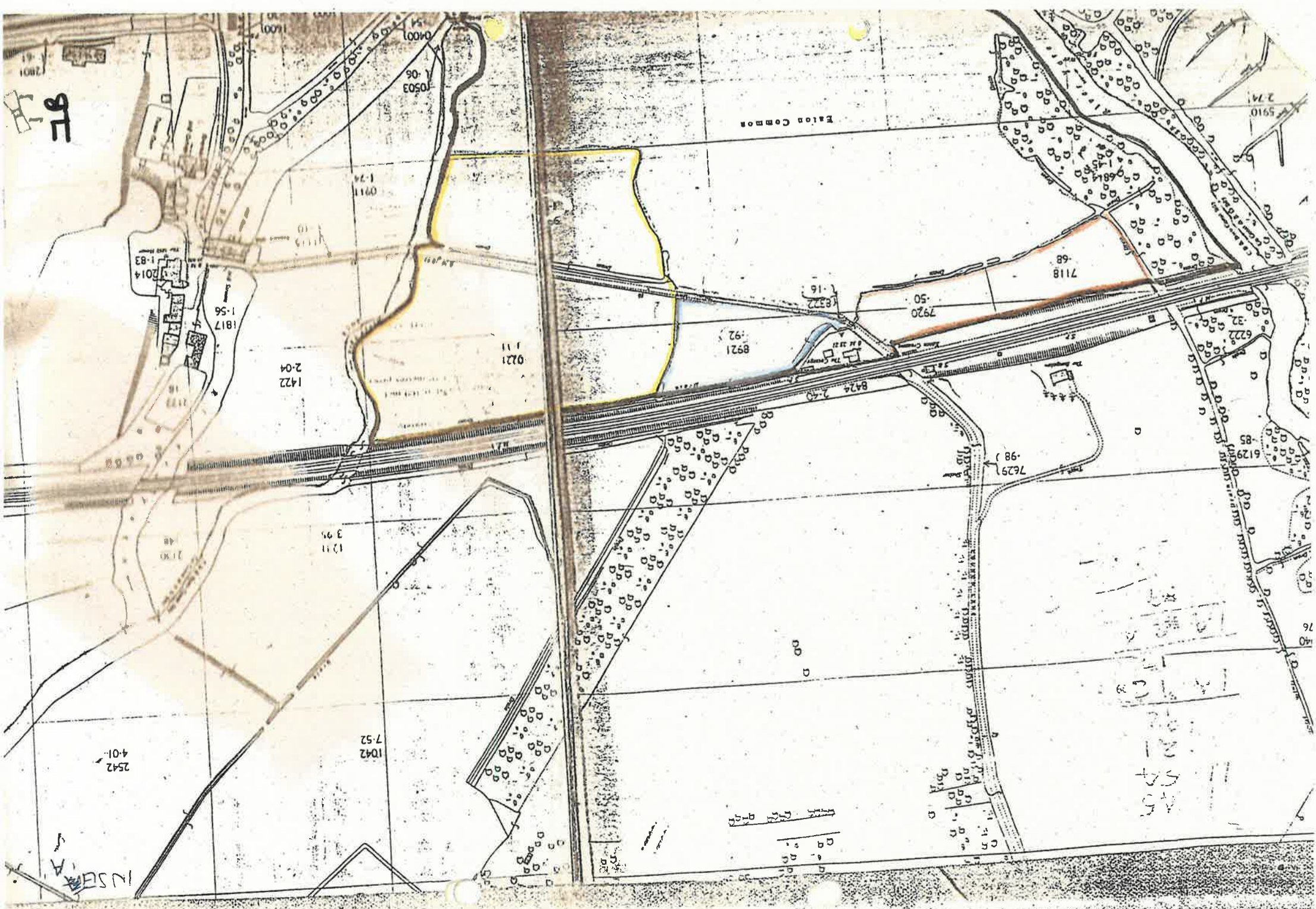
Register of COMMON LAND

See Overleaf
for Notes

OWNERSHIP SECTION—Sheet No. 1

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
1 28th June 1973	94/U/1 22.6.73	The Commons Commissioner is 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	The whole of the land comprising this register unit except fields OS Nos. 7118, 7920, 0221, 9913, and 8921.
2 26.4.96		David Acloque and David Quinton Garney 40 Cheval Place Mill House, London SW7 Thorverton, Devon	Fields OS Nos. 7118 and 7920 edged red on inset map marked 'A'
3 26.4.96		Mrs. Philippa Margaret Dannatt The Mill House, Keswick, Norfolk	Fields OS Nos. 0221 and 9913 edged yellow on inset map marked 'A'
4 26.4.96		Mrs. Maria Vinall Mrs. Maria I.A. Whiting 19 Peterkin Road 23 Ebbisham Drive Tuckswold NORWICH Norwich NR4 6LQ NR11 6HQ	Field OS No. 8921 edged blue on inset map marked 'A'
Registration deleted 25/3/10 see notes entry No. 2 overleaf.			
This edition was prepared on the basis of documentation passed to the Norfolk County Council following Local Government Re-organisation in 1974			

No. and date of note	Notes	No. and date of note	Notes
1 26.4.96	Entries 2, 3 and 4 overleaf made pursuant to a Direction of the Chief Commons Commissioner dated 1st April 1996 reference 225/U/265		
2 25.3.10	The registration at Entry No. 4 overleaf has been deleted under Section 12b of the Commons Registration Act 1965, the land to which it applied having been registered under the Land Registration Act 2002 under Title No NK397542, see Land Registry official copy of title plan in file CL1(NOR).		



Register unit No. CL1 (Norwich)

Edition No. 2

Register of COMMON LAND

See Overleaf
for Notes

RIGHTS SECTION—Sheet No.

7/74 7140/196423 5m H&S(P)Ltd Gp841

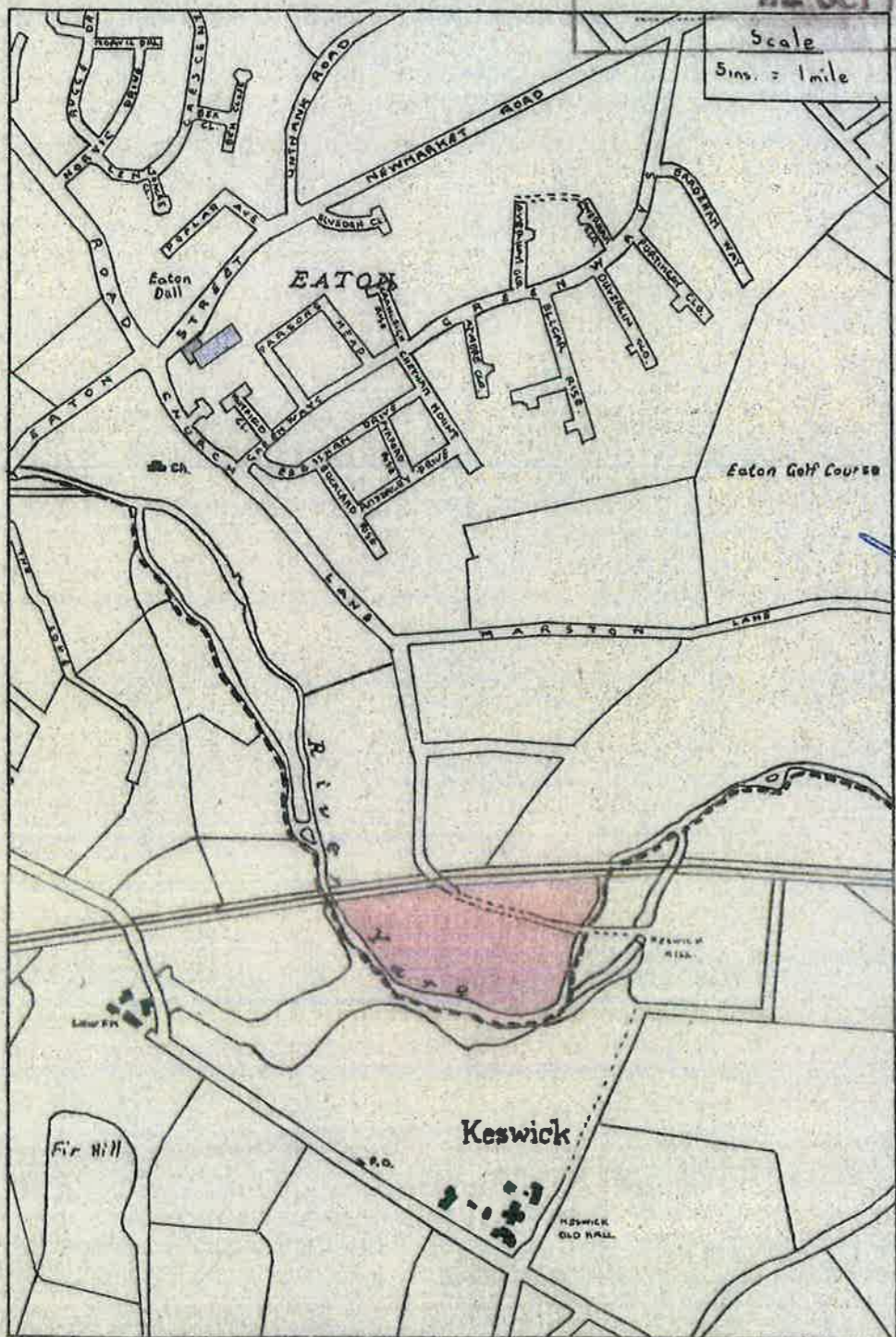
1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
1 12 Oct 1967 (See entry No. 4 below)	2 3 Aug. 1967	Doris Winifred Fitt(Spinster) Kirkland, 173 Newmarket Road, Norwich(Owner)	To graze 1 head of cattle over the whole of the land comprised in this register unit(Registration provisional)	No3 4,6,8,10,12,14 and 16 Eaton Street in the County of the City of Norwich as shown coloured green on the supplemental map bearing the number of this reg- istration.
2 12th Oct 1967 (See entry No. 4 below)	2 3 Aug 1967	Doris Winifred Fitt(Spinster) Kirkland, 173 Newmarket Road, Norwich(Owner)	To graze 1 head of cattle over the whole of the land comprised in this register unit(Registration provisional)	
3 12th Oct. 1967(See entry No. 4 below)	2 3 Aug 1967	Doris Winifred Fitt(Spinster) Kirkland, 173 Newmarket Road, Norwich(Owner)	To graze 1 head of cattle two years out of three over the whole of the land comprised in this register unit(Registration provisional)	
4 1st Oct. 1970		The registrations at entries Nos. 1, 2 and 3 above, being undisputed, became final on 1st October 1970		
PTD.				
This Edition was prepared on the basis of documentation passed to the Norfolk County Council following Local Government Re-organisation in 1974.				

Supplemental map referred to in column 5 of entry No.1 in the rights section of register unit No. CL 1 in the Register of Common Land.

COMMONS REGISTRATION ACT 1965
NORWICH COUNTY BOROUGH COUNCIL
REGISTRATION AUTHORITY

112 OCT 1967

Scale
5ins. = 1mile



This is the exhibit marked 'A' referred to in the Statutory Declaration of Doris Winifred Pitt made this 2nd day of August 1967
Before me
[Signature]

A



The Office of the Commons Commissioners
Watergate House, 15 York Buildings
Adelphi, London
WC2N 6LB
Telephone 01-839 7196 ext

TOWN CLERK'S OFFICE, NORWICH
TO *R*
29 JUN 1973
FILE No. *16/52*
ACKD.....ANSO.....

Town Clerk
Norwich County Borough Council
City Hall
Norwich NOR OLA

Date *28* June 1973

Dear Sir

Commons Registration Act 1965

Reference No. *94/U/1*

Eaton Common

Register Unit No. *CL.1*

I enclose a copy of the decision of the Commons Commissioner in this matter.

Any application to the Commissioner for the statement of a case must be made in writing addressed to me at this office, and must state the point of law in question.

Since you may not, in law, be a "person aggrieved", you are recommended to take legal advice if you contemplate requiring the Commissioner to state a case.

If you were entitled to be heard at the hearing of this matter, but did not attend the hearing, the Commissioner may, on an application made by you within 10 days from the date of this letter, re-open the hearing and set aside his decision on such terms as he thinks fit, if he is satisfied that you had sufficient reason for your absence.

Yours faithfully,

B. Fletcher

Clerk of the Commons Commissioners.

TOWN CLERK'S OFFICE
RECORD AND INDEX SECTION
FILE *16/52* "OUT"
PLEASE REQUEST RFO
WHEN REQUIRED



COMMONS REGISTRATION ACT 1965

Reference No. 94/U/1

In the Matter of Eaton Common in the
County of the City of Norwich

DECISION

This reference relates to the question of the ownership of land known as Eaton Common containing 18.6 acres or thereabouts in the County of the City of Norwich being the land comprised in the Land Section of Register Unit No. CL.1 in the Register of Common Land maintained by the Norwich County Borough 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. Mr. L. G. Richards sent a letter dated 1 May 1973 to the Clerk of the Commons Commissioners in which he said (among other things) that as far as he could ascertain the Lord of the Manor is the Dean and Chapter of the Cathedral. No other person claimed to have information as to the ownership of the land.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Norwich on 12 June 1973. The hearing was attended by the Norwich County Borough Council who were represented by Mr. P. Rosson their Assistant Solicitor.

Mr. Rosson handed me a letter dated 5 June 1973 from the Clerk of the Dean and Chapter of Norwich Cathedral confirming that the Dean and Chapter makes no claim to be lords of the Manor nor to the ownership of any part of Eaton Common. In the Land Section of the Register is noted an application by Mr. L. G. Richards made 6 April 1972 in relation to part of the land. Mr. Richards is a City Councillor.

Mr. Rosson could offer no evidence of ownership. In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be 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 22nd day of June 1973.

a. a. Baden Fuller

Commons Commissioner



Norfolk County Council

B.J. Capon MA (Oxon)
Chief Executive and Clerk
T.D.W. Molander MA
County Solicitor and Deputy Clerk

County Hall
Martineau Lane
Norwich NR1 2DH
Telephone (0603) 222966
Fax No. (0603) 222959
DX 5216 NORWICH

My Ref. JER/JCW/ CL/1(Norwich)

Please ask for:-

Mr. J.E. Richardson

Your Ref.

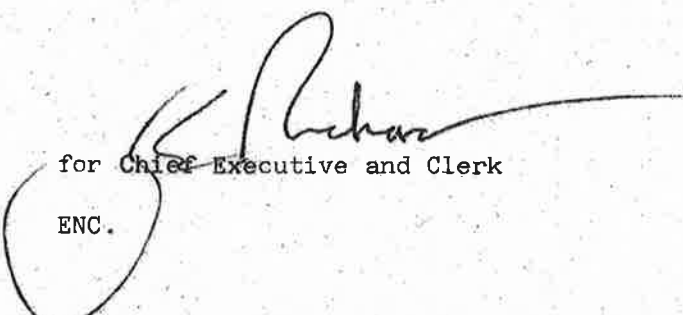
18th October 1990

Dear Mr. Tusting,

COMMON LAND (RECTIFICATION OF REGISTERS) ACT 1989
EATON CROSSING COTTAGE, CHURCH LANE, EATON, NORWICH

I enclose as required by the relevant regulations, a copy of a Notice of an Objection to the inclusion of Eaton Crossing Cottage, Church Lane, Eaton, Norwich, in the Register of Common Land. I am writing to you as the person who made the original application to register Eaton Common on the Commons Register in March 1968.

Yours sincerely,


for Chief Executive and Clerk

ENC.

MR. J.B. TUSTING,
CHURCH FARM,
CHURCH LANE,
EATON,
NORWICH.

2966

JER/JCW/ CL/1/(NORWICH)

Mr. J.E. Richardson

225/2/1

9th November 1990

Dear Miss George,

COMMON LAND (RECTIFICATION OF REGISTERS) ACT 1989
EATON CROSSING COTTAGE, CHURCH LANE, EATON, NORWICH

I refer to the above reference and write to inform you that the Form 43 sent by Recorded Delivery to Mr. J.B. Tusting of Church Farm has been returned marked "not known at this address". Do you require me to make any effort to try and trace Mr. Tusting, assuming he is still alive? I think that if he is still alive and could be found, he would not object to the application in this case, because as you recall I mentioned in an earlier letter, his application to register the Common did not include Crossing Cottage. It was the application by Miss Fitt to register rights which included Crossing Cottage.

I propose to do nothing further with regard to Mr. Tusting, unless you indicate to the contrary.

Yours sincerely,

for Chief Executive and Clerk

MISS W.G.E. GEORGE
CLERK OF THE COMMONS COMMISSIONERS
GOLDEN CROSS HOUSE
DUNCANNON STREET
LONDON WC2N 4JF

Commons Commissioners

Golden Cross House Duncannon Street London WC2N 4JF

Telephone No. 071-210 4581

Fax No. 071-210 4578



Chief Executive Officer
Norfolk County Council
County Hall
Martineau Lane
Norwich, NR1 2DH

Your reference JER/JCW/CL/1(Norwich)

Our reference 225/R/1

Date 16 November 1990

Dear Sir

Common Land (Rectification of Registers) Act 1989
Common Land (Rectification of Registers) Regulations 1990
Eaton Crossing Cottage, Church Lane, Eaton
Reference No. 225/R/1
Register Unit No. CL.1

Thank you for your letter dated 9th November 1990.

Mr Tustings name is not recorded on the copy of the register recently supplied by you to this office. I note however that in the old copy of the register kept on an old file he is recorded as a noted applicant.

However in the circumstances described by you it would not appear necessary to pursue the matter further.

Yours faithfully

W.G.E. GEORGE (MISS)
CLERK OF THE COMMONS COMMISSIONERS



COMMONS REGISTRATION ACT 1965

Reference No. 225/R/1

COMMONS REGISTRATION (RECTIFICATION OF REGISTERS) ACT 1989

In the Matter of Land at Eaton Crossing Cottage, Church Lane Eaton,
part of Eaton Common

DECISION

This reference relates to an objection under the Common Land (Rectification of Registers) Act 1989 to the registration of part of the land registered in Entry No. 1 in the Land Section of Register Unit No. CL.1 in the Register of Common land maintained by the Norfolk County Council.

It is occasioned by Objection No. R3 made by the British Railways Board and referred to a Commons Commissioner on 30 October 1991.

The unit land is Eaton Common extending to 18.6 acres the whole of which lies to the south of the railway line.

The land to which the objection relates is a small portion of that land lying next to the railway line. The objector's case was that the land consists of a crossing - keeper's cottage and its garden, and has done so for many years before 5 August 1945.

The map which is attached to the objection, however includes part of the railway line which cannot possibly form part of the garden. Since this land is not part of the unit land the objection can be treated as applying only to the land to the south of the railway.

On 24 October 1990 the Open Spaces Society and on 30 October 1990 Mr G F Hagon wrote to the Clerk of the Commons Commissioners opposing the objection.

In both cases, however the opposition arose from a mistaken belief that the objection related to more land than was in fact the case.

When the true position was pointed out these opponents withdrew their opposition on 7 November 1990 and 29 November 1990 respectively.

On 7 December 1990 I gave notice under regulation 8(1) of the Common Land (Rectification of Registers) Regulations 1990 that I intended to give a decision allowing the objection without holding a hearing. No one required me to do so.

The objector produced a statutory declaration dated 23 November 1989 by Mark George Harry Holman a surveyor in the office of the Property Director South East Region of the British Rail Property Board who declared that he had examined the records in that office which showed that the dwellinghouse had been erected as a crossing - keeper's cottage over a hundred years ago and that the land (identified by a plan which only shows that part of the objection land which lies to the south of the railway) had ever since then been fenced in from the adjoining common and used as a garden for the cottage.



On that evidence in the absence of any opposition I am satisfied that so much of the land to which the objection relates as lies to the south of the railway line is the site of a dwellinghouse and that insofar as it is not the site of that dwellinghouse it is a garden used and enjoyed with that dwellinghouse.

I am also satisfied that this has been so at all times since 5 August 1945.

That being so I consider that the requirements specified in section 1(2) of the Act of 1989 are satisfied in the case of that part of the land to which the objection relates which lies to the south of the railway.

I shall accordingly direct the Norfolk County Council as Registration Authority to exclude that land from the register under section 1(4) of that Act.

I am required by regulation 20(1) of the Common Land (Rectification of Registers) Regulations 1990 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

31st

day of

January

1991

Peter Langdon-Daun

Chief Commons Commissioner

Commons Commissioners

4th Floor, 35 Old Queen Street, London SW1H 9JA

Telephone No. 0171-222-0038

Fax No. 0171-222-0133

Norfolk County Council
County Hall
Martineau Lane
Norwich NR1 2DH

Your reference

Our reference
225/U/265

Date 16 February 1996

Dear Sir/Madam

Commons Registration Act 1965

Reference No. 225/U/265

The piece of land called Eaton Common containing 18.6 acres or thereabouts in the City of Norwich

Register Unit No. CL.1

I enclose a copy of the decision of the Commons Commissioner in this matter.

Any application to the Commissioner for the statement of a case must be made in writing addressed to me at this office, and must state the point of law in question.

Since you may not, in law, be a "person aggrieved", you are recommended to take legal advice if you contemplate requiring the Commissioner to state a case.

If you were entitled to be heard at the hearing of this matter, but did not attend the hearing, the Commissioner may, on an application made by you within 10 days from the date of this letter, re-open the hearing and set aside his decision on such terms as he thinks fit, if he is satisfied that you had sufficient reason for your absence.

Yours faithfully

F A A Buchan

MISS F A A BUCHAN
CLERK OF THE COMMONS COMMISSIONERS





COMMONS REGISTRATION ACT 1965

Reference No.
225/U/265

In the Matter of the piece of land called
Eaton Common containing 18.6 acres or
thereabouts in the City of Norwich

DECISION

This reference relates to the question of the ownership of land known as Eaton Common in the City of Norwich being the land comprised in the Land Section of Register Unit No. CL.1 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.

The Register

Eaton Common was registered as common land in 1967 by Norfolk County Council without any application. That registration being undisputed became final on 1st October 1970. There are 3 entries in the Rights Section of the Register, all made by the same person Miss Doris Fitt, each relating to a single head of cattle, and all of which became final on 1st October 1970. There are no entries in the Ownership Section of the Register.

Public Rights

The common being in an urban district the public have rights of access for air and exercise under Section 193 of the Law of Property Act, 1925.

Previous Ownership Inquiry

There was an inquiry into the question of the ownership of the common before Mr Commissioner Baden Fuller on 12th June 1973 at Norwich. At that time it was suggested that the Dean and Chapter of the Cathedral were Lords of the Manor, but a letter was produced at the hearing from the Clerk of the Dean and Chapter that they made no claim to be Lords of the Manor nor to ownership of any part of the Common. In his Decision dated 22nd June 1973 Mr Commissioner Baden Fuller concluded that in the absence of any evidence that any person was owner of the common it would be subject to protection under Section 9 of the 1965 Act.

Application under 1989 Act

On 28th September 1990 British Railways Board gave Notice of Objection under the Common Land (Rectification of Registers) Act 1989 to the inclusion on the Register of the dwellinghouse Eaton Crossing Cottage and the garden enjoyed therewith. By a Decision dated 31st January 1991 given without a hearing the then Chief Commons Commissioner Peter Langdon-Davies directed Norfolk County Council as Registration Authority to exclude from the Register under Section 1(4) of the 1989 Act the dwellinghouse and that part of the land to which the Objection related which lay to the



South of the railway. I note in passing that the title of British Railways Board to the land commenced with a Conveyance dated 8th April 1846 between the Dean and Chapter of the Cathedral and the Norfolk Railway Company.

The Present Reference

The present reference was occasioned by a claim by Mrs Maria Vinall to a possessory title to field O.S. No.8921 having an area of 0.92 hectares. This field is bounded by the railway to the north and by the Crossing Cottage land to the west.

First Hearing before me

I held a hearing to inquire into the question of the ownership of the common at Norwich on 22nd March 1995. Although the claim by Mrs Vinall was to a comparatively small part of the common I am required by the 1965 Act to inquire into the question of ownership of the whole of the common.

Attendance at First Hearing

The hearing on 22nd March 1995 was attended by Mr J Richardson of Norfolk County Council the Registration Authority Mr Phillip Mason of Counsel representing the Norwich City Council Mrs M Vinall and Mr I A Torode. I was informed that the Rights holder, Miss Fitt, had died several years ago, and that her successors as Rights holders were unknown. It was said that the cottages to which the Rights were attached no longer exist.

Mrs Vinall's Evidence

At the first hearing before me Mrs Vinall gave evidence in support of her claim to a possessory title to O.S.No.8921 and in this she was supported by the evidence of Mr Torode. I shall summarize that evidence later in this Decision. In her evidence Mrs Vinall said that since 1979 she had rented two other fields forming part of the Common (O.S.No.7188 and O.S. No.7920) which belonged to Mr David Gurney or a Gurney family trust, and that a third person rented field O.S.0221 from the Gurneys. Although no claim to any of these fields had ever been recorded by the Registration Authority I felt that I had no alternative but to adjourn the hearing to ascertain whether any of these persons wished to join in the proceedings to claim ownership of any parts of the Common.

Claim by Gurlogue Trust

Mrs Vinall told me that Francis Horner Chartered Surveyors of Norwich acted as Agents for the fields she rented, and accordingly immediately after the first hearing the Clerk to the Commons Commissioners wrote to this firm asking whether their client wished to be joined in the proceedings. In reply Horners claimed that O.S.7118 and O.S. 7920 were the property of their clients, the Trustees of the Gurlogue Settlement. They also stated that they believed that other parts of the Common might



belong to Mr A J Gurney, whose Agents were Bidwells Chartered Surveyors of Norwich.

Claim by A.J.Gurney and Mrs Dannatt

In reply to a letter from the Clerk to the Commons Commissioners Bidwells made claim on behalf of Mr A J Gurney and his daughter Mrs Philippa Dannatt to ownership of fields O.S. No. 0221 and O.S. No. 9913 and also to part of O.S. No. 0006.

Claim by Miss Whitear

On 31st March 1995 the Commons Commissioners received a letter dated 29th March from Miss Lyn Whitear "giving formal notice of my counterclaim for the land adjacent to Eaton Railway Cottage".

Second Hearing

I held a hearing to inquire into these claims at Norwich on 11th October 1995.

Attendance at Second Hearing

The second hearing was attended by Mr J Richardson of Norfolk County Council the Registration Authority Mr David Johnson Assistant Director (Legal) of Norwich City Council Mr R Bramley of Francis Horner Chartered Surveyors on behalf of the Trustees of the Gurlogue Settlement assisted by Miss S Blois Mr Michael Falcon of Bidwells Chartered Surveyors on behalf of Mr A J Gurney and Mrs P Dannatt Miss Lyn Whitear assisted by Mr A J Bell Mr A J Gurney in person Mrs M Vinall and Mr I A Torode.

O.S. Nos 7118 and 7920

A. Documentary Title.

Mr Bramley produced to me the following documents:

1. Lease dated 17th June 1921 between (1) John Henry Gurney and (2) Charles Brock and William Brock with indorsed Agreement dated 7th December 1936 between (1) Quintin Edward Gurney and (2) Charles Brock and William Brock
2. Conveyance (by way of gift) dated 2nd March 1965 between (1) Richard Quintin Gurney and (2) David Quintin Gurney
3. Conveyance (by way of settlement) dated 24th June 1971 between (1) David Quintin Gurney and (2) David Aclogue and David Quintin Gurney.

The Lease of 1921 was of Keswick Mill with houses and land delineated on the plan attached thereto from year to year. The plan included O.S.7 comprising 1.268 acres. This more or less corresponds with O.S. 7118 and 7920 on the more recent Ordnance Map, although the combined acreage of these fields is slightly less. O.S.7 is then shown on plan B to the Conveyance of 1965



as included in the property thereby conveyed (see the First Schedule thereto, sixthly conveyed). The same property is included in the land conveyed by the Conveyance of 1971.

B. Oral Evidence

Mr Bramley said that his firm's knowledge extended back to before 1945. The grazing rights over these fields had been let to the level-crossing keeper Mr Starling since 1963. On his death his Widow, Mrs Starling, had continued to pay rent, £20 a year. No rights had been exercised by anybody but the Starlings. Mr A J Gurney said that he was the brother of Richard Q. Gurney. The Brocks ran a working Mill until 1955. The rent book showed Mr Brock paying rent to R Q Gurney until 1954. A Tenancy Agreement with Mr Starling was entered into by R.Q.Gurney in 1963.

C. Conclusion

Although none of the documents produced to me was a Conveyance on Sale or other good root of title I am satisfied on this evidence and in the absence of any conflicting claim that David Aclogue and David Quintin Gurney are the owners of O.S.Nos 7118 and 7920.

O.S. Nos 0221 and 9913

A. Documentary Title

Mr Michael Falcon produced to me at the hearing the following documents:-

1. Copy Lease dated 17th June 1921 (the same document as that produced by Mr Bramley)
2. Copy Conveyance dated 18th October 1946 between (1) Quintin Edward Gurney and (2) Archibald James Gurney
3. Deed of Gift dated 31st August 1984 between (1) Archibald James Gurney and (2) Philippa Margaret Dannatt.

O.S. 9913 comprising 1.93 acres was formerly O.S.3 comprising 1.934 acres. O.S.0221 comprising 3.33 acres was formerly O.S.9 comprising 3.67 acres. Both these fields were included on the plan to the Lease of 1921. The Conveyance of 1946 includes in its Schedule O.S.3 comprising 1.815 acres but parts only of O.S.No.9 adding up to about 2 acres, and on the plan this field is bisected so that the southern part only is included. By the Deed of Gift of 1984 however the whole of O.S.0221 and 9913 are purported to be conveyed.

B. Statutory Declaration

Subsequent to the hearing Mr Falcon sent to the Commons Commissioners a copy Statutory Declaration dated 9th November 1984 by Archibald James Gurney. He declared (inter alia) that from the date of the 1946 Conveyance until 31st August 1984 he was in full and undisturbed possession and enjoyment of the rents and profits of the whole of O.S. 0221 without any claim adverse



to his title.

C. Conclusion

On this evidence and in the absence of any conflicting claim I am satisfied that Mrs Dannatt is the owner of O.S. Nos. 0221 and 9913.

O.S. No. 0006

None of the documents produced to me substantiated a claim to any part of this area and I therefore make no decision concerning it.

Mrs Vinall's Claim to O.S. No. 8921

Mrs Vinall's claim to field O.S. 8921 ("the field") was supported by her Affidavit sworn on 15th November 1994 with two Exhibits being statements by Dorothy Starling and Rosalie Bond, and by her own oral evidence and that of Mr I A Torode at the first hearing.

Mrs Vinall's Affidavit

In her Affidavit Mrs Vinall said (inter alia) as follows:-

"5. Since 1979 down to the date hereof I have used the field (edged red) as pasture for my horses and also as a pasture for a donkey which Mr Starling gave to me. In or about 1987 I erected a field shelter or open shed to afford protection for my horses. There was already a shelter on the field which was derelict and I demolished this.

6. In addition to erecting the field shelter referred to during the period of my occupancy I have repaired and maintained the fences around the field and I have also kept the drainage dyke running along the northern boundary clear and unobstructed to ensure good drainage of the field.

7. By way of further maintenance I have regularly mown the field twice a year and have kept it free of thistles and other unwanted wild weeds.

8. In recent months I have made it my business to keep so called 'Hippies' and 'New Age Travellers' from coming on to the field and occupying it.

9. During the whole of the period of my occupation of the field I have done so without the payment of rent nor have I been approached by any other person suggesting that I make payment of any kind for my use of the field. My occupation of the field has been without licence permission or consent of any other person".



Exhibited Statements

In her Statement exhibited to Mrs Vinall's Affidavit Mrs Starling, who said that she had lived at Eaton Railway Cottage for 44 years until September 1994, stated that for the past 16 years Mrs Vinall had grazed her horses on the field, always keeping it tidy and in good condition.

In her Statement dated 24th October 1994 exhibited to Mrs Vinall's Affidavit Mrs Rosalie Bond stated that Mrs Vinall had, to her certain knowledge, grazed her horses on the field for the past 16 years.

Oral Evidence

Mrs Vinall said that Mr Starling had died in May 1994. He was an employee of British Rail, and had rented fields O.S.7118 and 7920 from the Gurneys since the 1940s - these two fields were known as The Pykles.

The Hippies or Travellers sent out Scouts. She and Mr Torode had put a chain and padlock on the gate to the field. Mr Torode had confronted the Scouts, who came in old cars.

Mr Mason on behalf of the City Council confirmed that Travellers had attempted to get on the field, and that Mr Torode had confronted them. He said that the City was in process of making a Scheme of Management of the Common under the Commons Act, 1899. There was actual use by the public of their rights of access for recreation.

Mrs Vinall said that she had known the people who occupied the field before 1979. They took the fences away with them when they left. She replaced the fences in 1979. The fences were not barbed wire. She had no objection to children playing or people picnicing on the field. Mr Richardson on behalf of the County Council said that it would welcome a Scheme of Management of the common, but no steps had been taken so far.

Legal requirements for a possessory title

Put very briefly to establish a title to land by adverse possession under the Limitation Acts, the claimant must provide compelling evidence of his intention to exclude the true owner.

In the present case inquiries by the Commons Commissioners over a period in excess of 20 years failed to establish who is "the true owner". For well over the statutory 12 year period of limitation the true owner, whoever he may be, has done nothing to object to the enclosure grazing and maintenance of the field by a third party. In addition the local authorities in whose protection the field has been throughout this period under Section 9 of the 1965 Act have done nothing to require the removal of the fences and other unauthorised erections which have been put on the field. In these circumstances, although the evidence tendered by Mrs Vinall might not have been sufficient



in a case contested by "the true owners", I reach the conclusion that in the complete absence of any claim by any person to be the true owner Mrs Vinall's evidence is sufficient to establish a possessory title to the field.

Miss Whitear's Counterclaim to O.S.8291

The case concerning the field has been complicated by the intervention of Miss Whitear. Her claim is that it was Mr Starling, the occupier of Eaton Crossing Cottage, who put up and replaced the fences round the field and that Mrs Vinall only used the field with Mr Starling's permission. British Railways Board (who formerly owned the Cottage) sold it to Mr & Mrs Starling and Miss Whitear's brother Paul Whitear on 26th March 1992. Miss Whitear states that when Mr Starling died in 1994 and Mrs Starling was rehoused in sheltered accommodation, she bought the Cottage from her brother. No documents proving this were produced to me, but I will accept it for present purposes.

Family Dispute

Miss Whitear is the daughter of Robert Whitear, who married Mr & Mrs Starling's daughter Jane. There is a matrimonial dispute between Jane and Robert, the details of which I do not propose to get involved with. One consequence of this is however that some animosity exists between Miss Whitear and Mrs Starling, and this affects Mrs Vinall as a long-standing friend of Mrs Starling. I mention this because when I pointed out to Miss Whitear that the result of her intervention might be to destroy Mrs Vinall's claim without establishing any title herself, she said that whether or not she had any claim herself she wished to oppose Mrs Vinall's claim.

Miss Whitear's Case

Miss Whitear was able to stay for only part of the second hearing. Mr Bell addressed me on her behalf, which I gave leave for him to do. Mr Bell produced 15 photographs, 4 Affidavits and an unsworn Statement.

Miss Whitear's Evidence

The Affidavits and the Statement do not contain much evidence directly relevant to a claim by Miss Whitear to a possessory title to the field.

Paul Whitear says (inter alia)

"On several occasions I helped Geoff Starling to put up or repair the fence around the common paddock whenever asked."

Robert Whitear says (inter alia)

"Geoff often asked me to help him with various general building/fencing matters, and in addition to physically helping him do the work I supplied wood, such as rafters, for the fencing and at some point I gave him a large metal gate for use on one



of the paddocks. Even now some of the wood making up the fence of the common paddock is from roof rafters that I supplied."

Richard Fawcett says (inter alia)

"When I first moved here Mr and Mrs Martin were using the common paddock adjoining the cottage garden. The Martins had installed the first boundary fence of the paddock before I moved there but they left during 1981. Mr Starling took over the paddock then and subsequently improved and replaced the paddock fencing.

Sheila Martin says (inter alia) that they had the use of the field until 1981, but when they left Mr Starling took over the field.

Miss Whitear's own Affidavit consists almost entirely of hearsay (what other people have told her). Even so, one of the Statements she makes is admissible being adverse to her own case "During the last month I stopped to have a conversation with a gentleman I know as Paul who rents common land further down the lane past the cottage, Paul stated that (amongst other points), Maria had been on that paddock for 12 years and as such should be able to claim it."

Mrs Vinall's Reply

In reply to the allegations that it was Mr Starling who did the fencing, Mrs Vinall explained that she could not do it on her own and that Mr Starling worked with her. She paid for the materials.

Conclusions on Miss Whitear's Case

My first conclusion on Miss Whitear's case is that the evidence submitted on her behalf would not have been sufficient to have enabled Mr Starling during his lifetime to have established a possessory title to the field. There is in addition a legal hurdle in the way of Miss Whitear establishing a claim as successor to Mr Starling. Mr Starling was, as I understand it, a tenant of British Rail in respect of the Crossing Cottage and the land which went with it. The general rule is that if a tenant encroaches on land adjoining that comprised in his tenancy the encroachment enures for the benefit of the landlord. Accordingly after the second hearing I caused the Clerk to the Commons Commissioners to write to the Solicitor to British Railways Board to inquire whether the Board would wish to intervene in these proceedings, either to claim a possessory title on its own behalf or to support the claim of either of the disputing claimants.

By letter dated 29th January 1996 (received on 7th February 1996) the Solicitor to British Railways Board replied (after two reminders):

"I think it safe to proceed on the basis that the Board, as ex-landlord, has no interest in claiming title to the fee simple



9.

in the land on which Mr Starling encroached prior to the sale in 1992".

Opposing Claims to O.S.8921

In these circumstances and on the evidence as a whole I reach the conclusion that as between the opposing claims of Mrs Vinall and Miss Whitear Mrs Vinall's claim succeeds and Miss Whitear's fails.

Conclusions

A. On the evidence before me and for the reasons stated above I am satisfied that:-

(1) David Aclogue and David Quintin Gurney are the owners of O.S.Nos.7118 and 7920

(2) Philippa Margaret Dannatt is the owner of O.S.Nos. 0221 and 9913

(3) Maria Vinall is the owner of O.S.No. 8921 and I shall direct Norfolk County Council accordingly.

B. I am not satisfied that any person is the owner of the remainder of the land comprised in this Register Unit and it will accordingly remain subject to protection under Section 9 of the Act of 1965.

Caution

I should make it clear that nothing in this Decision in any way affects the status of any part of the land referred to above as Common Land nor such rights of access for air and access as the public may have thereover pursuant to Section 193 of the Law of Property Act, 1925.

Appeal

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 16th day of February 1996

Chief Commons Commissioner

COMMONS REGISTRATION ACT 1965

Reference No. 225/U/265

IN THE MATTER OF

the piece of land called Eaton Common containing 18.6 acres or thereabouts in the City of Norwich

To the Norfolk County Council

In pursuance of Section 8(2) of the Commons Registration Act 1965 I HEREBY DIRECT YOU to register

(1) David Acloque of 40 Cheval Place London SW7 and David Quintin Gurney of Mill House Thorverton Exeter Devon as the owners of fields O S Nos. 7118 and 7920

(2) Mrs Philippa Margaret Dannatt of The Mill House Keswick Norfolk as the owner of fields O S Nos 0221 and 9913

(3) Mrs Maria Vinall of 19 Peterkin Road Tuckswood Norwich NR4 6LQ as the owner of field O S No 8921

being parts of the land comprised in the Land Section of Register Unit No. CL.1 in the Register of Common Land maintained by you of which no person is registered under Section 4 of the Commons Registration Act 1965 as the owner.

The remainder of the land comprised in this Register Unit remains subject to the protection under Section 9 of the Act of 1965.

Given under my hand and seal this 1st day of April 1996

Mati Poth

Chief Commons Commissioner



1

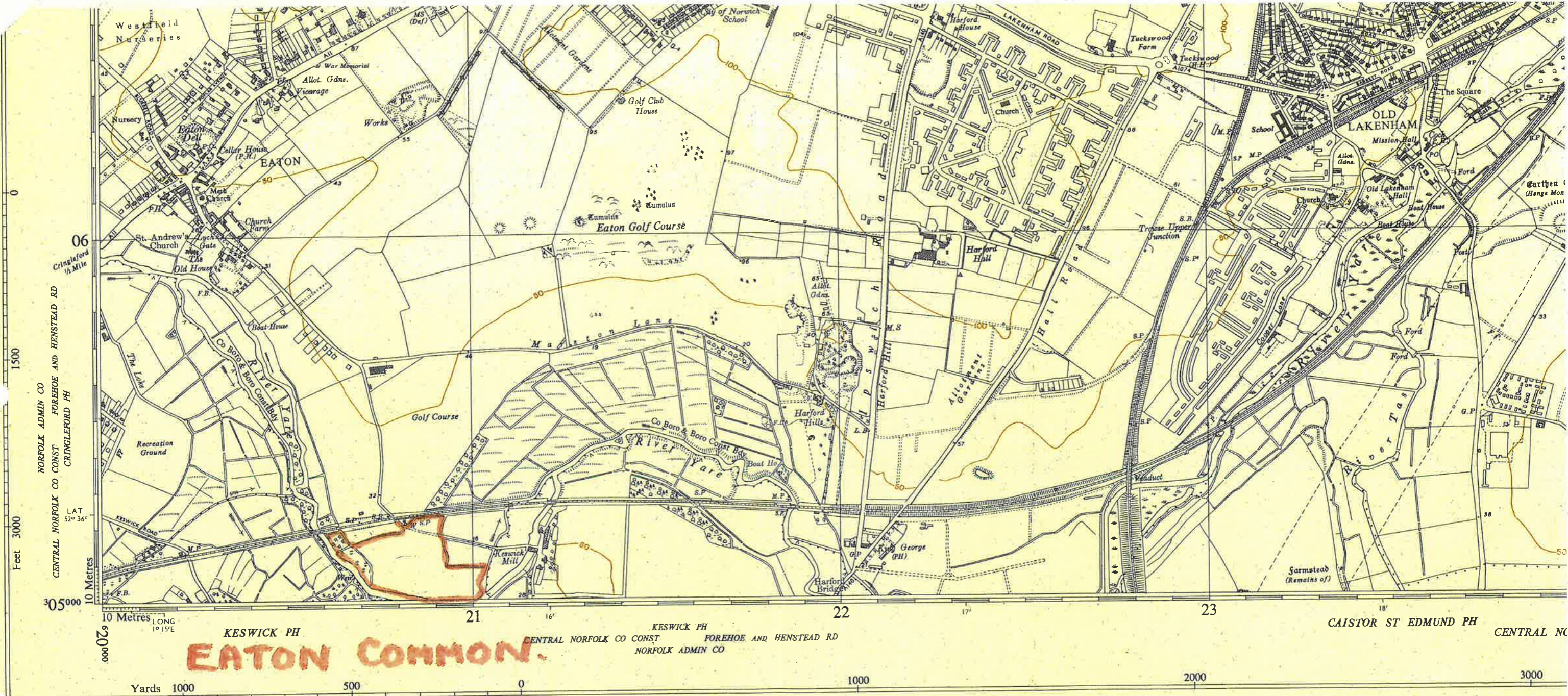
MR LG RICHARDS

This is the exhibit marked "A" referred to in the
statutory declaration of L.G. RICHARDS made

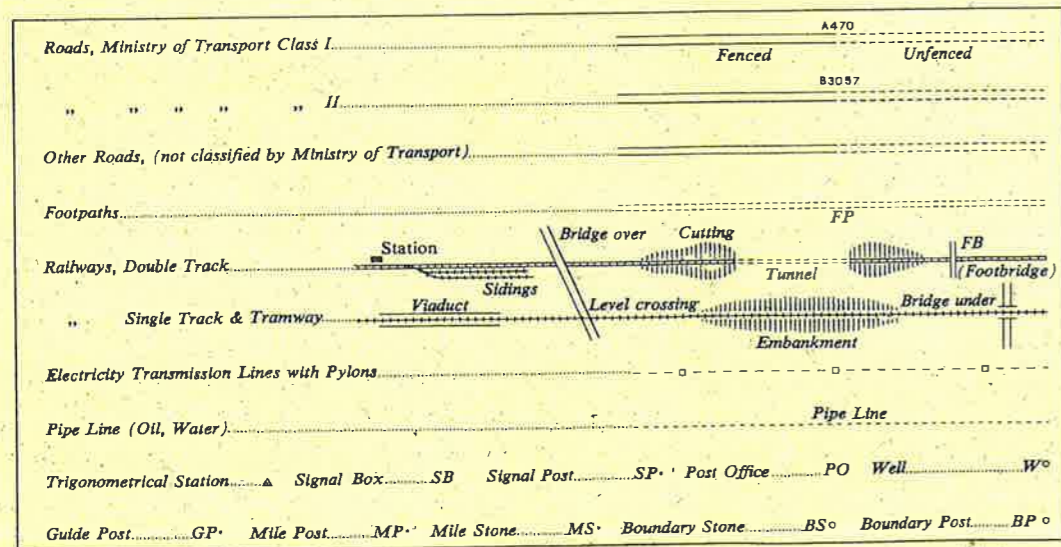
this March 20th 1967 before me

Joseph R. Lynskey

Justice of the Peace
for the City of Montreal



Crown Copyright Reserved



INDEX TO ADJOINING SHEETS

TG 11 SE	TG 21 SW	TG 21 SE
TG 10 NE	TG 20 NW	TG 20 NE
TG 10 SE	TG 20 SW	TG 20 SE

The representation on this Map of a Road, Track, or Footpath, is no evidence of the existence of a right of way.

Price 7/- net.

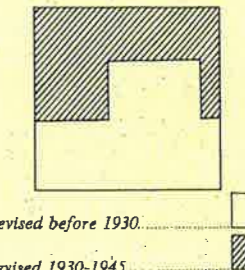
THE NATIONAL GRID TO GIVE A GRID REFERENCE CORRECT TO 100 METRES

EXAMPLE		Tuckswold Farm	
The Grid Letters on this sheet are TG			
EAST		NORTH	
Take west edge of kilometre square in which point lies and read the large figures printed opposite this line on north or south margins.		Take south edge of kilometre square in which point lies and read the large figures printed opposite this line on east or west margins.	
Estimate tenths Eastwards		Estimate tenths Northwards	
22		06	
227		065	
Full 100 Metre Reference TG 227065			

The above Full Reference is unique. For many purposes the first grid letter can be omitted, giving a reference, G 227065 which recurs at intervals of 500 Kilometres. If both grid letters are omitted, the resulting reference 227065 recurs at intervals of 100 Kilometres. When the area concerned is sufficiently restricted, as will usually be the case with maps on scales of one inch to the mile and larger, both the grid letters are normally omitted.

At the Eastern edge of this sheet True North is 2° 39' West of Grid North and at the Western edge 2° 35' West of Grid North. Magnetic North was about 10° West of Grid North in 1957 decreasing by about 1/4° in four years. Heights are in feet above Mean Sea Level at Newlyn. 1 square inch on this map represents 17.778 acres on the ground.

REVISION DIAGRAM



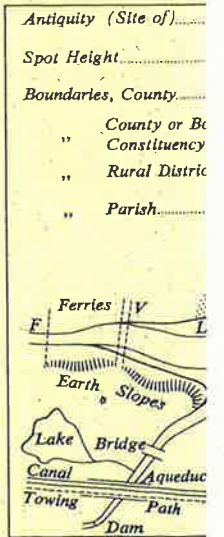
Revised before 1930.

Revised 1930-1945.

The whole sheet was revised for major changes only in 1952-55.

Boundaries revised to 1-12-56.

Printed and Published



A SHEET TG 20 NW "A"

CR Form 17

This section for official use only.

Official stamp of registration authority indicating date of receipt

COMMONS REGISTRATION ACT 1965
NORWICH COUNTY BOROUGH COUNCIL
REGISTRATION AUTHORITY
14 APR 1968

Application No. **3**

Register Unit No(s):

CL
CL
CL

Norwich
County Borough

COMMONS REGISTRATION ACT 1965

Application for the registration of land as common land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Part 1.
(Insert name of registration authority (see Note 1).)

To the

Norwich County Borough Council

Application is hereby made for the registration as common land of the land described below.

Part 1.

Name and address of the applicant.

(Give Christian names or forenames and surname or, in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

John Browning Tusting
Church Farm,
Church Lane,
Eaton,
Norwich.

Part 2.

Name and address of solicitor, if any.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Herbert Howard & Co.,
Solicitors,
34 Prince of Wales Road,
NORWICH, NOR O2S.

Part 3.

(See Notes 2, 3 and 4).

Particulars of the land to be registered, i.e. the land claimed to be common land.

Name by which usually known

Eaton Common

Locality

Eaton, Norwich

Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.

Colour on plan herewith:

Edged red.

Part 4.
(See Note 7.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).
Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.

*Signature of applicant or of person on applicant's behalf.

J.B. Venting

Date *29th November 1968*

(See Note 5)

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name.

F. JOHN BROWNING TUSTING of Church Farm, Church Lane, Eaton, Norwich solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

²Strike out this paragraph if it there is no plan.
³Insert capacity in which acting.

~~2. I am~~ ^{to the applicant and am duly authorised by the applicant to make the foregoing application.}

3. I have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.

⁴Strike out this paragraph if there is no plan.
⁵Insert "marking" as on plan (see Note 5).

4. The plan now produced and shown to me marked " J B T 1 " is the plan referred to in the application.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

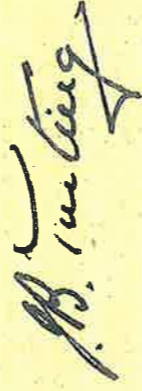
Declared by the said JOHN

BROWNING TUSTING

at 54 Pine Walk Road

in the City of Norwich

this 29th day of March 1968



Before me,

Signature

Victor W. Brewer

Address

54 Pine Walk Rd

Norwich

Qualification

Solicitor

REMEMBER TO OFFICER TAKING DECLARATION:
Please initial all alterations and mark any plan as an exhibit.

EATON

J. B. T. 1

1042
7-52

1542
4-01

5740
-76

5792
62

6129
-85

5515
1-58

6222
-32

7629
-98

8424
2-40

1231
3-46

7920
-50

8922
-16

8921
-42

0221
3-33

1422
2-04

7118
-68

6814
1-85

9913
1-43

0115
-10

0911
1-74

5910

EATON COMMON

0503
-06

0400
-54

0006
11-54

1000
4-26

1600
-02

9498 RIVER YARE

3400
-35

4000
-03

4800
-74

6100
4-06

7000
1-60

7500
2-00

7700
2-17

The Rookery

3743
1-42

8091
-42



2485
7-01

Lime Works

7584
1-44

8184
2-46

9983
8-81

1081
-54

1078
-1-62

CL 1 NORWICH.

This is the exhibit marked J.B.T.1 referred to
in the Statutory Declaration of John Browning Tusting
made this 29th day of March 1968

Before me,

Victor N. Brenner

Victor N. Brenner
COMMISSIONER FOR OATHS