

COMMONS ACT 2006 Schedule 2, para. 7
The Commons Registration (England) Regulations 2014 No.3038
Application to deregister land at Mulbarton Common, Norwich incorrectly
registered as common land CL46/2/58214

DECISION

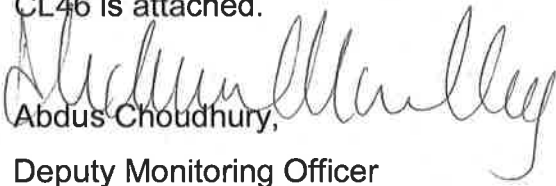
Schedule 2, paragraph 7, of the Commons Act 2006 allows applications to correct certain errors in the registers. Schedule 2, paragraph 7 reads as follows:-

Other land wrongly registered as common land

- 7 (1) *If a commons registration authority is satisfied that any land registered as common land is land to which this paragraph applies, the authority shall, subject to this paragraph, remove the land from its register of common land.*
- (2) *This paragraph applies to land where —*
- (a) the land was provisionally registered as common land under section 4 of the 1965 Act;*
 - (b) the provisional registration of the land as common land was not referred to a Commons Commissioner under section 5 of the 1965 Act;*
 - (c) the provisional registration became final; and*
 - (d) immediately before its provisional registration the land was not any of the following —*
 - (i) land subject to rights of common;*
 - (ii) waste land of a manor;*
 - (iii) a town or village green within the meaning of the 1965 Act as originally enacted; or*
 - (iv) land of a description specified in section 11 of the Inclosure Act 1845 (c. 118).*
- (3) *A commons registration authority may only remove land under sub-paragraph (1) acting on —*
- (a) the application of any person made before such date as regulations may specify; or*
 - (b) a proposal made and published by the authority before such date as regulations may specify.*

Taking this test into account was the land wrongly registered as common land in 1967? The answer to that question is Yes. There is ample evidence provided by various conveyances indicating that the land formed part of the property and was enclosed since at least 1910 and not, therefore, part of the adjoining common.

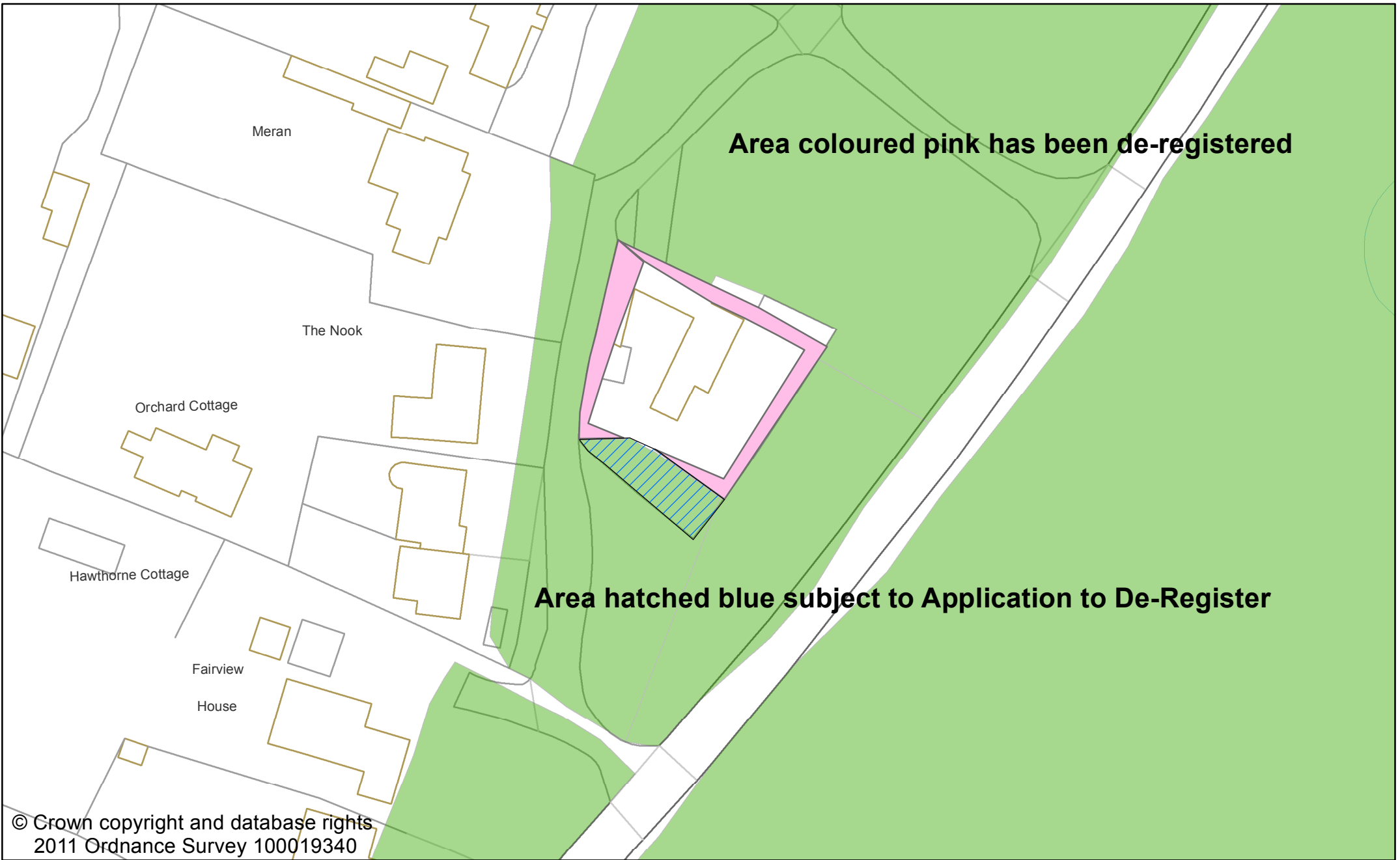
The Registers of Common Land for Mulbarton Common CL46 will be amended to remove the land subject to this application and decision. A plan, showing the extent of land hatched blue to be removed from the registers of common land Register Unit CL46 is attached.


Abdus Choudhury,

Deputy Monitoring Officer

Norfolk County Council

Date..6...March...2019.....".



This map showing Common Land shaded green is an interpretation of the definitive legal register map for CL46 in Mulbarton

 **Norfolk** County Council

Center of map:
619,134.0633 300,930.5604

Date created:
18/07/2018

Scale:
1:650

