



JW

COMMONS REGISTRATION ACT 1965

Reference No. 204/U/125

In the Matter of South Horse Fen, Soham,
Cambridgeshire

DECISION

This reference relates to the question of the ownership of land known as South Horse Fen Soham, being the land comprised in the Land Section of Register Unit No.CL.32 in the Register of Common Land maintained by the Cambridgeshire 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 Mr T Clark 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 Cambridge on 26 May 1983. At the hearing Mr Clark was represented by Mr L B James, Solicitor.

The land the subject of the reference is shown in the tithe apportionment for the parish of Soham, which was confirmed on 15 September 1845, as "Commons" with no information about an occupier.

The land is shown on the deposited plan and described in the book of reference of the intended Ely and Newmarket Railway 1874 whose owner is stated to be the lord of the manor of Soham.

In the Land Valuation Duties register it is shown as owned by "E K Fish(Clerk)" and occupied by "Fen Reeves of Commoners".

The manors or reputed manors of Soham and Fordham parcel of the Duchy of Lancaster and Netherhall Wygorne and Fordham Biggen were vested in Miriam Dunn-Gardner by an assent dated 21 May 1930 by her, Adolphus Henry Pass, and Robert Hugh Wilkin as the personal representatives of Algernon Charles Wyndham Dunn-Gardner, Miss Dunn-Gardner became Mrs Leader and deposited the manorial documents dating from the 1690's in the Cambridgeshire County Record Office. The manors or reputed manors were conveyed to Mr Clark by a Conveyance made 22 October 1973 between (1) Miriam Leader (2) Timothy Clark.

The land is crossed by a gas pipe-line, and the wayleave rent for this pipeline has been paid to Mr Clark since he purchased the manors or reputed manors.

On this evidence I am satisfied that Mr Clark is the owner of the land, and I shall accordingly direct the Cambridgeshire County Council, as registration authority, to register him as the owner of the land under section 3 (2) of the Act of 1965.

I am required by regulation 50 (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

1983

COMMONS COMMISSIONER