



JW

COMMONS REGISTRATION ACT 1965

Reference No. 204/U/78

In the Matter of St. Botolph's Green,  
Elton, Cambridgeshire

DECISION

This reference relates to the question of the ownership of land known as St. Botolph's Green, Elton, being the land comprised in the Land Section of Register Unit No. VG.10 in the Register of Town or Village Greens 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 Sir Peter Proby, bt and Mr W Proby claimed to be the freehold owners 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 24 February 1983. At the hearing Sir Peter Proby was represented by Mr C Vane, of Counsel. There was no appearance by or on behalf of Mr W Proby.

The land in question has for many years been included in the parcels of deeds relating to the Settled Estates of the Proby family and was vested in Sir Peter Proby by a vesting deed made 10 May 1963 between (1) Sir Richard George Proby (2) Peter Proby (3) William Morgan Fletcher Vane and Ailwyn Edward, Baronde Ramsey.

The land has been treated as land in hand by the Proby family farm manager, a post which was filled from 1940 to 1977 by Mr H M K Jones, who gave evidence. In addition to the routine cutting of the grass, a chestnut tree has been cut down four chestnut trees were planted during the period 1947 to 1953, and four more chestnut trees have been planted since 1971.

On this evidence I am satisfied that Sir Peter Proby 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 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

7th

day of

March

1983

Chief Commons Commissioner