



In the Matter of The Green, Conington,
Cambridgeshire

DECISION

This reference relates to the question of the ownership of the land known as The Green, Conington, being the land comprised in the Land Section of Register Unit No. VG 53 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 no person claimed to be the freehold owner of the land in question and no one 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 23 February 1983. At the hearing, the County Council was represented by Mr A D Hill of the County Record Office, who informed me that in the valuation made for the purposes of the Finance (1909-10) Act 1910 the owner of the land in question was stated to be J M Heathcote and that there was someone named Heathcote at present living at Conington.

In the absence of any further evidence I was not satisfied that any person was the owner of the land. However, before my decision was issued I was asked to re-open the hearing. This I did at Cambridge on 25 May 1983, when Mr J H B Heathcote was represented by Mr P Chichester, his land agent.

The Conington Estate has been in the ownership of members of the Heathcote family for many years. It appears from estate maps dating from 1887 onwards that the land the subject of the reference has been treated as part of the Estate. It further appears from documents submitted by Mr Chichester that the owners of the Estate have from time to time between 1950 and 1978 granted rights of way over this land to purchasers of adjoining land.

The J M Heathcote mentioned in the valuation referred to above was John Moyer Heathcote, who died on 3 August 1912. The land which he owned passed under his will to his son John Norman Heathcote, who died on 16 July 1946, and whose will was proved on 26 July 1951 by John Horace Broke Heathcote, his nephew, and Ila Margaret Muspratt. By an assent dated 30 July 1956 Mr J H B Heathcote and Mrs Muspratt assented to the vesting of the Conington Estate consisting of 3281.644 ac. in the parishes of Conington, Sawtrey, and Glatton in Mr Heathcote. Finally, by a conveyance made 29 September 1965 between (1) J H B Heathcote (2) Denis Joseph Cowen John Coles and Colin Gordon Hogden there were conveyed to Mr Cowen and Mr Hogden part of the Estate containing 2,252.827 ac. in the parishes of Conington and Sawtrey.

On this evidence I am satisfied that Mr Cowen, Mr Cole and Mr Hogden are the owners of the land, and I shall accordingly direct the Cambridgeshire County Council, as registration authority, to register them as the owners of the land under section 8(2) of the Act 1965.



-2-

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

21st

day of

June

1983

Chief Commons Commissioners