



In the Matter of The Village Green,
Swavesey, Cambridgeshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Swavesey, being the land comprised in the Land Section of Register Unit No. VG 33 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 the Swavesey Parish Council 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 January 1979.

At the hearing the Parish Council was represented by Mr J Mitcham, its Clerk.

The land in question was awarded by the Inclosure Award made 18 December 1840 under the Swavesey Inclosure Act of 1838 (12 Vict. C.6 (private)) to the Lords of the Manors in the Parish of Swavesey as a place of exercise and recreation for the inhabitants of the parish and neighbourhood. It would have been possible under Section 14(1) of the Local Government Act 1894 for the Lords of the Manors, with the approval of the Charity Commissioners, to have transferred the land to the Parish Council, but there is no evidence that this was ever done. Mr Mitcham did not know who are the present Lords of the Manors.

In the absence of any further evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Cambridgeshire County Council, as registration authority, to register the Swavesey Parish Council as the owner of the land under section 8(3) 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

20th

day of March

1979

Chief Commons Commissioners