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COMMONS REGISTRATION ACT 1965

Reference No. 204/U/137

In the Matter of Site of Old Pond, ^EElton,
Cambridgeshire

Completed 1983

DECISION

This reference relates to the question of the ownership of the Site of an Old Pond, Elton, being the land comprised in the Land Section of Register, Unit No. CL.87 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 the Elton 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 Peterborough on 19 April 1983. At the hearing the Elton Parish Council was represented by Mrs P J Williams, its Clerk.

The Old Pond was filled in and the site grassed over by the former Rural District Council in 1967. In 1967 the former County Council built a bus shelter on the land. Since then six or seven trees have been planted by residents, usually at suggestion of the Parish Council, which was formed in 1975. The grass has been cut by local residents, and some bulbs were planted in 1975.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

27th

day of

April

1983

Chief Commons Commissioner