



JW

COMMONS REGISTRATION ACT 1965

Reference No. 204/U/105

In the Matter of The Old Pond at junction of  
Bencroft Lane and Fenton Road Warboys  
Huntingdon D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.67 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 claims to ownership of the land in question ("the unit land") were made by Warboys Parish Council and by Mr and Mrs C R A Steer.

I held a hearing for the purpose of inquiring into the question of the ownership of the unit land at Cambridge on 10 March 1983. At the hearing the Parish Council was represented by its Clerk, Mr R O England; Mr Steer appeared in person.

Evidence in support of the Parish Council's claim was not adduced and Mr England told me that the Old Pond had been filled in by owners of adjoining property, and the unit land maintained by Mr Steer and his predecessor in title to that property.

Adjoining the unit land on its eastern side is a property 14 Fenton Road which was conveyed to Mr and Mrs Steer by a Mrs Cecilia Amps by a Conveyance dated 28 July 1982. In a Statutory Declaration dated 27 July 1982, Mrs Amps disposed of the fact that she acquired 14 Fenton Road in 1962 and since 1965 had occupied & cultivated the unit land and had had undisputed possession without any adverse claim. The unit was not included in the property conveyed by the above mentioned conveyance, but by a subsequent conveyance, also dated 28 July 1982, Mrs Amps has conveyed to Mr and Mrs Steer such right title estate or interest as she might have in the unit land. Mr Steer told me that since their acquisition of 14 Fenton Road he and his wife have continued to look after the unit land and have incurred expenditure on plants for it.

On this evidence I am satisfied that Mr and Mrs Steer are the owners of the unit land, and I shall accordingly direct the Cambridgeshire County Council, as registration authority to register them as the owners 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

24<sup>th</sup>

day of

January

1984

L. J. Morris Smith  
Commons Commissioner