



In the Matter of The War Memorial Green, Marholm,
Cambridgeshire

DECISION

This reference relates to the question of the ownership of land known as The War Memorial Green, Marholm, being the land comprised in the Land Section of Register Unit No. CL.89 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 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 Peterborough on 19 April 1983. At the hearing, the Marholm Parish Council was represented by Mr N Darby, its Chairman.

Mr Darby said that the war memorial used to be on another site and that it was moved to the land in question in 1960 by workman employed by the Milton Estate. Mr Darby had heard that shortly after this there was a ceremony at which the late Earl Fitzwilliam had stated that he was giving the land to the Parish Council, but he was unable to produce any conveyance giving effect to this gesture of goodwill. Indeed, as Mr Darby very frankly said, the Parish Council know nothing about the ownership of the land until the notice of this reference was received.

In the absence of any 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