COMMONS REGISTRATION ACT 1965   Reference No. 204/U/63

In the Matter of The Island, Earith, Cambridgeshire

DECISION

This reference relates to the question of the ownership of land known as The Island, Earith, being the ~~part of the~~ land comprised in the Land Section of Register Unit No.CL.22 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 Cambridge on 23 February 1983. At the hearing the Earith Parish Council was represented by Mr D B Wright, one of its members, and the County Council by Mr A D Hill of the County Records Office.

Mr Hill 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 —— Elgood of New Square, Lincoln's Inn. However, if Mr Elgood was then the owner, his title or that of his successor in title has long been extinguished by the adverse possession of the Parish Council, which has been receiving rent for the land for a period substantially longer than 12 years.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Cambridgeshire County Council, as registration authority, to register the Parish Council as the owner of the land 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   7½   day of   March   1983

Chief Commons Commissioner