



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/194

In the Matter of a piece of land being part of
that known as Drove Road, Towednack and Zennor

DECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. CL 524 in the Register of Common Land maintained by the Cornwall 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 several persons claimed to be the owner of a part of the land or to have information as to the ownership thereof.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Camborne on 23 November 1982.

Mrs A Symons appeared on behalf of herself and her three sisters, Mrs R Craze, Mrs F Berryman and Mrs E Fleming, Mr M R Hampden Smith appeared on behalf of his wife and himself, Mr P Heron appeared in person and Mrs M O Maeckelberghe appeared on behalf of her husband and herself. Mr R Noy appeared for his wife and himself.

After examining the register map, Mr Hampden Smith withdrew his claim. Mrs Maeckelberghe produced two conveyances dated 1906 and 1964 respectively but on examination of both of them they do not in my judgment relate to any part of the Register Unit.

Mrs Symons produced documents of title which satisfied me that she and her three sisters jointly own that part of the land which lies to the west of the more westerly of the two green lines running north from the figure 726 from its junction, with the more southerly of the green lines running east from the extreme western Unit of the land. Mr Noy produced documents of title which in my judgment established his claim to the remainder of the land lying north of the figure 750. Mr Heron also claimed this piece of land but in my judgment his claim was inferior to that of Mr Noy. No claim was established to that part of the land lying between the figures 726 and 750.

On the evidence I am satisfied that Mrs Symons and her three sisters and Mr and Mrs Noy are respectively the owners of those parts of the land I have already indicated and I shall direct the Cornwall County Council to register them as owners thereof respectively under section 8(2) of the Act of 1965. I am not satisfied that any person is the owner of the remaining part of the land which 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

26th

day of

January

1983

George Herbert

Commons Commissioner