



In the Matter of a piece of land called
TreSean Common in the parish of Cubert

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.316 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 two persons claimed to be the freehold owner of part 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 Camborne on 3 October 1984.

Mrs F G Canning, Solicitor appeared for the S.W. Water Authority, Mrs Williams appeared for the Registration Authority and Mr M A Johnson appeared in person.

Mrs Canning said that the Water Authority claimed ownership of a small piece of land used as a sewage ejector station but an examination of the register revealed that this land had been excluded from registration in the Land Section by a decision of a Commons Commissioner in 1979.

Mr Johnson who owned Treworgans Farm which adjoined the boundary of part of the Register Unit claimed that part of the unit was on his land but an examination of his title deeds showed that he did not own any part of the Register Unit.

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 8th day of October 1984

George Hammett

Commons Commissioner