



JW

COMMONS REGISTRATION ACT 1965

Reference No. 206/U/213

In the Matter of A Small tract of land at Bolatherick,  
St. Breward, Cornwall

DECISION

This reference relates to the question of the ownership of a small tract of land at Bolatherick, St. Breward, being the part of the land comprised in the Land Section of Register Unit No. CL.181 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 Mr and Mrs A R Walkey claimed to be the freehold owners 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 Bodmin on 4 July 1984. At the hearing I gave leave for Mr J Keast, Chartered Surveyor to represent Mr and Mrs Walkey.

By a conveyance made 4 December 1959 between (1) William John Keast (2) Barclays Bank Ltd (3) Alfred Robert Walkey and Florence Anne Walkey there was conveyed to Mr and Mrs Walkey land having an area of 52.523 ac. identified by reference to the plan attached to a conveyance made 24 June 1949 between (1) James Menhirick (2) William John Keast.

After a careful comparison of the copy of the Register Map accompanying the reference and the plan attached to the 1949 Conveyance, I have come to the conclusion that no part of the land now belonging to Mr and Mrs Walkey is comprised in the Register Unit. The relevant part of the land comprised in the Register Unit is a roadway or tract, the whole of which appears to be outside the boundary of Mr and Mrs Walkey's land.

In the absence of any further 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

23<sup>rd</sup>

day of

July

1984

  
Chief Commons Commissioner