



COMMONS REGISTRATION ACT 1965

Reference Nos 206/D/587
to 590 inclusiveIn the Matter of "All the Foreshore",
Perranuthnoe, Penwith District, Cornwall

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and at Entry Nos 1 and 2 in the Ownership Section of Register Unit No. CL 274 in the Register of Common Land maintained by the Cornwall County Council and are occasioned as regards the Land Section registration by Objection No. X.145 made by HRH Charles Prince of Wales, Duke of Cornwall and noted in the Register on 19 August 1970 and by Objection No. X.1442 made by the Trustees of Thomas Reynolds Settlement and as regards the Ownership Section registrations by those registrations being in conflict.

I held a hearing for the purpose of inquiring into the disputes at Camborne on 15 May 1979. At the hearing (1) Perranuthnoe Parish Council on whose application the Land Section registration was made, (2) HRH Charles Prince of Wales, Duke of Cornwall (in addition to being an objector, the Ownership Section registration at Entry No. 1 was made on his application), (3) Mr S Palmer (the Ownership Section registration at Entry No. 2 was made on his application), and (4) Mr S Trembath (he signed Objection No. X.1442 for the Trustees were all represented by Mr M Thornton solicitor with A W Harvey and Son, Solicitors of Penzance, and (5) Cornwall County Council were represented by Mr D Gill, their Commons Registration officer.

Mr Thornton said that a meeting had been held last week at which were represented the Parish Council, the Duchy, and the said Trustees, and at which a compromise had been reached as to (among other things) the future public use of the land, and that one of the terms of the compromise was that the land should cease to be registered under the 1965 Act. The Parish Council and the County Council being the only persons represented at the hearing who have any entitlement to be heard in support of the Land Section registration, I accordingly at the request of Mr Thornton (Mr Gill not objecting) refused to confirm the said Land Section registration.

By section 6(3) of the 1965 Act, when the registration of any land as common land is cancelled, the registration authority shall also cancel the registration of any person as the owner; so there will accordingly no longer be any conflicting ownership registrations, and I therefore give no decision about them.

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 5th — day of June — 1979

a. a. Baden Fuller

COMMONS COMMISSIONER