

JW



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/123

In the Matter of Carnkie Common, Wendron

DECISION

This reference relates to the question of the ownership of land above mentioned being the land comprised in the Land Section of Register Unit No. CL.239 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 owners 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 land at Camborne on 3 October 1984.

Mr C Wearne appeared for Mrs Margaret Winn one of the claimants; the other Mr David Eric Hughes was not represented. Mr Williams appeared for Registration Authority *LIC* and Mr A Stacey and Mr W L Carlyon appeared for Wendron Parish Council.

When the matter first came before me on 19 January 1983 I was told that there were proceedings pending in the County Court between Mr Hughes and Mrs Winn in which the former claimed ownership of part of the land. There was a further hearing in November 1983 but as the litigation was still pending the case was adjourned. I have since been informed by the Solicitors for both parties that judgment has now been given in the County Court action which decided the question of ownership in favour of Mrs Winn.

On this evidence I am satisfied that Mrs Winn is the owner of the land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register her 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

8th

day of

October

1984

(C. H. M. C. H.)
Commons Commissioner