



In the Matter of Feadon Wood, Nance Wood
and Portreath Moor, Kerrier D

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DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 333 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 Willie M Greenslade and South West Water Authority each claimed to be the freehold owner of parts of the land in question ("the Unit land") 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 13 January 1983.

At the hearing Mr Greenslade was represented by his nephew, Mr D J Martin, and Mrs F G Canning, Solicitor, of the Water Authority, appeared on its behalf.

The Unit land comprises three adjacent areas, the most northerly of which is Portreath Moor: this is the part of which Mr Greenslade claims ownership. By a Conveyance dated 9 September 1946 and made between Lloyds Bank and Mr Greenslade property described in the Conveyance as the Duke of Leeds Hills and shown on a plan was conveyed to Mr Greenslade. The property comprises the greater part of the Portreath Moor area - all except a small piece at the western end: I am satisfied that Mr Greenslade is the owner of that part ("the Portreath part") which is hatched pink on the plan attached to this Decision marked "A".

The Water Authority's claim is to ownership of the site of a Reservoir on the area known as Feadon Wood, the site being shown on the attached plan marked "B". This site was conveyed by a Conveyance dated 13 March 1933 to Redruth Rural District Council, to which the Water Authority is successor. On this evidence I am satisfied that the Water Authority is the owner of the site.

Accordingly I shall direct the Cornwall County Council, as registration authority, to register Mr Greenslade as owner of the Portreath part and the Water Authority as owner of the Reservoir site under section 8(2) of the Act of 1965. The remainder of the Unit land, of which I am not satisfied as to the owner, will 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

17 February

1983



H. J. Morris Smith

Common Commissioner