

COMMONS REGISTRATION ACT
1965



Reference No. 206/U/225

In the Matter of Land at Emblance Downs
St. Breward, Cornwall

DECISION

This reference relates to the question of the ownership of land at Emblance Downs, St. Breward, being the land comprised in the Land Section of Register Unit No. CL.458 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 the reference no person claimed to be the freehold owner 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 5 February 1985. At the hearing Mr Morley Rowe, the Chairman of the Blisland Commoners Association, informed me that he believed that Mr Peter Throssell was the owner of the land in question.

By following up Mr Rowe's lead I obtained evidence that the land in question was included in the parcels of a Conveyance made 28 September 1972 between (1) Amelia Annie Parker (2) Richard Deterding and Anne Patricia Carr, Mr Deterding and Mrs Parker held the land as trustees and by a deed dated 13 February 1976 Mr Deterding retired and was discharged from the trusts of the Conveyance and Mr John Claud Jacob was appointed to be a new trustee to act jointly with Mrs Carr,

On this evidence I am satisfied that Mrs Carr and Mr Jacob are the owners of the land, and I shall accordingly direct the Cornwall County Council as registration authority, to register them as the owners 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

23rd

day of

1985

Chief Commons Commissioner