



COMMONS REGISTRATION ACT 1965

Reference No. 206/R/3

COMMONS REGISTRATION (RECTIFICATION OF REGISTERS) ACT 1989

In the Matter of Land at "Far View" part of Goonzion Downs, St. Neot

DECISION

This reference relates to an objection under the Common Land (Rectification of Registers) Act 1989 to the registration of part of the land registered in Entry No. 1 in the Land Section of Register Unit No. CL.133 in the Register of Common Land maintained by the Cornwall County Council.

It is occasioned by Objection No. OB2 made by Rose Eileen Lilian Copplestone and Adrian Copplestone and referred to a Commons Commissioner on 2 May 1991.

No person wrote to the Clerk of the Commons Commissioners stating that he wished to oppose the objection.

The Objectors' case was that since before 1945 the land to which the objection relates has been the site of a bungalow called "Far View" and its garden.

The objectors produced statutory declarations by themselves in support of their case.

Mrs Rose Copplestone declared that she has lived in the bungalow since 1921 and that during all that time the land has been fenced in and has been land on part of which a bungalow stands and the remainder of the plot is a garden.

Mr Richard Copplestone's declaration confirms this evidence.

The objection also produced an examined copy of a conveyance dated 21 October 1933 whereby Phillip Roy Blaney conveyed to Richard Langdon in fee simple land identified by a plan which corresponds with the land to which the objection relates.

The conveyance recites that some years previous to 1927 (when the Vendor became the owner of Goozion Down) the purchaser inclosed the land from the Goonzion Down and had occupied it without any payment or acknowledgement being made to the Vendor and that, to settle questions which had arisen regarding the title of the purchaser to the enclosure, the Vendor had agreed in consideration of the payment of the sum of one pound to convey the freehold of the enclosure to the purchaser.

I am not concerned with questions of title but this deed is quite consistent with the declarations by the objector that the objection land was enclosed and used as a bungalow and garden well before 1945.



Other documents of title were produced but I need not refer to them in particular. None are inconsistent with the declarations.

On that evidence I am satisfied that it is not necessary to hold a public hearing and that the land objected to satisfies the requirements of section 1(2) of the 1989 Act.

I am required by regulation 20(1) of the Common Land (Rectification of Registers) Regulations 1990 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 *15th* day of *August* 1991

Peter Landon-Davis

Chief Commons Commissioner