



COMMONS REGISTRATION ACT 1965

Reference No.6/U/24

In the Matter of land at Saint Erme,  
Truro R.D., Cornwall

DECISION

This reference relates to the question of the ownership of land at Saint Erme, Truro Rural District, being the land comprised in the Land Section of Register Unit No.V.G.616 in the Register of Town or Village Greens 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 Mrs. E.W. Taylor in a letter dated 18th May 1972 from her solicitors, claimed ownership of the land the subject of this reference and no other person claimed to have information as to its ownership. In a letter dated 23rd May 1972 Mrs. Taylor for her claim to ownership to, substituted a claim to a right of way over, the land.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Truro on 12th July 1972.

At the hearing, the Saint Erme Parish Council was represented by Mr. H.D. Martin who is one of their members. Mrs. Taylor did not attend and was not represented.

Mr. Martin told me that the Parish Council has no evidence of ownership.

By section 22(1) of the Act, references in it to "ownership" "are references to the ownership of a legal estate in fee simple" and I am not therefore concerned with any right of way Mrs. Taylor may have over the land.

In the absence of evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register Saint Erme Parish Council as the owner of the land under section 8(3) of the Act.

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.

*a. a. Baden Fuller*

Dated this 31st day of July 1972

Commons Commissioner