

COMMONS REGISTRATION
ACT 1965



Reference No. 206/U/219

In the Matter of Manor Common (Part),
Blisland, Cornwall

Decision

This reference relates to the question of the ownership of land known as Manor Common (part), Blisland, being the part of the land comprised in the Land Section of Register Unit No. CL 183 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 the Trustees of the Molesworth St. Aubyn 1964 Discretionary Settlement claimed to be the freehold owners of the land in question, and Mrs M Pethybridge 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 the Trustees of the Molesworth St. Aubyn 1964 Discretionary Settlement and English Clays Lovering Pochin & Co Ltd were represented by Mr I B Lamond, Solicitor.

English Clays Lovering Pochin and Co., Ltd is registered in the ownership section of the Register Unit as the owner of that portion of the land comprised in the Register Unit to the west of the red line A-B-C and to the north of the red line C-D drawn on sheet 123 of the Register Map, and Mr Lamond informed me that the Company did not claim to be the owner of the land the subject of the reference. This land, i.e. that to the east of the line A-B-C and to the south of the line C-D was included in the parcels of a conveyance made 11 April 1964 between (1) Sir John Molesworth St. Aubyn bt (2) Guy Kemy, of Molesworth St Aubyn, Alastair Rauthmell Macneal and John Valentine Balfour. By virtue of a deed of appointment made 22 June 1984 the present trustees are Mr Macneal Mr Balfour, and Brig. the Hon. Robin Michael Parker.

On this evidence I am satisfied that Mr Macneal Mr Balfour, and Brig. Parker are the owners of the land the subject of the reference, 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

22nd

day of

February

1985

[Signature]
Chief Commons Commissioner