



In the Matter of Mine Waste at Poldice, Gwennap,
Carrick D

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 580 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 K Bolitho claimed to be the freehold owner of the land in question 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 14 January 1983.

At the hearing Mr Bolitho appeared in person. In support of his claim he produced title deeds which were incomplete. I agreed to defer my Decision in order to afford him an opportunity to complete his documents and submit them for my inspection. No satisfactory evidence has been furnished and, in the result, I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 of the Act 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 24 January 1984

L. J. Morris Smith

Commons Commissioner