

COMMONS REGISTRATION ACT 1965



Reference No. 206/U/1

In the Matter of Mulfra Hill, Madron and
Zennor, Penwith 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 111 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 R H Mann^A claimed to be the freehold owner of part of the land in question ("the Unit land") 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 Truro on 29 June 1982.

At the hearing Mr Mann appeared in person. By a Conveyance dated 1 November 1942 an area of land was conveyed to R H Mann and Mary E Mann. The former died in 1960 and Mary Mann in 1966: by an Assent dated 22 November 1966 her personal representatives assented to the vesting of the land in the claimant. The land included a part of the Unit land lying to the south of the red line marked H1 on the register map.

On this evidence I am satisfied that the claimant is the owner of this part of the Unit land and I shall accordingly direct the Cornwall County Council, as registration authority, to register him as its owner under section 8(2) of the Act of 1965. I am not satisfied as to the ownership of the remainder of the Unit land which will therefore remain subject to protection under Section 9 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.

Dated

2 September

1982

L. J. Morris Smith

Commons Commissioners