



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/27

In the Matter of Red Down and Turbary,
 Egloskerry, North Cornwall 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 385 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 Egloskerry Parish Council claimed to be the freehold owner 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 Unit land at Bodmin on 27 May 1982.

At the hearing the Parish Council was represented by its Clerk, Mr C W Cannon.

Mr Cannon produced an Inclosure Award of 1843 by which there were allotted to the Churchwardens and Overseers of the Parish of Egloskerry certain areas which included (Nos. 965 and 966 on the plan accompanying the Award) the Unit land. The Parish Council is the successor to the Churchwardens and Overseers, and the Unit land is part of the Turbary Allotment which is the subject of a scheme established by the Charity Commissioners on 18 April 1977.

On this evidence I am satisfied that the Parish Council is the owner of the Unit land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register Egloskerry Parish Council as the owner of the land under section 3(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

21 June

1982

L. J. Morris Smith

Commons Commissioner