



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/141

In the Matter of River Area, Ponjeravah,  
Constantine, Kerrier D

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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 270 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 J M Hawes 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 land at Camborne on 13 January 1983.

At the hearing Mr Hawes appeared in person. By a Conveyance dated 30 June 1969 Richard D Bayliffe conveyed to Mr Hawes a property called Treglidgwith which lies to the north east of the Unit land. This Conveyance did not include the Unit land, which was conveyed by Mr Bayliffe to Mr Hawes by a subsequent Conveyance dated 1 August 1974; and by a statutory declaration of that date Mr Bayliffe deposed to the fact that from 1947 to 1969, when he sold Treglidgwith, he made use of the Unit land without challenge from anyone. Since 1974 Mr Hawes told me that he has maintained the Unit land as part of his property.

On this evidence I am satisfied that Mr Hawes is the owner of the Unit land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register him as the owner 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

3 February

1983

*L. J. Morris Smith*

Commons Commissioner