

COMMONS REGISTRATION ACT 1965



Reference No. 206/U/5

In the Matter of St Cleer Downs, St Cleer,
Caradon 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 152 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 Manor of Roscraddoc Limited ("the Company") 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 28 May 1982.

At the hearing Mr C Browning of the firm of Caunters, Solicitors, appeared on behalf of the Company. Mr Browning told me that the Company had acquired land including the Unit land, but it no longer owned the Unit land and was not now claiming ownership.

In the absence of any evidence 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 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

29 July

1982

L. J. Morris Smith

Commons Commissioner