



In the Matter of The Common, Porthcothan,  
St Merryn, Cornwall.

DECISION

This reference relates to the question of the ownership of land known as The Common, Porthcothan, St Merryn, being the land comprised in the Land Section of Register Unit No. CL 553 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 no person claimed to be the freehold owner of the land in question and no one 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 Bodmin on 5 October 1982.

At the hearing Mr L Friel, solicitor, appeared for Mr and Mrs W T Tummon.

Most of the land comprised in the Register Unit was conveyed to Mr and Mrs Tummon by a conveyance made 6 November 1980 between (1) William John Rundle and Margaret Alice Rowe (2) William Thomas Tummon and Jessica Tummon his wife. The vendors had a good root of title in a conveyance made 9 April 1925 between (1) Thomas Paynter (2) Jonathan Trebilcock and Frank Axworthy Trebilcock (3) William Rundle.

On this evidence I am satisfied that Mr and Mrs Tummon are the owners of the part of the land conveyed to them, and I shall accordingly direct the Cornwall County Council as registration authority, to register them as the owners of that part of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder 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 this

20th

day of

October

1982

Chief Commons Commissioner