



In the Matter of The Village Green, Lanreath,
Cornwall

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Lanreath, being the land comprised in the Land Section of Register Unit No. VG 632 in the Register of Town or Village Greens 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 8 February 1983.

At the hearing the Lanreath Parish Council was represented by Mr P J Coysh, its Chairman, who informed me that the land in question might be in the ownership of Mr T C Mansfield of the Punch Bowl Inn. The matter was therefore pursued with Mr Mansfield.

Mr Mansfield purchased the Punch Bowl Inn in 1967, when there was included in the conveyance all the right, title and interest (if any) of the vendor in an area of adjoining land which included the land the subject of the reference. The property had been conveyed in this manner since a conveyance made 29 September 1942 between (1) Henry Arthur Spiers (2) Hilda Joyce Atkinson. It appears from this conveyance that there were then on the land known as the Village Green two wooden garages, which were let to tenants. There is no evidence regarding the earlier history of the land.

In 1951 or thereabouts the then owner of the Inn obtained planning permission to erect garages in the south-western corner of the land referred to in the conveyance in place of some somewhat derelict buildings. Since then the successive owners of the Inn have been in receipt of the rents and profits from the garages. The land on which the garages stand was excluded from the application for the registration of the Village Green. About seven years ago Mr Mansfield caused the land subject of the reference to be tarmacaded.

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

21st

day of

February

1983