



COMMONS REGISTRATION ACT 1965

Reference No.5/U/23

In the Matter of The Village Green,
Pelynt, Cornwall

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Pelynt, being the land comprised in the Land Section of Register Unit No.VG 615 in the Register of Town or Village Greens maintained by the former 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.

Mr Commissioner Baden Fuller held a hearing for the purpose of inquiring into the question of the ownership of the land at Truro on 12th July 1972. At that hearing the learned Commissioner, on the application of Mr A.J.Ball, the Assistant Clerk of the former Liskeard Rural District Council, adjourned the hearing.

I reopened the hearing at Truro on 11th March 1975, when Mr Ball appeared on behalf of the Canyon District Council and also on behalf of the Pelynt Parish Council.

Mr Ball put in a vesting deed dated 2nd May 1967 from which it appears that the former Cornwall County Council was authorised by a compulsory purchase order to purchase all the land the subject of this reference, with the exception of a small triangle to the north of St Nonna's Church, on behalf of the Parish Council as a recreation ground. Since no owner could be found, the compensation was assessed by the Lands Tribunal and paid into the Bank of England before the land was vested in the Parish Council.

On this evidence I am satisfied that the Pelynt Parish Council is the owner of the land the subject of the vesting deed, and I shall accordingly direct the Cornwall County Council, as registration authority, to register the Parish Council as the owner of that land under section 8(2) of the Act of 1965. There being no evidence as to the ownership of the small triangle of land to the north of the church, I shall direct the County Council to register the Parish Council as the owner of that land under section 8(3) 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 27th day of March 1975


Chief Commons Commissioner