



In the Matter of Trehudreth Downs, Blisland

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.142 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 and Mrs W A Church claimed to be the freehold owners of the land in question ("the unit land"). 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 Truro on 8 April 1986.

At the hearing Mr and Mrs Church appeared in person: no other claimant appeared. In the Register the area of the unit land is stated to be of about 215 acres.

By a Conveyance on sale dated 16 October 1944 Richard H Chapman conveyed to Charles Cawrse farm property known as Little Trehudreth and lands known as Trehudreth Common containing some 300 acres. Charles Cawrse died in August 1980 and by an Assent dated 4 November 1981 his three executors assented to the vesting of the farm property and common in themselves a trust for sale. By a Conveyance on sale dated 5 March 1982 the Executors as such trustees conveyed to Mr and Mrs Church the property comprised in the Assent.

On this evidence I am satisfied that Mr and Mrs Church are the owners of the unit land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register them as the owners 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 22nd day of July 1986

L. J. Morris Smith
Commons Commissioner