

COMMONS REGISTRATION ACT 1965



Reference No. 206/U/167

In the Matter of Trelash Village Green (part),  
Warbstow, Cornwall

DECISION

This reference relates to the question of the ownership of land known as Trelash Village Green (part), Warbstow, being the part of the land comprised in the Land Section of Register Unit No. VG 652 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 Mr B Matheson and Mr T S Bolt claimed to be the freehold owners of parts of the land in question 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 land at Bodmin on 10 February 1983.

At the hearing Mr Bolt was represented by Mr J Parnall, Solicitor. There was no appearance by or on behalf of Mr Matheson.

Mr Bolt is the owner of a property which adjoins the north-east corner of the land the subject of the reference and which he purchased in 1961. Immediately on the road side of the boundary hedge of Mr Bolt's property is a small triangular piece of land. During the period of his ownership Mr Bolt has cared for and maintained this piece of land as if it were his own. He has cut the grass and has maintained a flower garden on it. He has regularly cultivated it and has planted shrubs in it.

On this evidence I am satisfied that Mr Bolt is the owner of the part of the land which he claims, and I shall accordingly direct the Cornwall County Council, as registration authority, to register him as the owner of that part of the land under section 8(2) of the Act of 1965.

In the absence of any further evidence I am not satisfied that any person is the owner of the remainder of the land the subject of the reference and I shall accordingly direct the County Council to register the Warbstow Parish Council as the owner of that part of the 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

12<sup>th</sup>

day of

June

1983

*[Handwritten signature]*

Chief Commons Commissioner