

COMMONS REGISTRATION ACT 1965



Reference No. 206/U/175

In the Matter of Trenarren Ledrah, Restormel,  
Cornwall

DECISION

This reference relates to the question of the ownership of land known as Trenarren Ledrah, Restormel, being the land comprised in the Land Section of Register Unit No. VG 672 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 Penrice House (St Austell) Ltd claimed to be the freehold owner 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 8 February 1983.

At the hearing the Restormel Borough Council was represented by Mr P Pate, Solicitor, and Penrice House (St Austell) Ltd by Mr M J Follett, Solicitor.

By a vesting assent made 29 October 1932 Charles Robert Prideaux-Brune, Arthur Charles Hext, and Philip Melvill Coode assented to the vesting in Mrs Joan Rosemary Cobbold Sawle the property commonly known as the Penrice Estate. From the date of the vesting assent until her death on 14 December 1971, Mrs Sawle was in the uninterrupted possession of or in receipt of the rents and profits of the land the subject of the reference. After Mrs Sawle's death, James William Goulder French and Robert Washbourne Money as executors of her will were in uninterrupted possession of or in receipt of the rents and profits of the land. On 8 March 1977 Mr French and Mr Money vested the Penrice Estate in themselves and the other trustees of a charity known as the Penrice House Trust. Finally by a scheme made on 18 November 1980 the Charity Commissioners for England and Wales vested the Penrice Estate in Penrice House (St Austell) Ltd.

On this evidence I am satisfied that Penrice House (St Austell) Ltd is the owner of the land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register that Company as the owner of the land under section 3(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

5<sup>th</sup>

day of

March

1983

  
Chief Commons Commissioner