



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/53

In the Matter of Corgee Moor, Luxulyan,  
Cornwall

DECISION

This reference relates to the question of the ownership of land known as Corgee Moor, Luxulyan, being the land comprised in the Land Section of Register Unit No. CL.272 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 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 6 October 1982. At the hearing Mr R H Spry and Mr H E Worth appeared in person. Mr Spry and Mr Worth are the owners of farms adjoining the land in question and each of them has for many years kept the part of the land adjoining his farm tidy. However, each of them applied for the registration of rights of common attached to their respective farms, and those registrations have become final. Since a man cannot be entitled to rights of common over his own land, neither Mr Spry nor Mr Worth could have been the owner of any part of the land in question at the date of registration. Since there is nothing to indicate that either Mr Spry or Mr Worth has acquired a possessory title since that date, I am not satisfied on the evidence before me that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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.

Signed this

20<sup>th</sup>

day of

October

1982

Chief Commons Commissioner