



In the Matter of Golant Green, Saint  
Sampson, Cornwall

DECISION

This reference relates to the question of the ownership of land known as Golant Green, St. Sampson, being the land comprised in the Land Section of Register Unit No. VG.664 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 H.R.H. Charles, Prince of Wales, Duke of Cornwall, and the Restormel Borough Council claimed to be the freehold owners of parts of the land in question, and Mr D B Easton 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, the Saint Sampson Borough Council by Mr B Lovell, its Chairman, and the Prince of Wales by Mr R F J Halliday of the Duchy of Cornwall Office.

The land the subject of the reference with the exception of a very small area on its Western Side, was formerly part of the foreshore of the tidal river Fowey. By a Conveyance made 12 February 1932 under the authority of the Duchy of Cornwall Management Acts 1863 to 1893 most of this land was conveyed to the former St. Austell Rural District Council, and it was then transferred to the Restormel Borough Council by the Local Authorities (England)(Property etc) Order 1973 (S.I.1973 No. 1861).

By a Conveyance made 22 July 1931 under the authority of the Acts of 1863 to 1893 a rectangular area to the west of the land conveyed to the former Rural District Council was conveyed to Sir Frederick C Poole, the Revd Henry Edwards, Laurence Digby and Maurice Rundle, but there was no evidence as to whether any of these persons are now living or as to who may be their successors in title.

A small area to the west of that the subject of the Conveyance of 1931 remains part of the Duchy of Cornwall estate.

On this evidence I am satisfied that the Prince of Wales and the Restormel Borough Council are the owners of parts of the land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register them as the owner of those parts under section 8 (2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land, and I shall accordingly direct the County Council to register the Saint Sampson Parish Council as the owner of that part under section 8 (3) of the Act of 1965.



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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 25~~th~~ day of February 1983

A handwritten signature in cursive script, appearing to read 'G. S. L. J. J. J.', positioned above the title of the Chief Commons Commissioners.

Chief Commons Commissioners