

COMMONS REGISTRATION ACT 1965

Reference No. 206/U/155

In the Matter of Higher Larrick Common, Lezant, Cornwall

## DECISION

This reference relates to the question of the ownership of land known as Higher Larrick Common, Lezant, being the land comprised in the Land Section of Register Unit No.CL.383 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

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

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Bodmin on 9 February 1983. At the hearing the Lezant Parish Council was represented by Mr P G Daniel, its Clerk, who informed me that he had no evidence as to the ownership of the land in question, but that he thought that Mr Johnson of Higher Larrick might be the owner of a part of the land.

An enquiry made pursuant to Mr Daniel's suggestion elicited evidence that an area in the north-eastern corner of the land in question was included in the parcles of a conveyance made 21 December 1962 between (1) Dennis Broad and Mabel Broad his wife (2) Alfred James William Herbert Johnson and was the subject of a deed of gift made 5 January 1973 between (1) A G W H Johnson (2) Tony Alfred Bryan Johnson and Daphne Jane Johnson his wife.

On this evidence I am satisfied that Mr and Mrs Johnson are the owners of part of the land, and I. shall accordingly direct the Cornwall County Council, as registration authority to register them as the owners of that part of the land under section 8 (2)

In the absence of any further evidence I am not satisfied that any person is the owner of the remainder of theland and that part 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.

Dated this

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Commons Commissioner