



COMMONS REGISTRATION ACT 1965

Reference No. 206/R/37

COMMON LAND (RECTIFICATION OF REGISTERS) ACT 1989

In the Matter of Land at Hillcrest Bungalow, forming part of  
Goonzion Downs

DECISION

This reference relates to an objection under the Common Land (Rectification of Registers) Act 1989 to the registration of part of the land registered in Entry No. 1 in the Land Section of Register Unit No. CL.133 in the Register of Common Land maintained by the Cornwall County Council.

It is occasioned by Objection No.20 made by David John Langdon and referred to a Commons Commissioner on 15 February 1993.

No person wrote to the Clerk of the Commons Commissioners stating that he wished to oppose the objection. On 29 April 1993 I caused notice to be given under regulation 8(1) of the Common Land (Rectification of Registers) Regulations 1990 that I proposed to give a decision allowing the objection without a hearing. No person requested me to hold a hearing.

The Objector's case was that the land has at all times since 5 August 1945 been used and enjoyed as part of the garden of a dwellinghouse namely "Hillcrest". The Case is supported by two statutory declarations, one made by the objector himself and the other by his mother Mrs Christine Marion Masters, from which it appears that Mrs Masters and her husband James Henry Masters (the objector's step-father) and the objector himself went to live at Hillcrest in early February 1946, when Mr Masters purchased the property, that the land was then fenced and occupied with Hillcrest as part of its garden and that this has been the position ever since.

Nothing has been produced which contradicts or casts doubt on the foregoing.

In these circumstances I consider that it is not necessary to hold a public hearing and that the land objected to satisfies the requirements of section 1(2) of the 1989 Act.

I am required by regulation 22(1) of the Regulations 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

7

day of

June

1993

Commons Commissioner