



COMMONS REGISTRATION ACT
1965

Reference No. 206/U/238

In the Matter of land called Golant Downs
comprising 27.08 acres or thereabouts in
the parish of St. Sampson

DECISION

This reference relates to the question of the ownership of land known as Golant Downs in the parish of St. Sampson, Cornwall being the land comprised in the Land Section of Register Unit No. CL.174 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 Mr Philip Rashleigh claimed to be the freehold owner of the land in question and St. Sampson Parish Council 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 24 March 1987.

Cornwall County Council (the registration authority) appeared by Mr M Wright, its commons registration officer. St. Sampson Parish Council was represented by Mrs K M Renwick (chairman) and Mrs K Bromilow (clerk).

Mr Philip Rashleigh did not appear, nor was he represented. A letter had however been received at the office of the Commons Commissioners on 20 March 1987 from Messrs. Stratton & Holborow Chartered Surveyors of Truro acting on behalf of Mr Rashleigh requesting an adjournment, if further information was not available to them in time for it to be presented at the hearing.

Copies of various old records relating to the ownership of Golant Downs had been sent to the Commons Commissioners prior to the hearing both by the County Archivist (as a result of a suggestion by St. Sampson Parish Council) and from Messrs. Stratton & Holborow. These documents provided some evidence that Golant Downs had long been in the ownership of the Rashleigh family, and that in the early 1900s they were vested in Dr John C S Rashleigh as Lord of the Manor of Lantyan, the Downs being parcel of this Manor.

The representatives of the Parish Council stated that they did not oppose the claim of Mr Philip Rashleigh, but that if it was not upheld they would like the land placed under their protection under section 9 of the Act.

In these circumstances I allowed Mr Philip Rashleigh further time in which to pursue his claim.



On the 8th July 1987 a letter from Messrs. Stratton & Holborow was received at the office of the Commons Commissioners stating that their client cannot show ownership to this piece of land.

In the absence of any further evidence I am not satisfied 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 was sent to him, require me to state a case for the decision of the High Court.

Dated this

31st

day of

July

1987

Martin Rott.

Commons Commissioner