



COMMONS REGISTRATION ACT 1965

Reference No. 206/R/15

COMMON LAND (RECTIFICATION OF REGISTERS) ACT 1989

In the Matter of Phillips Tenement, Tregonetha Green, Tregonetha,
St Columb Major

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.252 in the Register of Common Land maintained by the Cornwall County Council.

It is occasioned by Objection No. 15 made by Cyril Arthur Brunton and referred to a Commons Commissioner on 29 May 1992.

No person wrote to the Clerk of the Commons Commissioners stating that he wished to oppose the objection. On 20 July 1992 I caused notice to be given under regulation 8(1) 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 to which the objection relates (the "objection land") is and has been since before 5 August 1945 the porch forming part of a dwellinghouse known as Phillips Tenement, Tregonetha, St. Columb Major.

The objector produced -

(1) a statutory declaration dated 30 January 1992 and made by himself. He declares that in 1935 he moved with his family into Phillips Tenement and has lived there ever since having become owner in 1974 on the death of his father. All that time the objection land (i.e. the Porch) has been part of the house. It was rebuilt on the same site in 1965.

On that evidence I am satisfied 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 Common Land (Rectification of Registers) Regulations 1990 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

8th

day of

September

1992

Peta Landon-Davis

Chief Commons Commissioner