

COMMONS REGISTRATION ACT 1965

Reference No. 206/U/173

In the Matter of Recreation Ground, Bowling Green, Callington, Cornwall

DECISION

This reference relates to the question of the ownership of land known as Recreation Ground, Bowling Green, Callington, being the land comprised in the Land Section of Register Unit No. VG. 671 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 the Collington Parish Council claimed to be the freehold owner of the land in question and the Commons, Open Spaces and Footpaths Preservation Society 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

There was no appearance at the hearing, but, Mr M Williams, the Clerk of the Parish Council, sent a message that his car had broken down. However, since there was no other claimant to the land, I decided to proceed in Mr Williams\sabsence.

The information given by the Commons, Open Spaces, and Footpaths Preservation Society was that by an inclosure award made 9 April 1864 the land in question was allotted to the Churchwardens and Overseers of the Poor of the Parish of Callington as a place of exercise and recreation for the inhabitants. Thile I have no reason to believe that this was not so, without the production of the award or a certified copy of the relevant part of it I can only say that in the absence of any evidence I am not satisfied that any person is the owner of the land, and I, shall accordingly direct the Cornwall County Council, as registration authority, to register the Parish Council as the owner of the land under section 8 (3) 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

25th day of Fabrany

Chief Commons Commissioner