



COMMONS REGISTRATION ACT 1965

Reference No.6/U/25

In the Matter of "The Village", Saint Minver
Highlands, Wadebridge and Padstow R.D.,
Cornwall.

DECISION

This reference relates to the question of the ownership of land known as "The Village", Saint Minver Highlands, Wadebridge and Padstow Rural District, being the land comprised in the Land Section of Register Unit No.V.G.618 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 Mr. A. Brenton in a letter dated the 19th May 1972, claimed to be the freehold owner of the land in question and no other person 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 Truro on 12th July 1972.

At the hearing the Saint Minver Highlands Parish Council ("the Council") were represented by Mr. R.H. Blake who is a member. Mr. A. Brenton was not present and was not represented.

Mr. Blake told me that this land is an open space in the centre of Tredrizzick village. Formerly the village (including this land) was owned by Mr. Durrell-Stevens (later he changed his name to Durrell-Durrell): after the first war he sold his land, giving the occupiers of the houses and shops which abutted on this land (their outside wall formed the boundary) an option to purchase their houses and shops; and many of them purchased accordingly. Following this, the land was treated as belonging to everybody and to nobody; so no one cuts the weeds and it was allowed to grow. Exceptionally, Mr. Brenton (as indicated in his letter) tidied up the part outside the boundary of his house.

In 1964 the state of the land was considered by the Council and as a result inquiries were made without any success, as to its ownership, including a search at Somerset House as to the family of Mr. Durrell-Stevens.

In these circumstances the Council were unable to give any evidence as to ownership.

For these reasons 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 Saint Minver Highlands Parish Council as the owner of the land.

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 5 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 2nd day of August 1972

a. a. Baden Fuller.

Commons Commissioner