

COMMONS REGISTRATION ACT 1965

Reference No. 6/U/20

In the Matter of the Village Green, Michaelstow, Camelford R.D., Cornwall

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Michaelstow, Camelford Rural District, being the land comprised in the Land Section of Register Unit No.V.C.612 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 Michaelstow Parish Council ("the Council") 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.

The hearing was attended by the Council who were represented by their Chairman Irs. I.S. Button and their Clerk Irs. A.W. Harris. Notice of the hearing was given to Ir. T. Sanders (an application by him was noted on the Register on the 23rd September 1963), but he did not attend and was not represented.

Mrs. Harris in her evidence produced an undenture dated the 13th April 1904 and held by the Council. By this indenture the "... piece of ground ... commonly known as The Michaelstow Village Green" was conveyed to the Council. The land in this Register Unit is commonly so known. According to the records of the Council, it has ever since 1904 been looked after by the Council. Mrs. Harris had been clerk for the last 8 years: during this period the Council have painted and kept in repair posts and chains situate there; nobody other than the Council has ever claimed ownership.

For these reasons I am satisfied that the Council is the owner of the land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register Michaelstow 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 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 3:5V day of Tuly 1972

Commons Commissioner