



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/29

In the Matter of Tolborough Downs,  
Bolventor, North Cornwall D

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DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 685 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 W J Dennis claimed to be the freehold owner of the land in question ("the Unit land") 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 Unit land at Bodmin on 27 May 1982. At the hearing Mr J Parnall, Solicitor, appeared on behalf of Mr Dennis and Mr E G Hopper, a member of Altarnun Parish Council, also attended.

Mr Parnall produced two conveyances by the first of which dated 22 July 1935 E.F.S. Rodd conveyed to Walter Dennis ~~an~~ large area of farm land delineated on a plan: this area included the Unit land. By the second conveyance dated 3 April 1964 Walter Dennis conveyed to Walter John Dennis a part of this area: this conveyance had no plan but the part conveyed is particularised in a Schedule and Mr Parnall said he believes that two items in the Schedule under the heading 'Dairywell Farm' and numbered O.S. Pt. 258 and 1124a comprised the Unit land. Giving evidence Mr Clifford P Halls told me that he had been the tenant of Dairywell Farm, which included the Unit land, for sixteen years, his landlord being Mr W J Dennis, and Mr Dennis confirmed this.

On this evidence I am satisfied that Mr W J Dennis is the owner of the Unit land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register him as the owner of the Unit land under section 8(2) 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

21 June

1982

*L. J. Morris Smith*

Commons Commissioner