



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/128

In the Matter of Tresean Common,  
Cubert, Carrick 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 440 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 South-West Water Authority 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 land at Camborne on 14 January 1983.

At the hearing Mrs F G Canning of the Water Authority appeared on its behalf.

The Unit land is a very small piece of land and the Water Authority's claim to ownership is based on a Conveyance dated 24 April 1972 by J C Burton to Truro Rural District Council. This was a Conveyance of part of a field known as Well Close on which Mrs Canning told me there is a pumping station operated by the Water Authority. On the evidence I was not able to identify the land comprised in the Conveyance with the Unit land, and Mr M A Johnson, Secretary of Cubert Commoners Association, who attended the hearing, told me that the waterworks Pumping Station is not part of the Unit land.

In the result I am not satisfied that the Authority or any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 28 February 1983

*L. J. Morris Esq.*

Commons Commissioner