



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/104

In the Matter of two pieces of land, being part
of Goonhilly Downs, St Keverne

DECISION

This reference relates to the question of the ownership of land above mentioned being the land comprised in the Land Section of Register Unit No. CL 442 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 Nature Conservancy 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 Camborne on 18 January 1983.

Mr D B P Bradley (Regional Land Agent) appeared for the Nature Conservancy Council and produced the Council's documents of title.

On this evidence I am satisfied that (i) the Conservancy is the owner of the more westerly piece of land apart from the land lying above the horizontal mark made on my copy of the Register map, which latter land is owned by Mr P A Tylor and (ii) the whole of the more easterly piece of the land lying to the south of another such horizontal mark and I shall accordingly direct the Cornwall County Council, as registration authority, to register the Conservancy and Mr Tylor respectively as the owners of the said pieces of land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of that part of the more easterly of the two pieces of land lying to the north of the said horizontal mark and it will therefore be 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 this 26th day of January 1983

George Herbert

Commons Commissioner