COMMONS REGISTRATION ACT 1965

Reference No. 206/U/134

In the Matter of Common and Waste between
Porthtowan and Menagissey, St Agnes,
Carrick D

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 570 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 a part 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 part of the Unit land claimed by the Water Authority is the site of a
Pumping Station which it operates. This site was acquired by Truro Rural District
Council by a Conveyance dated 20 October 1969, the Vendor being the Imperial
College of Science. The Water Authority is successor to the Rural District
Council and I am satisfied that it is the owner of the Pumping Station site, shown
coloured red on the attached plan. I shall accordingly direct the Cornwall County
Council, as registration authority, to register South West Water Authority as the
owner of the site under section 8(2) of the Act of 1965. I am not satisfied as
to the ownership of the remainder of the Unit land, which 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   '7 February

1983

Commons Commissioner