

**Proposal 4 - Decision:**

**The Commons Act 2006  
Schedule 2(2) - Non-registration of common land**

**Gwithian Common Towan, in the parish of Gwinear-Gwithian**

**Summary:**

There being no objection to the Proposal, attached, the Proposal is granted.

**Additional information:**

The land concerned was provisionally registered as common land under commons register unit No. CL 679, together with a substantially larger area to the north of Gwithian Common Towan, now known as St. Gothian Nature Reserve.

The Scheme of Management for Gwithian Towans Common, made 7<sup>th</sup> June 1962 by the former west Penwith Rural District Council was approved by order of the Minister of Agriculture, Fisheries and Food on 6<sup>th</sup> November 1962.

The land the subject of The Scheme is, apart from the land in question, already registered as common land under unit No. CL 109.

As the land the subject of this Proposal is being registered as common land because of the Scheme of Management, the two parcels of land, comprising 0.323 hectares, will be registered under unit No. CL 109.

The rights of common registered as exercisable over CL 109 will therefore be exercisable over the additional parts, as they would have been exercisable by reason 'per cause de vicinage' had the parcels been registered under a different register unit number.

Martin Wright  
Senior Development Officer  
Land Charges (Highways) and Commons & Greens

3rd February 2012

**A Proposal by Cornwall Council  
Schedule 2(2) of the Commons Act 2006  
Non-registration of Common Land  
CL 679 – Additional parcels at Gwithian Towans**

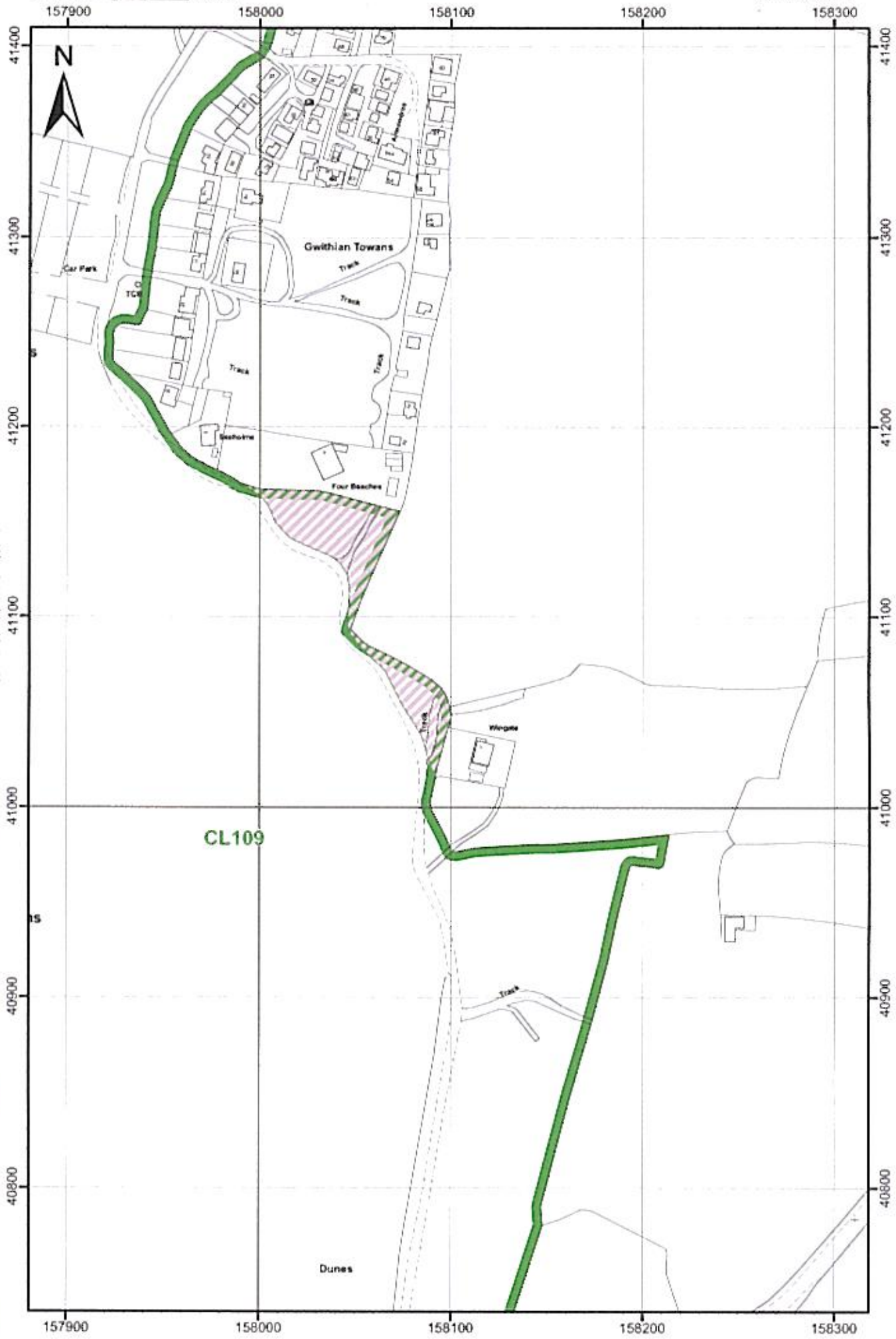


- 1 The land the subject of this Proposal:  
Two parcels of land, to the east of the public footpath No.46 at Gwithian Towans, comprising approximately 0.323 hectares.  
Centred on O.S. Grid references: SW 580 411 and 580 410
- 2 Schedule 2.2(2) (abridged)  
"This paragraph applies to any land which:  
(a) was not at any time finally registered as common land or as a town or village green under the 1965 Act;  
(b) is land which is:  
(ii) subject to a scheme under Metropolitan Commons Act 1866 (c.122) or the Commons Act 1899 (c.30)."
- 3 The land was provisionally registered as common land as part of register unit No. CL 679. The registration was subsequently cancelled in consequence of objections to the provisional registration of the land as common land. Thus the land meets the requirements of paragraph 2 (2)(a) of Schedule 2 of the Commons Act 2006.
- 4 A Scheme for the Management of Gwithian Towans Common was made under The Commons Act 1899 by the West Penwith Rural District Council.
- 5 The Scheme was made 7<sup>th</sup> June 1962 and approved by Order of the Minister of Agriculture, Fisheries and Food, dated 6<sup>th</sup> November 1962.
- 6 The scheme bears the reference MAF 30/259. Thus the land meets the requirements of paragraph 2 (2)(b) of Schedule 2 of the Commons Act 2006.
- 7 Evidence in support of the Proposal:
  - A 1:2,500 scale plan showing the cancelled common land on a modern Ordnance Survey map.
  - A copy of the Register Map showing the land provisionally registered under unit No. CL 679, but subsequently cancelled (hatched violet).
  - Scheme for the Management of Gwithian Towans Common.
  - The plan referred to in the scheme of regulation for Gwithian Towans Common, which includes the two parcels of land concerned.

Martin Wright, Senior Development Officer, Cornwall Council  
Room F2.06, Circuit House, St. Clement Street, Truro, TR1 3DT  
05.12.2011

0 10 20 40 60 80  
Metres

SW5841



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- Key**
- Common Land
  - Cancelled Common Land
  - Ownership Boundaries

CL109