



In the Matter of Additional Land at Predannack Downs,
Mullion, Cornwall (No 2)

DECISION

These disputes relate to the registrations at Entry Nos 1 and 2 (now 6) in the Rights section of Register Unit No CL 477 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by Objection No X1036 made by the National Trust for Places of Historic Interest or Natural Beauty and noted in the Register on 19 July 1972, Objection No X1180 made by the Ministry of Defence and noted in the Register on 1 November 1972, and Objection No X1246 also made by the Ministry of Defence and noted in the Register on 1 November 1972.

I held a hearing for the purpose of inquiring into the dispute at Truro on 14 December 1977. The hearing was attended by Mr T H Rowse, solicitor, on behalf of Mr and Mrs A B Thomas, the applicants for the registration at Entry No 1, Mr P F Ryder, solicitor, on behalf of Mr L Mitchell, the applicant for the registration at Entry No 6, and Mr N Butterfield, of counsel, on behalf of the Objectors.

Mr Rowse informed me that he was instructed not to pursue the application for the registration at Entry No 1.

At the conclusion of Mr Mitchell's case I was informed that it was agreed that he had proved a right to graze 24 head of cattle instead of the 32 head of cattle specified in his application.

In these circumstances I refuse to confirm the registration at Entry No 1 and I confirm the registration at Entry No 6 with the following modification, namely, the substitution of the figure "24" for the figure "30".

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 20th day of January 1978


Chief Commons Commissioner