

COMMONS REGISTRATION ACT 1965



Reference No. 206/D/624

In the Matter of Carloggas, Bunny and
Hénsbarrow Commons, St Austell, Cornwall

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 496 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X452 made by English China Clays Lovering Pochin and Co Ltd and noted in the Register on 19 May 1971.

I held a hearing for the purpose of inquiring into the dispute at Bodmin on 24 June 1980. The hearing was attended by Mr E Pate, Solicitor, on behalf of the Restormel Borough Council, the successor authority of the former St Austell with Fowey Borough Council, the applicant for the registration, and I gave leave to Mr P L Milln, Chartered Surveyor, to address me on behalf of English Clays Lovering Pochin and Co Ltd. There was no appearance on behalf of the Ramblers' Association, whose application was noted under Section 4(4) of the Commons Registration Act 1965, but the Secretary of the Association requested in writing dated 13 June 1980 that I should refuse to confirm the registration.

Mr Pate informed me that he was instructed not to support the registration.

In these circumstances I refuse to confirm the registration.

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

14th

day of

August

1980

Chief Commons Commissioner