



In the Matter of Carne Downs,
Altarnun, Cornwall

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 450 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X835 made by Mr R Smith and noted in the Register on 18 November 1971.

I held a hearing for the purpose of inquiring into the dispute at Bodmin on 15 January 1980. The hearing was not attended by any person entitled to be heard other than Mr Gill of the Registration Authority.

The registration was made on the application of the Launceston Rural District Council to which I understand North Cornwall District Council is the successor. The Objection is on the ground that the Land was not common land at the date of registration.

There are no rights of common registered so that the registration could only be confirmed on the ground that the land is waste land of the manor. In the absence of the parties interested, there was no evidence before me for or against this possibility, and having no evidence or indication that it is waste land I am not prepared, and accordingly 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

30 January 1980

L. J. Morris Smith

Commons Commissioner