



In the Matter of Chynhalls Cliff, Coverack,
St Keverne

DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section and Entry No. 1 in the Rights section of Register Unit No. CL 537 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by Objection No. X195A made by the County Council and noted in the Register on 17 January 1973.

I held a hearing for the purpose of inquiring into the dispute at Truro on 13 June 1979. The hearing was attended by Mr Gill, of the County Council, and by Mr T J S Pinfold, Solicitor, of the firm of Nalder & Co.

The registration in the Land Section was made in consequence of the application by Trewill's Farmers Ltd ("TFL") to register the grazing right at Entry No. 1 in the Rights Section. The grounds of the Objection are that the land was not common land at the date of registration.

Mr Pinfold appeared for Messrs Charnaud who, he informed me, were the successors in title of TFL as regards the land, Trewill's Farm, to which the grazing right was claimed to be attached. They are also the owners of one half of the land comprised in the Register Unit; the other half is owned by Mr Andrew, for whom Mr Pinfold also appeared. Neither wishes the grazing right to be maintained and in these circumstances I shall give effect to the Objection and refuse to confirm the registrations.

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

21st August

1979

L. J. Morris Smith

Commons Commissioner