



In the Matter of Goonhilly Downs, Mawgan -in-  
Meneage, Cornwall

DECISION

These disputes relate to the registration at Entry No. 1/3 in the Land section of Register Unit No. CL 196 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by three Objections namely (1) Objection No. X 573 made by Sir J S Vyvyan (2) Objection No. X 506 made by Mr E H Benney, (3) Objection No. X 395 made by the Post Office, all the Objections being noted in the Register on 1 December 1970. The registration was originally made on the application of Mawgan-in-Meneage Parish Council, but this was cancelled and the registration is now pursuant to the application of Cornwall Naturalists Trust Ltd. ("The Trust").

I held a hearing for the purpose of inquiring into the dispute at Truro on 12 June 1979. The hearing was attended by Mr Gill of the Registration Authority, Mr J D Jacoby, Solicitor of the firm of Borlase and Venning, representing Sir J S Vyvyan, Mr F Gilbert of Counsel, instructed by the Treasury Solicitor, on behalf of the Nature Conservancy Council ("NCC"), Mr E H Benney and Mr D J Lugg. Ownership of the land in question is claimed as to different parts by Sir J S Vyvyan, NCC (as his successor), Mr Benney and Mr Lugg. The part of the land to which the Post Office's Objection relates has been removed from the Register so that the dispute occasioned by that Objection is no longer a live issue.

In a letter dated 29 May 1979 the Trust stated that it did not intend to pursue this claim and would agree to a request for a refusal to confirm the registration. The Objections X 573 and X 506 were maintained and in the 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

22 August

1979

*L. J. Evans Smith*

Commons Commissioners