



In the Matter of Goonhilly Downs, St Keverne
Cornwall.

DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section and at Entry No. 2 in the Rights section of Register Unit No. CL 441 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by Objection No. 1254 made by Mr P A Tylor and noted in the Register on 17 November 1972.

I held a hearing for the purpose of inquiring into the disputes at Truro on 13 June 1979. The hearing was attended by Mr Wetter, Solicitor, of the firm of Reginald and Rogers, on behalf of Mr Tylor, by Mr F Gilbert of Counsel, on behalf of the Nature Conservancy Council (NCC) and by Mr J Richards a member of and representing St Keverne Parish Council.

The registration in the Land Section was made on the application of the Parish Council: and there are noted similar applications by the Ramblers Association and the Cornwall Naturalists Trust Ltd. The registration in the Rights Section (a right to graze) was made on the application of Mr S W Thomas, in respect of a property called Gwenter.

The Parish Council made no submissions in support of the registration in the Land Section, and both the Ramblers Association and the Cornwall Naturalists Trust had agreed to the registration being not confirmed. Mr Thomas has died and it appears that his successors are not prepared to support his claim. The Objection is maintained by Mr Tylor and by NCC (a successor to Mr Tylor as to part of the property he claims to own), and in these circumstances I 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

14 August

1979

L. J. Morris Smith
Commons Commissioner