

COMMONS REGISTRATION ACT 1965



Reference No. 206/D/696

In the Matter of Goss Moor, St Dennis,
Cornwall (No. 5)

DECISION

This dispute relates to the registrations at Entry Nos 4(a) (now 16), 7 (now 18), and 10 (now 19) in the Rights section of Register Unit No. CL 115 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X1203 made by Lord Falmouth and noted in the Register on 8 December 1972.

I held a hearing for the purpose of inquiring into the dispute at Truro on 28 February 1979. The hearing was attended by Mr J G R Romary, Solicitor, on behalf of Mr A C Burnet the successor in title of Mr A B Robins, the applicant for the registration of Entry No. 10 (now 19), by Mrs M G Penna, the applicant for the registration at Entry No. 7 (now 18) and by Mr J B G Holt, Solicitor, on behalf of the Objector. There was no appearance by or on behalf of Mr J H Chapman, the applicant for the registration at Entry No. 4(a) (now 16), but Mr Chapman's Solicitor informed the Clerk of the Commons Commissioners by a letter dated 18 January 1979 that he did not wish to support the registration.

Mr Holt informed me that the Objector did not wish to contest the registrations at Entry Nos 7 (now 18) and 10 (now 19).

In these circumstances I refuse to confirm the registration at Entry No. 4(a) (now 16) and I confirm the other two registrations, but since the entries contain references to other Register Units which are no longer applicable, it is necessary to confirm them with the following modifications: namely, in the case of the registration at Entry No. 7 (now 18) the deletion of the words "and register unit CL 141" and in the case of the registration at Entry No. 10 (now 19) the deletion of the words "and register units CL 141, CL 237 and CL 238 as shown on the overtraces attached to Register Map sheets 85 and 87".

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

21st

day of

March

1979

Chief Commons Commissioner