



COMMONS REGISTRATION ACT 1965

Reference No. 206/D/546

In the Matter of Goss Moor, St. Dennis, Cornwall
(NO. 3)

DECISION

This dispute relates to the registration at Entry No 1 in the Land section of Register Unit No. CL.238 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. XL207 made by George Hugh, Viscount Falmouth and noted in the Register on 1 November 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 Burnett, the successor in title of Mr A B Robins, the applicant for the registration at Entry No. 2 (now 5) in the Rights Section of the Register Unit and by Mr J B G Holt, solicitor, on behalf of the Objector. There was no appearance by or on behalf of Mr L H Chapman, in consequence of whose application for the registration at Entry No 1 (now 4) in the Rights Section this registration was made, but Mr Chapman's solicitors informed the Clerk of the Commons Commissioners by a letter dated 13 January 1979 that he did not wish to support the registration in the Rights Section.

Mr Romary and Mr Holt informed me that it had been agreed that the registration at Entry No 2 (now 5) in the Rights Section should not be confirmed.

The land comprised in the Register Unit not being subject to any right of common and there being no evidence that it is waste land of a manor, 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 this 2nd day of March 1979


Chief Commons Commissioner