



COMMONS REGISTRATION ACT 1965

Reference No. 206/D/414

In the Matter of Land forming part of
O S No. 1694 St. Breward, Cornwall

DECISION

This dispute relates to the registration at Entry No. 3 in the Rights Section of Register Unit No. CL.503 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X1400 made by Blisland Commoners Association and noted in the Register on 20 November 1972.

I held a hearing for the purpose of inquiring into the dispute at Bodmin on 11 July 1979. The hearing was attended by Mr D M Gill of the Registration Authority, and by Mr R Bailey, Solicitor of the firm of Stephens and Scown, appearing on behalf of the Objector.

The rights objected to are rights to graze and to take turf, gorse, bracken and underwood over this and a number of other register units. The applicants for registration of these rights are the Trustees of the Molesworth St. Aubyn Settled Estate, who are registered as the owners of this register unit (CL.503). The entry in the Rights Section states that the rights are not attached to any other land. I do not know the circumstances in which rights are claimed by the owner of the register unit, and in the absence of evidence as to the existence of the rights 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 21st day of August 1979

L. J. Morris Smith

Commons Commissioner