



In the Matter of Lowertown Moor, Luxulyan,
Cornwall (No.2)

DECISION

These disputes relate to the registrations at Entry Nos 1 and 2 (now 4) in the Rights Section of Register Unit No. CL.421 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by objection No. X504 made by Mr M H Hambly and noted in the Register on 11 February 1972, and Objection No. X1461 made by Mr H L Banbury and noted in the Register on 17 October 1972.

I held a hearing for the purpose of inquiring into the dispute at Bodmin on 25 June 1980. The hearing was attended by Mr M Stubbs, Solicitor, on behalf of Mr C H Knight, the applicant for the registration at Entry No 1, and by Mr C A Key, Solicitor, on behalf of Mr Banbury. Mr L N Parker, one of the applicants for the registration at Entry No. 2 (now 4), appeared in person, and there was no appearance by or on behalf of Mr Hambly.

I was informed that it had been agreed that the registration at Entry No 1 should be confirmed except in so far as it related to the land to the west of the red line C-D on the Register Map and that the registration at Entry No.2 (now 4) should be confirmed.

In these circumstances I confirm the registration at Entry No. 1 with the following modifications, namely, the insertion in column 4 after the words "register unit" of the words "excluding the part to the West of the red line C-D" and I confirm the registration at Entry No.2 (now 4).

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

25th

day of

August

1980

Chief Commons Commissioner