



In the Matter of Piece of land called
Main Dale, St Keverne, Cornwall

DECISION

These disputes relate to the registration at Entry No. 1/3 in the Land Section and Entry No. 1/3 in the Rights section of Register Unit No. CL 377 in the Register of Commons Land maintained by the Cornwall County Council and are occasioned by Objection No. X1252 made by Mr P A Tylor and noted in the Register on 15 November 1972.

I held a hearing for the purpose of inquiring into the dispute at Truro on 13 June 1979. The hearing was attended by Mr Gill of the Registration Authority; Mr J Richards a member of and representing St Keverne Parish Council, Mr M Steen of Counsel on behalf of Mrs Pengilly, Mr P A Tylor and Mr F Gilbert of Counsel on behalf of the Nature Conservancy Council (NCC).

The registration in the Land Section was made on the application of the Parish Council, and the registration at Entry No. 1/3 in the Rights section on the application of Mrs B A Pengilly. The grounds of the Objection are that the land was not common land at the date of registration. I understand that NCC is successor to Mr Tylor as owner of part of the land comprised in the Register Unit.

Agreement had been reached between the parties to the effect that the entry in the Land Register should be confirmed and the Entry in the Rights Section confirmed with modification. In accordance with the agreement I confirm the registration at Entry No. 1/3 in the Land Section without modification, and the registration at Entry No. 1/3 in the Rights Section with the modification that for the particulars in Column 4 there be substituted the following:- "To graze 77 head of cattle over that part of this register unit to the East of Gilly (or Boscarnon) River and over the whole of register unit No. 306".

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

21st August

1979

L. J. Morris Smith

Commons Commissioner