



COMMONS REGISTRATION ACT 1965

Reference Nos 206/D/293-302

In the Matter of Racecourse Downs,  
Blisland, North Cornwall D

DECISION

These disputes relate to all the subsisting registrations in the Rights Section of Register Unit No CL. 140 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by Objections set out in the Schedule to this decision and the conflicting registrations at Entry Nos 1 and 2 in the Ownership Section of this Register Unit.

I held a hearing for the purpose of inquiring into the disputes at Bodmin on 3 March 1977 and 6 March 1978.

The hearing was attended by Brigadier Edward-Collins in person, Mr J Evans of Messrs Peter Peter & Sons on behalf of Mr W H Church, Mr V K Leese of Messrs Stephens & Scown on behalf of the Blisland Commoners Association, Mr G I Chisholm on behalf of Mr P A Colenso-Dingle and Mr K Tucker, Mr W A Daniel of Messrs Arthur Goldberg on behalf of L J & H B Matthews and P Lobb; Mr J G R Romary of Messrs Pethybridges on behalf of Mr A Williams and Mr J C Beer and Mr Evans aforesaid on behalf of Mr J C Keast.

The hearing on 3 March 1977 was adjourned with a view to an agreement being arrived at between the claimants for rights as between themselves and with Brigadier Edward-Collins as to the individuals who are entitled to rights and the quantum of these rights. As a result of the very commendable industry of Brigadier Edward-Collins, the Blisland Commoners Association and their solicitors Messrs Stephens & Scown signed consents to the cancellation or modification of all the Entries in the Rights Section which were sent to me, but in view of the two missing consents and consents by the Registration and other concerned authorities as to the decision I was to give I was unable to give a decision by consent.

At the adjourned hearing Mr Chisholm withdrew the application of Mr Colenso-Dingle one of the applicants who did not sign a consent and Mr & Mrs Hawking, the others who did not sign a consent did not appear.

The effect of the signed consents was that I should refuse to confirm all the Entries in the Rights Section other than Entry Nos 5, 7, 27, 28 and 35 and that such Entry should be confirmed and modified as follows:

Entry No 5	the grazing right to be limited to 2 cattle or 1 pony or 10 sheep
" " 7 "	" " " " " 4 " " 2 ponies " 20 sheep
" " 27 "	" " " " " 1 " " 1 pony " 5 "
" " 28 "	" " " " " 1 " " 1 " " 5 "
" " 35 "	" " " " " 1 " " 1 " " 5 "

and I therefore confirm the said Entries modified as aforesaid and refuse to confirm all the remaining subsisting Entries in the Rights Section.



Mr Church withdrew his claim to ownership and I confirm the Entry at No 1 and refuse to confirm the Entry at No 2 in the Ownership Section.

The Schedule above referred to

Objection Nos X354 and X355 both made by Brigadier Edward-Collins as respectively noted on the Register on 1 December 1970 and 2 April 1971.

Objection Nos X1369, X431, X476, X479, X1367 and X1408 all made by the Blisland Commoners Association and respectively noted in the Register on 18 December 1972, 2 April 1971, 1 December 1970, 1 December 1970, 18 December 1972 and 18 December 1972.

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 21<sup>st</sup> day of April 1978

*Y. A. Lettle*

Commons Commissioner