

COMMONS REGISTRATION ACT 1965

Reference No. 206/D/767

In the Matter of Roadside Common at Zelah Hill, St Allen

## DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 616 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X 752 made by A F Phillpots and E A Johnstone and noted in the Register on 6 March 1972.

I held a hearing for the purpose of inquiring into the dispute at Truro on 8 July 1980. The hearing was attended by Mr Gill of the Registration Authority and Mr C M T Follett, Solicitor, appearing on behalf of the Objectors.

The registration was made on the application of the Ramblers Association and the ground of the Objection is that the land was not common land at the date of registration. There are no rights of common registered, and in the absence of evidence that the land 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

28 July

1980

Commons Commissioner

L. J. Missis Smith