



In the Matter of The Green at Kestle,
St Thomas

1053

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 236 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X 105 A made by the said Council and noted in the Register on 12 January 1973.

I held a hearing for the purpose of inquiring into the dispute at Lostwithiel on 31 March 1981. The hearing was attended by Mr Brian Sandercock who appeared for his father, Mr L H Sandercock and Mr D Gill who appeared for the County Council. At the request of the parties I heard this reference and Reference No. 206/D/878 together.

Mr Sandercock was unable to produce any evidence in support of the claim that the land was Common Land.

For these reasons 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 9th day of April 1981

(Signature)
Commons Commissioner