



COMMONS REGISTRATION ACT 1965

Reference No. 206/3/610

In the Matter of Trevail Moor Cubert, Carrick DDECISION

This dispute relates to the registration at Entry No. 2 5 and 10 in the Rights Section of Register Unit No. CL.120 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X1486 made by Cubert Commoners Association and noted in the Register on 14 December 1972.

I held a hearing for the purpose of inquiring into the dispute at Truro on 14 March 1979. The hearing was attended by Mr Hand the applicant under Entry No. 2 Mr Kempthorne the applicant under Entry No 5 Mr and Mrs Burt the applicants under Entry No 10 did not appear on account of their ages but Messrs. Frank and Caffin wrote explaining their absence also stating that they wished me to deal with their application on its merits, Mr Cooks of Messrs. Ralph and Co appeared for the Commoners Association.

The Unit land is 0.707 acres in area and will clearly not sustain more than a few animals. Other than the three Entries the subject of this dispute Entries 1 3 and 4 are final and Entries 4 5 and 10 are applications to graze the same animals over units of this and other units.

I have no power to modify the Entries which are final. Each of them Mr Hand (Entry No. 2) and Mr Kempthorne (Entry No 5) agreed that I should confirm their Entries modified so as to limit their grazing rights to the right to graze 1 horse and I confirm Entry No. 10 modified so as to limit the grazing right to 1 head of cattle.

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

25

day of September

1979

Commons Commissioner