



COMMONS REGISTRATION ACT 1965

Reference Nos 209/D/322
209/D/323In the Matter of Sourton Commons,
Sourton, West Devon District, DevonSECOND DECISION

This second decision is supplemental to my decision in this Matter dated 13 October 1983 made after a hearing at Plymouth on 8 and 9 March 1983 about 142 registrations in the Rights Section and 2 registrations in the Ownership Section of Register Unit No. CL97 in the Register of Common Land maintained by Devon County Council.

This second decision relates to and only to the Rights Section registration at Entry No. 17, made on the application of John Henry Willcocks and Sylvia May Willcocks as tenant of a right attached to land adjoining Sunnymead, Bridestowe, of: "Turbery. To cut: rushes and bracken. To take: stone. To graze: 12 cattle 65 sheep over the whole of the land comprised in this register unit and register unit numbers CL69 and CL164(N) ...".

This second decision is occasioned by it having been brought to my attention that the said registration is mentioned neither in the Third Schedule (Decision Table) to my said October 1983 decision nor in the section 6 notice dated 2 May 1984 by me pursuant to such decision sent to the County Council as registration authority.

As appears from the First Schedule to my said October 1983, this registration at Entry No. 17 is within the North Devon Water Board Objection No. 519, and not within any other objection. In accordance with the reasoning in the last paragraph on page 5 of my said decision I should have confirmed it with a modification making applicable the Water Authority Provision mentioned on page 2, and specified in paragraph 1 of the said Decision Table:-

"In this Rights Section the Water Authority Provision means:- Provided except as regards grazing the rights shall not extend over the parts of the land in this register unit coloured green on the plan enclosed with Objection No. 519 made by the North Devon Water Board and noted in the Register on 31 December 1970".

In these circumstances, I consider that the omission of "17" from paragraph 7 of the said decision table was a clerical error on my part, and accordingly so as to now correct it, I hereby confirm the Rights Section registration at Entry No. 17 with the modification that in column 4 there be added at the end the words "subject to the Water Authority Provision in this Rights Section defined".

Consequently on this second decision I shall in due course pursuant to section 6 of the 1965 Act send to Devon County Council as registration authority a notice supplemental to my said May 1984 notice, stating that the Rights Section registration at Entry No. 17 has become final with the modification hereinbefore set out. A copy of such notice will be sent to Messrs J H and S M Willcocks and to such other persons only as write to the Clerk of the Commons Commissioners in London saying that they would like to have it.



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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 5th

day of January 1987

a. a. Baden Fuller

Commons Commissioner