



COMMONS REGISTRATION ACT 1965

Reference No. 206/D/409-440

In the Matter of Land to the east of Racecourse  
Downs and to the west and south of Cardinham Downs  
Cornwall

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DECISION

These disputes relate to the registration at Entry No 1 in the Land Section and Entry No 5 in the Rights section of Register Unit No. CL.283 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. K13A made by Cornwall County Council and noted in the Register on 22 January 1973.

I held a hearing for the purpose of inquiring into the dispute at Bodmin on 12 July 1979. The hearing was not attended by any person. The registration in the Rights Section (and the consequential registration in the Land Section) was made on the application of Mr P A Colenso-Dingle as owner and W K Tucker as tenant of Benarth Farm. In a letter dated 10 July 1979 from the firm of G and J Chisholm, Solicitors, it is stated that Mr Dingle withdraws his application and Mr Tucker is no longer interested in the holding. The Objection is on the ground that the land was not common land at the date of registration.

In these circumstances I refuse to confirm the registrations.

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

21 August

1979

Commons Commissioner