



In the Matter of Land at Marazion and
St. Michael's Mount, Marazion, Cornwall (No.1)

DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 401 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by Objection No. X151 made by H R H Charles, Prince of Wales, Duke of Cornwall and noted in the Register on 19 August 1970, Objection No. X696 made by the Hon. John St Aubyn and noted in the Register on 5 March 1971, and Objection No. X1029 made by the National Trust and noted in the Register on 19 July 1972.

I held a hearing for the purpose of inquiring into the dispute at Truro on 27 February 1979. The hearing was attended by Mr C Nicholls, Solicitor, on behalf of the National Trust. There was no appearance on behalf of the Marazion Town Council, the successor of the Marazion Parish Council, the applicant for the registration, or by or on behalf of Mr and Mrs D Reynolds, the applicants for the only subsisting registration in the Rights Section of the Register Unit. However, the solicitors of the Town Council informed the Clerk of the Commons Commissioners by a letter dated 21 February 1979 that the Council had decided to "withdraw" the application, and on 5 February 1979 there was lodged with the County Council a request signed by Mr and Mrs Reynolds requesting the "withdrawal" of their registration.

In these circumstances 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.

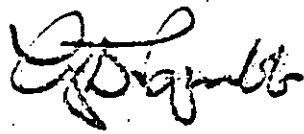
Dated this

23rd

day of

March

1979


Chief Commons Commissioner