

COMMONS REGISTRATION ACT 1965



Reference Nos 206/D/338-339

In the Matter of Surey Moor, Blisland, CornwallCORRECTED / DECISION

These disputes relate to the registrations at Entry No. 7, 12 (now 36), 13, 14, 18, 19, 21, 23 and 28 (now 38) in the Rights section of Register Unit No. CL.166 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by Objection No. X1335 made by the Cardinham Commoners Committee and noted in the Register on 3 January 1973.

Mr Commissioner Baden Fuller held a hearing for the purpose of inquiring into the dispute at Truro on 3 July 1979. The learned Commissioner decided not to confirm the registration at Entry No. 23 and adjourned the hearing as regards the remaining registrations. The hearing was re-opened by Mr Commissioner Morris Smith at Bodmin on 20 May 1983 and was further adjourned. I resumed the hearing at Bodmin on 4 July 1984. The hearing was attended by Mr M Parnall, Solicitor, on behalf of Mr W Smith, the applicant for the registration at Entry No. 14, Mr E R Cornelius, the applicant for the registration at Entry No. 18, and Mr F J J Jones, the applicant for the registration at Entry No. 19; I gave leave for Lanhydrock Holdings (Jersey) Ltd, the successors in title of Viscount Clifden, the applicant for the registration at Entry No. 21, and Mr and Mrs A R Walkey, the applicants for the registration at Entry No. 28 (now 38) to be represented by Mr J Keast, Chartered Surveyor; and Mr J L Smith, the applicant for the registration at Entry No. 27 (now 37), appeared in person. There was no appearance by or on behalf of the Objectors or any other person entitled to be heard.

I was informed that it had been agreed that all the numbers of the animals in each of the registrations the subject of the reference should be halved (rounding up to the next whole number where necessary), with the numbers of cattle, ponies, and sheep being in the alternative in each case.

In these circumstances I confirm the registrations with the appropriate modifications.

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

20th

day of

July

1984

No reply having been received to letters dated 11 December 1985 sent to all concerned. I hereby

A. A. Baden Fuller
Chief Commons Commissioner

Correct first paragraph so as to read (newly inserted words and figures underlined):-

These disputes relate to the registrations at Entry No. 7, 12 (now 36), 13, 14, 18, 19, 21, 23 and 28 (now 38) and at Entry No. 1, 5, 6 (now 35), 9, 11 and 27 (now 37) in the Rights Section of Register Unit No. CL166 in the Register of Common Land maintained by the Cornwall County Council and are occasioned by Objection No. X1335 and by Objection No. X1334 made by the Cardinham Commoners Committee and noted in the Register on 3 January 1973. A. A. Baden Fuller.