



COMMONS REGISTRATION ACT 1965

206/D/1060-
1061

In the Matter of the tract of land called
Racecourse Downs in the Parishes of
Cardinham and Helland

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL.139 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by the conflicting registrations at Entries Nos. 80 and 71 in the Rights Sections of Register Unit Nos. CL.138 and CL.139 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Bodmin on 12 June 1996. The hearing was attended by Mr P Wilson Commons Registration Assistant, Cornwall County Council, Mr Lester John Matthews of Racecourse Farm, Bodmin and Mr W F Dyer of Kings Meadow, Cardinham, Bodmin.

The conflict arises because part of Racecourse Farm (being the land hatched black on the plans annexed to the Notices of Reference) is included within the dominant tenement in respect of Rights Entry No.80 on Register Unit CL.138 and in respect of Rights Entry No. 71 on Register Unit CL.139, while the same land also forms part of Entry No. 1 in the Land Section of CL.139, Racecourse Downs.

Mr L J Matthews stated that the above mentioned land hatched black was not in practice grazed by the commoners, but that he was content that it should remain as part of the common. In these circumstances the obvious course is for me to direct the amendment of the two above mentioned Rights Entries by the deletion therefrom of the land hatched black, and I propose to direct the Cornwall County Council to make those amendments.

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

17th

day of

June

1996

Chief Commons Commissioner