

In the Matter of Trewint Marsh AltarnunDECISION

This dispute relates to the registration at Entry No 4 in the Rights Section of Register Unit No.CL.232 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection Nos.X519 and X969 made by Mr F T Boundy and respectively noted in the Register on 15 February and 23 March 1972.

I held a hearing for the purpose of inquiring into the dispute at Lostwithiel on 31 March 1981. The hearing was attended by Mr R V Wadge for Mr Mr Richard Jasper and Mr Morgan of Messrs. Parnall, Godwin and Cheqwin, Solicitors of Launceston for Mr Boundy.

Both Mr Wadge and Mr Boundy gave evidence but Mr Wadge's evidence fell far short of what was required to support the claim made by Mr Jasper.

For these reasons 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 9th day of April 1981

George Hearn

Commons Commissioner