



COMMONS REGISTRATION ACT 1965

Reference No. 209/D/321

In the Matter of Bridestowe and  
Sourton Common, in Bridestowe  
and Sourton, West Devon District,  
Devon

MEMORANDUM

This memorandum is supplemental to a decision dated 13 October 1983 and made in this Matter by the Commons Commissioner about 140 registrations in the Rights Section of Register Unit No. CL96 in the Register of Common Land maintained by Devon County Council after a hearing at Plymouth on 8 and 9 March 1983; and relates to, and only to, the Rights Section registration at Entry No. 56 which is not mentioned in the said decision and to the Rights Section registrations at Entry Nos. 230 and 231 which as from 6 January 1987 have replaced Entry No. 56.

The said registration at Entry No. 56 is specified in Objection Nos. 385 and 386 made by HRH Charles Prince of Wales, Duke of Cornwall. The said registrations at Entry Nos. 56, 230 and 231 and the said Objections are (in effect) set out in the First Schedule hereto.

The events so far as relevant to Entry No. 56 which happened before the said March 1983 hearing are summarised in the Second Schedule hereto. As therein appears, it was the intention of Devon County Council as registration authority that the Commons Commissioner should at his March 1983 hearing consider Entry No. 56, but so far as can be deduced from the papers in the office of the Commons Commissioners it seems likely that no mention of it was made at the hearing probably or possibly because all those present or represented at it thought, notwithstanding that "56" is specified in the said two Duchy objections that the registration at this Entry No had become final in accordance with the Rights Section Entry No. 220, which according to the copy of the Register in 1976 sent to the office of the Commons Commissioner was as follows:-

"The registrations at Entry Nos. 1, 2, ..., 56-61, ... 216-218 above inclusive, being undisputed, became final on 1 August 1973".

The Commons Commissioner has no note or recollection of his giving any consideration to the registration at Entry No. 56 before he signed his said October 1983 decision.

The events so far as relevant to Entry Nos. 56, 230 and 231 after October 1983 are summarised in the Third Schedule hereto.

*For Schedules, turn over*



FIRST SCHEDULE  
(Registrations and Objections)

Entry No. 56

- (1) Date:- 12 July 1968.
- (2) No. and date of application:- 1051, 4 June 1968.
- (3) Name etc:- William Henry Voaden, Trescote, Bridestowe; Winifred Bertha Voaden, 16 Lovelace Crescent, Exmouth. Owners.
- (4) Particulars of the right of common etc:- Turbary, Piscary, To Take:- stone, gravel and sand, Estovers, To shoot, To Graze:- 20 stock units, as per N.F.U scale of July, 1967, over the whole of the land comprised in this register unit and register unit numbers CL64, CL97, CL135, CL155 and CL164.
- (5) Particulars of the land to which the right is attached:- Land known as Higher Week comprising OS. Nos. 385, 427, 429, 430 (Second Edition 1906) for Parish of Sourton.

Entry No. 230

- (1) 6 January 1987.
- (2) ADMT 125, 22 November 1986.
- (3) Mr David Herbert Pellow, Mrs Lynda Mary Theresa Pellow, Little Binton, Sourton, Okehampton; owners.
- (4) As for No. 56 above except graze 6 stock units.

Entry No. 231

- (1) 6 January 1987.
- (2) ADMT 125, 22 November 1986.
- (3) Mr Martin Pellow, Lillicrapp, Sourton, Okehampton; owner.
- (4) Same as Entry No. 56 except that graze 14 Stock Units.

Objection No. 385

Grounds:- "That no rights exist on that part of the land comprised in this Register Unit hatched in red and lettered "A" on the Register Maps for Shooting.

Objection No. 386

Grounds:- "That no rights exist on that part of the land comprised in this Register Unit hatched in red and lettered "A" on the Register Maps for Piscary.

SECOND SCHEDULE  
(Events before March 1983)

6 July 1976

References (form 36) to a Commons Commissioner of the dispute as to the registrations at the Entry Nos. therein listed NOT including "56" occasioned by Objection Nos. 385 and 386.

20 January 1983

Letter sent to all persons concerned giving notice of a hearing before a Commons Commissioner on 8 March 1983 and enclosing a copy of the references relating to Unit No. CL96 with which the addressee was or might have been concerned. Note: the references so enclosed would as regards Objection Nos. 385 and 386 be as originally received in the office of the Commons Commissioners, that is without any mention in them of "56".

17 February 1983

Letter from Devon County Council:- "Further to my letter of 6 July 1976 with which I forwarded notices of references relating to disputes in CL Unit No. 96, it has lately been drawn to my attention that these notices are incorrect insofar as Objection Nos. 385 and 386 are concerned. Please could you therefore mend them to include the above mentioned Entry No, which continues to be the subject of objections made by the Duchy of Cornwall.

22 February 1983

Memorandum endorsed in the office of the Commons Commissioners on the said February 1983. letter "notices of references amended: 22/2/83.

TURN OVER



## THIRD SCHEDULE

- 25 September 1985  
Telephone conversation originating from Devon County Council saying that the Section 6 Notice on 2 May 1984 signed by the Commons Commissioner is or might be defective in that (among other things) Entry No. 56 was not in it mentioned at all.
- 23 December 1985  
Letter from Devon County Council including "I am however in some difficulty with Entry No. 56 as the register has erroneously indicated its having become final at Entry No. 220. This in fact was not possible as the Entry is still the subject of Objection Nos. 385 and 386".
- 4 March 1986  
Letters from Clerk of Commons Commissioners to Devon County Council, Land Steward Duchy of Cornwall and Mr T G G Dawe as a member of the Bridestowe and Sourton Commoners Association.
- 19 March 1986  
Letter received from Secretary of Bridestowe Commoners saying: "William Henry Voaden and Winifred Bertha Voaden under Entry No. 56 are both deceased and I understand the land is in the ownership of Mr Lewis John Groyn Hockridge, Week Farm, Sourton, Okehampton."
- 21 May 1986 and  
9 January 1987  
Letters to Mr L J G Hockridge from Clerk of the Commons Commissioners.
- 22 January 1987  
Letter from Devon County Council enclosing copies of new register entries made as a result of the successful application for the amendment of the register in relation to a Right of Common and which replaces No. 56 of this register unit.
- 11 February 1987  
Letters to Mr D H and Mrs L M Pellow and to Mr M Pellow from the Clerk of the Commons Commissioner.

Made 19 — May — 1987 for circulation in due course to those concerned with Entry Nos. 56, 230 and 231.