



Proposal 5 - Decision

**Section 19(2): Correction of the Register
The Commons Act 2006**

**Correction of the dominant tenement of
Shallowbridge and Corgelly Farms, St. Breward, Bodmin**

Decision:

There being no objection to the Proposal, attached, the Proposal is granted.

**Martin Wright
Senior Development Officer
Commons and Greens
Planning & Regeneration Service
Cornwall Council**

15 May 2012

**A Proposal by Cornwall Council
Section 19 of the Commons Act 2006
Correction of the dominant tenement
Application No. 0511**



- 1 The land the subject of this Proposal:
 - 1a A strip of land comprising approximately 0.762 hectares omitted from the dominant tenement of Shallowbridge and Corgelly Farms.
O.S. Grid references: SX 106 784 to 109 784
 - 1b A parcel of land comprising approximately 2.647 hectares, also registered as common land under unit No. CL195 mistakenly included in the dominant tenement of Shallowbridge and Corgelly Farms.
O.S. Grid reference: SX 110 783
- 2 Application No. 0511 was made 14 June 1968 and included both parcels of land described at (1) above.
The right to graze 58 head of cattle or 58 ponies or 290 sheep and to cut and take turf or peat was registered as exercisable over:
CL 113 – Church Hay Down,
CL 124 – St. Breward and Roughtor Downs,
CL 195 – Additional land at St. Breward and Roughtor Downs,
CL 197 – Additional land at St. Breward and Roughtor Downs,
CL 458 – Part Emblance Downs, and
CL 763 – Hamatethy Common.
- 3 Column 5 of the rights sheets described the particulars of the land to which the right is attached as: "Shallowbridge and Corgelly Farms, St. Breward, Bodmin, Cornwall. Comprising all that land within the blue verge lines on the supplemental map bearing the number of CL 113 entry No. 126."
- 4 The supplemental map omitted the land described at paragraph 1a, and mistakenly included the land described at paragraph 1b above.
- 5 By virtue of application No.2271 the right was apportioned, with an amended right to graze 38 head of cattle or 38 ponies or 190 sheep and to cut and take turf and peat was registered as exercisable over the register units described in paragraph 2 above.
- 6 By virtue of application No.2772 a declaration of entitlement to a right of common was made, with the applicant claiming the right to graze 36 head of cattle or 36 ponies or 180 sheep and to cut and take turf and peat was registered as exercisable over the register units described in paragraph 2 above.
- 7a The amendments continued the omission of the land described at paragraph 1a from, and the mistaken inclusion of land described at paragraph 1b within, the dominant tenement.
- 7b This is shown on the accompanying plan marked 'Copy of existing supplemental map'.

- 8a By virtue of the plan accompanying the original application, No.0511, and Land Registry Title No's CL276276, CL102260 and CL113737, it is intended to amend the supplemental map to include the land described at paragraph 1a and exclude the land described at paragraph 1b above as having rights of common attaching to it, and thus correcting the dominant tenement.
- 8b This is shown on the accompanying plan marked 'Copy of proposed supplemental map'.
- 9 By virtue of the revised hectareage of the dominant tenement, the amendment caused by application No.2772, described at paragraph 6 above, will be proportionately amended to claim the right to graze 37 head of cattle or 37 ponies or 185 sheep and the right of turbary.

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