



COMMONS REGISTRATION ACT 1965

Reference Nos 271/D/68-72

In the Matter of Berwyn Mountain,  
Corwen, Glyndwr D

---

DECISION

This dispute relates to the registrations at Entry Nos 1 to 5 inclusive in the Rights Section of Register Unit No CL. 130 in the Register of Common Land maintained by the former Merioneth County Council and is occasioned by Objection Nos 341 and 342 both made by Mr H Blackburn and both noted in the Register on 14 January 1972.

I held a hearing for the purpose of inquiring into the dispute at Llangollen on 6 December 1977. The hearing was attended by Mr T A G Sopwith on behalf of Mr Blackburn, Mr D R Richards of Messrs Charles Richards & Sons on behalf of Mr R A Jones the applicant for Rights under Entry No 2 and for Mr & Mrs T L Jones the applicants for Rights under Entry No 1 and Mr Gregllo of Messrs Kerfoot Owen & Co appeared for Mr T C Davies the applicant for rights under Entry No 5.

Mr T E Jones gave evidence that his family had been at his farm Ty Newydd since 1915 and he purchased that farm from the Tottenham Estate in 1957 when there was a flock of 150 ewes which he has maintained ever since. This flock also grazes Unit No CL. 129 on which he has applied for rights. Unit No CL. 129 was not before me. Mr Sopwith accepted that I should confirm Entry No 1 modified so that Mr & Mrs T E Jones should have the Right to graze 150 ewes on the Unit and Unit No CL. 129, but so that the total number grazed on either or both of these two units at any one time should not exceed 150 ewes.

Mr R A Jones gave evidence that he had grazed for 53 years about 210 ewes and Mr Sopwith agreed that I should confirm this Entry No 2 modified so that the grazing right should be limited to 210 ewes.

Mr Sopwith agreed that I should confirm Entry No 3 and that I should confirm Entry No 4 modified so that the grazing right shall be limited to 50 ewes on this Unit and CL. 129 provided that not more than 50 ewes shall be grazed on either or both units at any one time.

Mr T C Davies gave evidence that he has 161 acres and 350 sheep on the mountain but the farm Ty Cerrig is only 62 acres. He said he now had 300 ewes and some yearlings, and he received subsidy from the Ministry, that when he purchased Ty Cerrig the flock had been run down. It was the largest flock in the district.

On this evidence it was clear that the claim to graze 350 sheep was excessive and that Mr Davies had not grazed his 300 ewes throughout his ownership of his farm and it was agreed by Mr Sopwith that I should confirm Entry No 5 modified so as to limit the grazing right to 250 sheep.

For these reasons I confirm the registrations <sup>where necessary</sup> modified as aforesaid.



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 13<sup>th</sup> day of January 1978

*Y. A. Little*

Commons Commissioner