



COMMONS REGISTRATION ACT 1965

Reference No 52/U/74

In the Matter of Coronation Gardens,
Prestatyn, Rhuddlan BC

DECISION

This reference relates to the question of the ownership of land known as Coronation Gardens, Prestatyn, Rhuddlan BC being the land comprised in the Land Section of Register Unit No CL. 108 in the Register of Common Land maintained by the former Flintshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Rhuddlan BC claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Mold on 14 June 1977.

Mr McNamee Legal Officer to the Rhuddlan BC appeared and referred me to SL No 1863 of 1973 Para 16(2)(a) and the 4th Schedule thereto whereby the land in question was vested in the Rhuddlan BC. I was informed prior to the hearing that the Prestatyn Town Council which had requested an adjournment in order to claim ownership no longer wished to contest the claim to ownership made by Rhuddlan BC.

Mr McNamee made an application for costs in this case and in the hearings relating to CL. 109 and CL. 110. The only costs I might have been prepared to award would have been those of and occasioned by the adjournment which would have been minimal. In the interest of establishing good relations and cooperation between these two local authorities Mr McNamee did not pursue his application.

On this evidence I am satisfied that Rhuddlan BC is the owner of the land, and I shall accordingly direct the Clwyd County Council, as registration authority, to register Rhuddlan BC as the owner of the land under section 8(2) of the Act of 1965.

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 22 day of August

1977

L A Little

Commons Commissioner