



COMMONS REGISTRATION ACT 1965

Reference No 51/U/83

In the Matter of Denbigh Moors
(part), Llansannan, Colwyn D

DECISION

This reference relates to the question of the ownership of land known as Denbigh Moors (part), Llansannan, Colwyn D being the part of the land comprised in the Land Section of Register Unit No CL. 15 in the Register of Common Land maintained by the former Denbighshire 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 the Welsh National Water Development Authority claimed to be the freehold owner of part 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 11 May 1976.

Mr Kerfoot appeared for the Welsh Water Authority and produced a conveyance dated 20 October 1910 whereby part of the land claimed by the Water Authority was conveyed by Sir E S Howard and another to Birmingham Corporation. The Wirral Water Board Order 1963 vested this land in the Wirral Water Board, and the Local Authorities etc(England)Property etc Order 1963 vested the land in the Welsh Water Authority. As to the remainder of the land claimed by the Welsh Water Authority, Mr Kerfoot produced a conveyance dated 2 January 1935 whereby the personal representatives of E Davies deceased and Mrs Mary Davies conveyed part of the remainder to Rhyl UDC and a conveyance dated 22 November 1935 whereby the Crown Commissioners conveyed the rest of the remainder to Rhyl RDC. The West Denbighshire and West Flintshire Water Board Order 1964 vested all this remainder in the said Water Board and the above mentioned Order of 1974 vested it in the Welsh Water Authority. On this evidence I am satisfied that the Welsh National Water Development Authority is the owner of the above mentioned land claimed by it which will be identified on a plan to be annexed to the Direction and I shall accordingly direct the Clwyd County Council to register the Welsh National Water Development Authority as the owner of that land under section 3(2) of the Act of 1965.

In the absence of any evidence as to the ownership of the land comprised in this Unit not owned by the Crown Commissioners or the Welsh Water Authority, I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 21st day of May

1976

C. A. Little

Commons Commissioner