



COMMONS REGISTRATION ACT 1965

Reference No. 271/U/27

In the Matter of Eglwyseg Mountain (part),  
Llangollen Rural, Clwyd

DECISION

This reference relates to the question of the ownership of land known as Eglwyseg Mountain (part), Llangollen Rural, being the land comprised in the Land Section of Register Unit No. CL.259 in the Register of Common Land maintained by the Clwyd 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 Mr M J Rogers 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 Chester on 12 May 1983. At the hearing Mr Rogers was represented by Mr E Price-Morris, Solicitor, who asked for an adjournment. Since there was no appearance by any other party, I granted the application and subsequently arranged for the hearing to be continued in London on 11 January 1984. However, on 30 December 1983 the Solicitors acting for Mr Rogers wrote to the Clerk of the Commons Commissioners stating that owing to the lack of evidence, Mr Rogers did not propose to proceed with his application. There was accordingly no appearance on 11 January 1984.

In these circumstances, in the absence of any evidence 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

16th

day of

January

1984

  
 Chief Commons Commissioner