



COMMONS REGISTRATIONS ACT 1965

Reference No.51/U/8

In the Matter of Land adjoining
Dol-y-Caeau LlangynhafalDECISION

This reference relates to the question of the ownership of land known as Land adjoining Dol-y-Caeau Llangynhafal being the land comprised in the Land Section of Register Unit No.C.L.20 in the Register of Common Land maintained by the 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 Moses Williams and his wife Annie Williams claimed to be the freehold owners 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 Denbighshire on 21 November 1972.

Dol-y-Caeau is a small holding purchased by Moses Williams and his wife Annie Williams in 1956. The Conveyance to them is dated 20 June 1956. The land in question is a very small piece of land, only 0.36 acre in extent; adjoining Dol-y-Caeau on the west. It is enclosed on three sides by hedges, and on the north side by a fence also. On the south side, this piece of land abuts on a highway; there is no fence on that boundary. Moses Williams gave oral evidence, and I am satisfied that he has had the exclusive possession and enjoyment of this land since 1956. He has maintained the hedges and fence, and has continuously used the land as part of his holding, more particularly for grazing. No one else has exercised, or claimed to exercise, any rights over it, and it is doubtful whether, at the date of registration, the land was in fact common land. It was so registered on the appreciation of the claimant, whose concern was simply to protect his own grazing. I conclude that Moses Williams and his wife have acquired a statutory title to this small piece of land.

For these reasons I am satisfied that Moses Williams and his wife Annie Williams of Dol-y-Caeau Llangynhafal are the owners of the land, and I shall accordingly direct the Denbighshire County Council, as registration authority, to register the said Moses Williams and Annie Williams as the owners 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

18th

day of

December

1972.

Commons Commissioner