



Reference No. 51/U/90

In the Matter of land at  
Ruabon Mountain, Penycae,  
Wrexham Maelor District and  
Glyndwr District, Clwyd

DECISION

This reference relates to the question of the ownership of land containing about 1.2 acres at Ruabon Mountain, Penycae, in Wrexham Maelor District and/or Glyndwr District being the land comprised in the Land Section of Register Unit No. CL 216 in the Register of Common Land maintained by the Clwyd (formerly 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 Sir Owen Watkin Williams Wynn, Bart, CBE, claimed (his solicitor's letter dated 1 April 1974) to be the freehold owner of the land in question. No other person claimed to be the owner of the land or to have information as to its ownership.

Mr Commissioner CA Settle QC held a hearing for the purpose of inquiring into the question of the ownership of the land at Denbigh on 22 February 1978. At the hearing he was informed by the Wrexham and East Denbighshire Water Company (their solicitors' letter of 22 February 1978) that this land was part of an area of land containing 71.744 acres conveyed by them to the Ministry of Agriculture, Fisheries and Food by a conveyance dated 12 April 1960. In these circumstances the Commissioner adjourned the proceedings to give the Ministry an opportunity of claiming the land and proving their title.

I held the adjourned hearing at Holywell on 7 July 1980. There was no attendance at the hearing. This case was listed on the same day as other hearings which were attended (1) by Sir O W W Wynn who was represented by Mr J I Williams, solicitor of Longueville & Co, Solicitors of Oswestry; (2) by Mr Willian Howell Price in person, on whose application the registration at Entry No. 2 in the Rights Section of this Register Unit was made; and (3) by Mr Philip Morgan in person, on the application of whose parents Mr William Herbert Morgan (since deceased) and Mrs Margaret Jane Morgan the registration at Entry No. 4 in the said Rights Section was made: all these three persons indicated that they were not concerned with these proceedings relating to the CL 216 land. Further I have a letter dated 24 April 1978 from the Solicitor to the Forestry Commission saying that this land does not form part of the conveyance to the Minister of 12 April 1960, and is not owned by them.

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 *4<sup>th</sup>* — day of *August* — 1980.

*a. a. Baden Fuller.*

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Commons Commissioner