



Reference Nos 271/D/51
to 55 inclusive

In the Matter of Plas Isaf,
Corwen, Glyndwr District, Clwyd

DECISION

These disputes relate to the registrations at Entry Nos 1, 3 and 4 in the Rights Section of Register Unit No. CL 129 in the Register of Common Land maintained by the Clwyd (formerly Merioneth) County Council and are occasioned by Objection No. 334 made by Mr David Jones and Mrs Jane Jones and noted in the Register on 7 October 1971, by Objection No. 335 made by Mr David Mark Pierson and noted in the Register on 20 October 1971, and by Objection No. 463 made by Mr Harry George Best and noted in the Register on 3 September 1972.

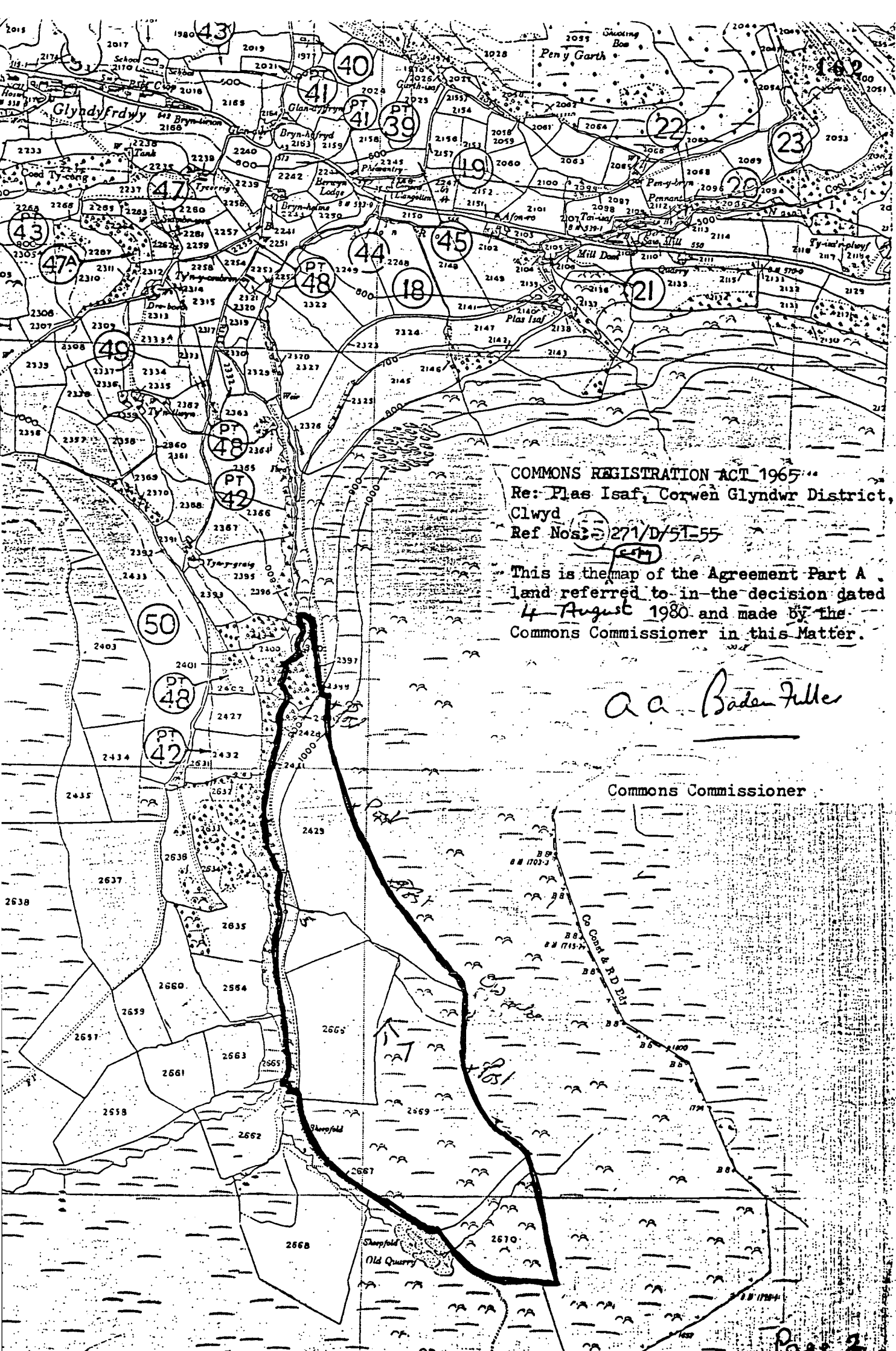
Mr Commissioner CA Settle QC held a hearing for the purpose of inquiring into the disputes at Denbigh on 23 February 1978. With the agreement of the parties represented he adjourned the proceedings.

I held the adjourned hearing at Holywell on 18 July 1980. At this hearing: (1) Mr David Jones and Mrs Jane Jones (not only the said Objectors, but also the applicants for the now final registration at Rights Section Entry No. 2) were represented by Mr E Owen of counsel instructed by Stanley Williams & Co, Solicitors of Wrexham; (3) Mr David Mark Pierson (not only the said Objector, but also the applicant for the registration at Rights Section Entry No. 3) was represented by Mr G Davies, solicitor of Gwilym Hughes and Partners, Solicitors of Wrexham; and (3) Mr Thomas Charles Davies (the applicant for the registration at Right Section Entry No. 4) was represented by Mrs R E Walker, solicitor of Kerfoot Owen & Co, Solicitors of Denbigh. I was told that earlier in the day before I started this hearing there had been present during the negotiations below mentioned *Ma* Frank Charles Best of Forest Lodge, Vivod, Llangollen, and Mr Dudley Raymond Richards, solicitor of Charles Richards & Sons, Solicitors of Llangollen who are the executors of Mr Harry George Best (not only the said Objector but also finally registered in the Ownership Section as owner of all the land in this Register Unit); and I was also told that Mr Richards (or his firm) represented Mr Thomas Evan Jones and Mrs Enid Gwladys Jones (the applicants for the registration at Rights Section Entry No. 1).

Mr Owen provided me with a copy of a written agreement which following negotiations just before the hearing started, had been concluded. This agreement provided among other things that the land in this Register Unit should be considered as divided into two parts, one of which ("the Agreement Part A land") could conveniently be defined by reference to the ~~plan~~^{map} which he produced and a copy of which (except that for the thin red line on the original I have substituted a thick black line) is at page 2 of this decision.

The written agreement so far as it relates to registration matters with which I am concerned provides in effect that I shall confirm all the registrations now in question with the modifications hereinafter specified by reference to the Agreement Part A land as defined in the Schedule hereto. I consider that I ought to give effect to the said agreement; accordingly (Mr Owen, Mr G Davies and Mrs Walker agreeing), I confirm the registration at Entry No. 1 of the Rights Section with the modification that in column 4 for the figures "100" there shall be substituted "150" (one hundred and fifty), and at the end be added "except the Agreement Part A land, provided that the number of ewes grazed on the land comprised in this register unit and comprised in register unit No. CL 130 at any one time shall not exceed 150"; I confirm the

Turn to page 3.



COMMONS REGISTRATION ACT 1965
 Re: Plas Isaf, Corwen Glyndwr District,
 Clwyd
 Ref Nos: 2271/D/51-55

This is the map of the Agreement Part A
 land referred to in the decision dated
 4 August 1980 and made by the
 Commons Commissioner in this Matter.

a a Baden Fuller

Commons Commissioner



registration at Entry No. 3 in the said Rights Section with the modification that in column 4 at the end shall be added "except the Agreement Part A land"; and I confirm the registration at Entry No. 4 of the said Rights Section with the modification that in column 4 for "500" there shall be substituted "300" (three hundred), and at the end be added "except the Agreement Part A land" and that in column 5 the words "and Ty Cerrig" and the words "and green" shall be deleted; and in the notice I shall give pursuant to section 6 of the 1965 Act to Clwyd County Council as registration authority for the purpose of enabling them to give effect to this decision, I shall authorise them to substitute as regards all the said modifications for the words "the Agreement Part A land" such other words referring to such supplemental or other map if any as they as registration authority consider most convenient to appear on the Register for the purpose of defining thereon the land defined in the Schedule hereto.

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.

SCHEDULE
(Agreement Part A land)

In this decision the Agreement Part A land means the land containing about 114 acres comprising and being Ordnance Survey Enclosures numbered 2397, 2398, 2429, 2430, 2666, 2669 and 2670 and delineated on the map at page 2 of this decision being thereon outlined by a thick black line.

Dated this 4th — day of August — 1980.

a. a. Baden Fuller

Commons Commissioner