



COMMONS REGISTRATION ACT 1965

Reference No 52/U/36

In the Matter of The Marian,
Trelawnyd

DECISION

This reference relates to the question of the ownership of land known as The Marian, Trelawnyd being the land comprised in the Land Section of Register Unit No CL. 10 in the Register of Common Land maintained by the former Flintshire 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 Clwyd County Council 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 Llangollen on 6 December 1977.

Mr Fisher appeared for the Clwyd County Council and produced relevant extracts from the Enclosure Award dated 27 November 1828 for the Parishes of Newmarket (Trelawnyd) and Cwm and the map therein mentioned whereby the land in question No 13 on the said map was allotted, and awarded to and vested in the Surveyors of the Highways. The Clwyd County Council is now the successor to the said Surveyors as the Highway Authority.

On this evidence I am satisfied that Clwyd County Council is the owner of the land, and I shall accordingly direct the Clwyd County Council as registration authority, to register Clwyd County Council as the owner 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 13th day of January 1978

B. A. Sc. H. C.

Commons Commissioner