



COMMONS REGISTRATION ACT 1965

Reference No. 52/U/29

In the Matter of The Sandhole, Sychdyn, MoldDECISION

This reference relates to the question of the ownership of land known as The Sandhole, Sychdyn, Mold, being the land comprised in the Land Section of Register Unit No. CL.22 in the Register of Common Land maintained by the 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 no person claimed to be the freehold owner of the land in question and no one 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 Mold on 10th April 1973.

Mr. R. L. Fazackerley, a member of Northop Parish Council, appeared (in the absence of the Clerk) on behalf of the Parish Council. There was produced to me an Extract from the Soughton Enclosure Award dated 27th April 1831, from which it appeared that several allotments were made to the Surveyor of the Highways for the time being of the Township of Soughton. These included two Allotments (numbered 3 and 4) which correspond to the land comprised in CL.22. Allotment No. 3 was expressed to be for Clay and Sand, and Allotment No. 4 for Gravel.

Mr. Fazackerley gave evidence to the effect that until some 40 years ago local inhabitants had, with the consent of Northop Parish Council, carried away gravel and sand from this pit, but that thereafter the Parish Council gave permission to Holywell Rural District Council to use it for tipping refuse. In and since 1972, the Rural District Council have been engaged in levelling off the pit with top soil removed from the building site at the Civic Centre, Mold. This operation, which is not yet complete, will have the effect of converting the land in question into a valuable site suitable for public recreation, which is the objective of the Parish Council.

It is clear that the land in question has been under the sole control of the Parish Council for a very long time.

For these reasons I am satisfied that Northop Parish Council is the owner of the land, and I shall accordingly direct the Flintshire County Council, as registration authority, to register Northop Parish Council as the owner of the land under section 8(2) of the Act of 1965.



- 2 -

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 *14th* day of *May* 1973

*A. E. Francis*

Commons Commissioner