



COMMONS REGISTRATION ACT 1965

Reference No. 271/D/28

In the Matter of the Village Green  
Halkyn

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.16 in the Register of Town or Village Greens maintained by the Clwyd County Council and is occasioned by the conflicting registration at Entry No.1 in the Land Section of Register Unit No.11 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Mold on 9th April 1975.

The hearing was attended by Mr Armon Ellis, Solicitor, on behalf of Halkyn Community Council, the successor to Halkyn Parish Council, which applied to register the land as a village green; and by Miss F. E. Woodruffe, Solicitor, on behalf of the Executors of the late Duke of Westminster, who applied to register the land as common land.

Mr William Morgan Reece was called to give evidence in support of the registration of this land as a village green. Unfortunately, however, he did not know much about this land, as he himself admitted; and the only evidence he gave in chief was that he himself had as a boy or young man played on the land. In cross-examination, he said that trees were recently planted on the land on the initiative of the Halkyn Countryside Improvement Committee, who had applied to the Grosvenor Estate Office for permission to do so, as well as to the County Council.

On this evidence, I am unable to find that this piece of land qualifies as a village green. It was not disputed that, if it was not a village green, it was common land.

For these reasons I refuse to confirm the registration.

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 *November* 1975

*A. E. Francis*

Commons Commissioner