



COMMONS REGISTRATION ACT 1965

Reference No. 271/D/24

In the Matter of the Village Green,
at Moel-y-Crio, Halkyn

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No.14 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 in question 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 of Rhesycae gave evidence in support of the registration of the land as a village green. Mr Reece was a member, and at one time Chairman, of Halkyn Parish Council - his membership spanning a period of 30 years. He has known the land well for some 70 years, and he told me that it has always been used by the inhabitants of Moel-y-Crio and its neighbourhood for the playing of games, more especially football, ever since he has known the land, although latterly not so much use as formerly has been made of the land, due to the decline in the local population and especially in the number of children. Mr Reece said that the local inhabitants never asked permission of anyone to play games on the land.

No evidence was called on behalf of the Executors of the late Duke, and Miss Woodruffe did not in terms object to the registration of the land as a village green.

The land is on the edge of the Common and within the confines of the village of Moel-y-Crio.

For these reasons I 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