COMMONS REGISTRATION ACT 1965   Reference No. 271/D/22

In the Matter of the Village Green
between Fron Cottage & Lilac Cottage,
Windmill, Halkyn

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.13 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 gave evidence in support of the registration of the land as a village green. Mr Reece is a member and past chairman of Halkyn Community Council. He was formerly the chairman, and a member for some 30 years, of Halkyn Parish Council. He has been well acquainted with the area of Halkyn for upwards of 60 years. He told me that the land in question had been used for sport ever since he could remember by the inhabitants of the village of Windmill and the locality. The land is situated on the edge of Halkyn Common and within the bounds of Windmill Village.

Miss Woodruffe raised no objection to the registration of this land as a village green.

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.