



COMMONS REGISTRATION ACT 1965

Reference No.52/U/86

In the Matter of Waen Field behind
the Voluntary Primary School at
Cilcain

DECISION

This reference relates to the question of the ownership of land known as Waen Field behind the Voluntary Primary School at Cilcain being the land comprised in the Land Section of Register Unit No.VG.17 in the Register of Town or Village Greens 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 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 9th April 1975.

Mr. John G.Ledsham appeared for Cilcain Community Council. There was no other appearance.

Mr. Ledsham was formerly the Clerk to Cilcain Parish Council. He produced a conveyance dated 5th January 1939, by which the Commissioners of Church Temporalities in Wales, for the consideration of £37. 10. 0, conveyed to the Parish Council "such rights of grazing and other rights (if any) as may be vested in the vendors in and over "the land in question, subject to the rights of the Postmaster General in connection with two poles. Mr. Ledsham told me that the Parish Council had received the way-leave rent from the Post Office in respect of the poles, and had from time to time since 1939 granted licences to graze horses on the land in consideration of small sums. The Parish Council had also maintained the field by trimming hedges and cutting grass. The land has been mainly used as a playground for local children, and the Parish Council erected swings and roundabouts on the land for their use. The Parish Council also from time to time gave permission to various local organisations to hold shows or other events on the land. No persons other than the Parish Council and their licencees appear to have used the land since 1939. I conclude that, if the Parish Council did not acquire the fee simple of the land under the conveyance of 1939, the Parish Council subsequently acquired a statutory title to it.



-2-

On this evidence I am satisfied that Cilcain Community Council is the owner of the land, and I shall accordingly direct the Clwyd County Council, as registration authority, to register Cilcain Community 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

15th

day of

October

1975

A. E. Francis

COMMONS COMMISSIONER.