



In the Matter of the tract of land known as Tregaron Mountain

DECISION

This reference relates to the question of the ownership of land known as Tregaron Mountain being the part of the land comprised in the Land Section of Register Unit No. CL.32 in the Register of Common Land maintained by Dyfed 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 but copies of certain documents were sent to the Clerk to the Commons Commissioners in connection with the unit land, or part thereof, namely (i) a statutory declaration made by Daniel Victor Bebb on 16 December 1947 and (ii) the front page of some Particulars of Sale which are undated but appear to be upwards of 50 years old. The statutory declaration exhibits a letter dated October 3rd 1922 in which Evan Morgan purported to declare that ".....I sell the mountain land and grazing rights thereof and situated near Lletherllwyd to Daniel Victor Bebb of Camerfawr Farm, Tregaron for the sum of Forty Five Pounds.....".

I held a hearing at Aberystwyth for the purpose of inquiring into the question of the ownership of the land on 14 June 1994.

At the hearing Mr Peredur Evans of Arnold Davies & Co of Lampeter, Solicitors appeared for Mr T R Davies, Mr and Mrs J M Thomas, Mr W I Jones and Mr G Jones and Mr H Jones. Mr J I Richards and Mrs M J Richards appeared in person.

On behalf of his clients Mr Evans said that they all had grazing rights over the land and their main concern was that these should not be affected in any way. He said that it might be that they could also establish claims to ownership of parts of the land: but his clients did not wish to make any such claims at the present time nor therefore to tender any deeds, documents or other evidence in support thereof. Mr and Mrs Richards said that they adopted the same approach to the matter.

The statutory declaration, letter dated October 3 1922 and sheet from some sale particulars mentioned above do not by themselves indicate that anyone is the owner of any part of the land at the present time.

In the above circumstances it will therefore remain subject to protection under section 9 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

23

day of

June

1994

Commons Commissioner