



COMMONS REGISTRATION ACT 1965

Reference No. 273/U/12

In the Matter of Jenny's Bushes Common,
Llanbadoc Fawr, Monmouth D

DECISION

This reference relates to the question of the ownership of land known as Jenny's Bushes Common, Llanbadoc Fawr, Monmouth D being the land comprised in the Land Section of Register Unit No. CL. 45 in the Register of Common Land maintained by the former Monmouth 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 Lord Raglan claimed to be the freehold owner of the land in question and no other person 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 Newport on 16 March 1976.

Mr Jonathan Stevens of Messrs Waddington Llewellyn & Burge appeared for Lord Raglan and produced a conveyance dated 30 June 1903 whereby the 9th Duke of Beaufort conveyed to the 3rd Baron Raglan, inter alia, the Manors of Kilgoyan, and Usk and the mesne Manor of Gwenesney. It appeared from the said conveyance that the Parish of Glascoed was in 1903 in the Manor of Usk. Mr Stevens also produced an OS of map 1903 which identified this and other commons as lying within one or other of the above-mentioned Manors. Mr Stevens also produced copy probates of the wills of the 3rd Baron Raglan and the 4th Baron Raglan, establishing the title of the present Lord Raglan (the 5th Baron) to the Lordship of the above-mentioned Lordships.

Col. C A Davies gave evidence that he was Steward to the 4th Baron Raglan from 1930 until his death in 1964 and he produced a Deed Poll dated 8 September 1928 whereby Lord Raglan declared that S 193 of the LPA 1925 should apply to the lands therein mentioned which included the land in question. Col Davies further stated that throughout his stewardship such lands had always been accepted and believed to be part of the Manor of Usk.

On this evidence I am satisfied that Lord Raglan is the owner of the land, and I shall accordingly direct the Gwent County Council, as registration authority, to register Lord Raglan 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 24th day of March 1976

C. A. Sefton

Commons Commissioner