



COMMONS REGISTRATION ACT 1965

Reference No. 273/U/7

In the Matter of Mynydd Henllys Common,
Henllys and Cwmbran, Gwent

DECISION

This reference relates to the question of the ownership of land known as Mynydd Henllys Common, Henllys and Cwmbran, being the part of the land comprised in the Land Section of Register Unit No. CL 28 in the Register of Common Land maintained by the Gwent 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 the Eagle Star Insurance Company Limited claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

Mr Commissioner Settle, Q.C. held a hearing for the purpose of inquiring into the question of the ownership of the land at Cardiff on 28 November 1979.

At the hearing the Eagle Star Insurance Company Limited was represented by Mr J Cundall, their land agent.

The learned Commissioner adjourned the hearing and was killed in a road accident later the same day. In pursuance of reg. 29 of the Commons Commissioners Regulations 1971, I have directed that the proceedings shall be continued by myself, and I re-opened the hearing at Watergate House, London, WC2 on 17 January 1980.

The greater part of the land the subject of the reference was conveyed to Eagle Star Insurance Company Limited by a Conveyance made 6 May 1959 between (1) The Hon. Charles Christian Simon Rodney, Felix James Chivers and Albert Charles Edwards Musk (2) Eagle Star Insurance Company Limited. There is no evidence as to the ownership of the remaining small part of the land in question.

On this evidence I am satisfied that Eagle Star Insurance Company Limited is the owner of the land included in the Conveyance made 6 May 1959 and I shall accordingly direct the Gwent County Council, as registration authority, to register Eagle Star Insurance Company Limited as the owner of that land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land the subject of the reference, and 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

24th

day of

February

1980

Chief Commons Commissioner