



COMMONS REGISTRATION ACT 1965

Reference No. 273/U/26

In the Matter of Reddings Enclosure Common,
Monmouth, Gwent

DECISION

This reference relates to the question of the ownership of land known as Reddings Enclosure Common, Monmouth, being the land comprised in the Land Section of Register Unit No. CL.83 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 Minister of Agriculture, Fisheries, and Food claimed to be the freehold owner of the land in question and Mr and Mrs F R Thompson claimed to be the freehold owners of part of the land. 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 Mr I Corbett, Solicitor, appeared on behalf of the Secretary of State for Wales, as successor to the Minister of Agriculture, Fisheries, and Food, and Mr J M Burrows, Solicitor, appeared on behalf of Mr and Mrs Thompson.

The learned Commissioner was killed in a road accident after the hearing before giving his decision. I hereby direct in pursuance of reg. 29 of the Commons Commissioners Regulations 1971 that the proceedings shall be continued by myself.

The major part of the land in question was transferred to and vested in the Forestry Commission by art. 4 of the Forestry (Transfer of Woods) Order 1926 (S.R. & O. 1926, No. 677). It was then transferred to the Minister of Agriculture and Fisheries under the provisions of S.4 (5) of the Forestry Act 1945. The Minister's title was changed to Minister of Agriculture, Fisheries, and Food by Transfer of Functions (Ministry of Food) Order 1955 (S.I. 1955 No. 554). Finally, the land was transferred to the Secretary of State for Wales by arts. 4 and 9 the Secretary of State for Wales and the Minister of Land and Natural Resources Order 1965 (S.I. 1965, No. 319).

A small part of the land containing 0.801 ac. or thereabouts was conveyed to Mr R. Thirkell-Smith by a conveyance made 10 March 1970 between (1) the Secretary of State for Wales (2) Richard Thirkell-Smith. This land was then conveyed to Mr and Mrs R D G Gibson by a conveyance made 7 September 1976 between (1) Patricia Thirkell-Smith (2) Robert David Germain Gibson and Elizabeth Gibson. Finally it was conveyed to Mr and Mrs Thompson by a conveyance made 2 December 1977 between (1) R D G Gibson and E Gibson (2) Frank Robert Thompson and Janet Deirdree Thompson.

It appears from the learned Commissioner's note-book that on this evidence he was satisfied that the Secretary of State for Wales is the owner of most of the land, and that Mr and Mrs Thompson are the owners of the area of 0.801 ac.



-2-

I shall accordingly direct the Gwent County Council, as registration authority, to register the Secretary of State for Wales and Mr and Mrs Thompson as the owners of their respective parts of the land under section 8 (2) of the Act of 1965.

There is a small area of land at the Southern end of the land the subject of the reference concerning which there was no evidence. This small area 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 31st day of December 1979

A handwritten signature in dark ink, appearing to read 'G. Roberts', written over a horizontal line.

Chief Commons Commissioner