



COMMONS REGISTRATION ACT 1965

Reference No. 273/U/39

In the Matter of The Blorenges (parts)

FURTHER DECISION

This decision relates to the claim of the British Coal Corporation to parts of the land comprised in the Land Section of Register Unit No. CL.18 in the Register of Common Land maintained by the Gwent County Council and is supplemental to my Decision under the same reference dated 24 April 1989 in which I dealt with the claims of the other claimants.

I held a further hearing to inquire into this claim at Cwmbran on 13 July 1989.

At the hearing the British Coal Corporation were represented by Mr S Weisbard, solicitor, Mr D Weston, Estate Assistant and Mr T Wildin, Chief Draughtsman.

The British Coal Corporation claims to be the owners of Areas 2, 7, 8, 9, 10 and 12 on the Reference Plan.

Areas 2, 8, 10 and 12

Mr Weisbard produced a certified copy of a conveyance on sale dated 3 December 1952 whereby the Most Honourable Guy Temple Montacute 4th Marquess of Abergavenny conveyed to the National Coal Board an area of some ten thousand acres of land known as "Lord Abergavenny's Hills" identified by a map. The land conveyed had previously been the subject of a lease to the National Coal Board as successors in title to the Blaenavon Company.

It was clear from the map attached to the conveyance that these four areas had been included in the land conveyed.

On that evidence I am satisfied that the British Coal Corporation are the owners of areas 2, 8, 10 and 12 on the reference map.

Area 7

Mr Weisbard produced the Register of Transferred Assets prepared by the National Coal Board under the Coal Nationalisation Act 1946 together with the map which forms part of that register. This shows the whole of area 7 as being vested in the National Coal Board on 1 January 1947 (the "primary vesting date" under that Act), the land having been acquired from the Blaenavon Company. The southern part of Area 7 is part of serial No. 3/90/a in that Register, the title being freehold. The northern part, however, is part of serial No. 3/68/f of which only a leasehold title was acquired, the fee simple remaining in the Marquess of Abergavenny the reversioner on the lease referred to above.



It is, however, clear from the conveyance dated 3 December 1952 referred to above that this land was included in the land then conveyed to the National Coal Board.

That being so I am satisfied that the fee simple of the whole of Area 7 is now vested in the British Coal Corporation.

Area 9

It is clear from the map attached to the Register of Transferred Assets that this land forms part of serials Nos. 3/90/c 3/160/a and 3/68/q. The freehold of the first two areas was vested in the National Coal Board under the 1946 Act. As to that part of the area which fell into serial 3/68/q the leasehold only was vested but I am satisfied that this area was included in the land conveyed to the National Coal Board by the conveyance of 1952 referred to above. I am therefore satisfied that the fee simple in the whole of this area is vested in the British Coal Corporation.

I shall accordingly direct the Gwent County Council as Registration Authority to register the British Coal Corporation as owner of the following unclaimed areas on the Reference Map under section 8(2) of the 1965 Act.

Nos -

2	8	10
7	9	12.

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

27th

day of

July

1989

Peter Langdon-Davis

Chief Commons Commissioner