



COMMONS REGISTRATION ACT 1965

Reference No.55/U/25

In the Matter of Trostre Common,
Gwehelog Fawr

DECISION

This reference relates to the question of the ownership of land known as Trostre Common in the Parish of Gwehelog Fawr being the land comprised in the Land Section of Register Unit No.CL.44 in the Register of Common Land maintained by the Monmouthshire 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 4th October 1973.

Mr. L. H. Westaway, the Clerk of Gwehelog Fawr Parish Council, attended the hearing and informed me that the Parish Council did not claim to be the owner, and that he had no evidence of ownership.

Mr. J. Stephens, Solicitor, of the firm of Waddington, Llewellyn & Burge, Usk, appeared for Lord Raglan. He produced a Conveyance dated 30th June 1903, by which the Manor of Usk was conveyed by the Duke and Duchess of Beaufort to George Henry Fitzroy, Baron Raglan, the grandfather of the claimant. The Manor is now vested in the present Lord Raglan, the devolution to him being as described in my decision under Reference 55/U/23. Colonel H. C. A. Davies testified that he was the Steward of the Manor of Usk for 40 years from the year 1930, and that, on taking office, he was told by his predecessor that the land in question was part of the Manor of Usk:

For these reasons I am satisfied that Lord Raglan is the owner of the land, and I shall accordingly direct the Monmouthshire County Council, as registration authority, to register him 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 30th day of November 1973.

A. E. Francis

Commons Commissioner