



In the Matter of Bychestyn Mountain (part)
Uwchmynydd, Aberdaron

DECISION

This reference relates to the question of the ownership of the land above mentioned being part of the land comprised in the Land Section of Register Unit No. CL 88 in the Register of Common Land maintained by the Gwynedd 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 Mr C E I Wynne Finch claimed to be the freehold owner of a part 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 Bangor on 7 February 1984.

Mrs J P Evans of Messrs Howell Jones and Marshall Hughes, Solicitors of Llanrwst appeared for the claimant.

In a Statutory Declaration made by the Claimant on 3 February 1984 he stated that the land lying between the area edged red on the Register Plan and the coast line was the Allotment numbered 13 on an Enclosure Award made pursuant to an Act of Parliament passed in 1811 which had originally vested in Wynne Griffith Wynne and was subsequently sold to Charles Wynne Griffith Wynne in or before 1861. The said Charles Wynne Griffith Wynne is the claimants predecessor in title.

There was no evidence as to who owned the remainder of the land which is Allotment No.14 and was originally allotted to the Reverend William Williams as the Minister of Aberdaron Parish for the time being.

On this evidence I am satisfied that Mr Charles Edward Ifan Wynne Finch is the owner of the land, which is Numbered 13 on the plan which is Exhibit CELFW1 to the Statutory Declaration and I shall accordingly direct the Gwynedd 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 not satisfied that any person is the owner of the remainder of the land numbered 14 on the said plan; 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 set to him, require me to state a case for the decision of the High Court.

Dated this

17th

day of

February

1984

George Harkelle

Commons Commissioner