



COMMONS REGISTRATION ACT 1965

Reference No. 274/U/36

In the Matter of the Land known as Bytillith
in the parish of Aberdaron

DECISION

This reference relates to the question of the ownership of land known as Bytillith in the parish of Aberdaron being the land comprised in the Land Section of Register Unit No. CL.53 in the Register of Common Land maintained by the former Caernarvonshire 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 no person claimed to be the freehold owner of the land in question and no one 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 Porthmadog on 24 February 1981.

Mr E D Lewis of Messrs. Robyns - ^{Owen} ~~Owen~~ & Son, Solicitors of Pwllheli appeared for Mr and Mrs H R Jones and their two sons who had recently acquired that part of the land comprised in the Register Unit of which Mrs Pauline Winifred Blake was registered as owner, the registration becoming final on 1 August 1972. The ownership of this land was not included in the reference to me. Mrs Evans of Howell Jones & Marshall Hughes, Solicitors of Llanrwst appeared for the National Trust as prospective purchasers from the Jones family. Mrs Evans produced a map which showed the area divided into various holdings but no evidence of ownership was produced.

Major Harden had withdrawn a claim to certain parts of the area.

Subsequently Mr Lewis has produced claims from two clients, supported by affidavits, to have acquired a possessory title to certain parts of the land.

I am not prepared to accept these late claims on evidence which has not been made at a public hearing at which there would have been an opportunity for an interested party to submit it to cross-examination.

This decision will not prevent the claimants from putting forward their claims at a subsequent hearing, if they so desire.

On this evidence I am not satisfied that any person is the owner of the land, 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

20th

day of

July

1981

Lynne Haslechin

Commons Commissioner