



In the Matter of the land known as Mynydd
Sygyn in the parish of Beddgelert in the
County of Gwynedd

DECISION

This reference relates to the question of the ownership of land known as Mynydd Sygyn being the land comprised in the Land Section of Register Unit No. CL 89 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 several persons 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 Portmadog on 24 February 1981.

Mr Robert Price of William George and Sons, Solicitors of Portmadog appeared for (1) Mr Norman and Mrs Margaret Wilson (2) Dr G B Grayling and (3) Mr T H Lightfoot and Mrs J Evans appeared for the National Trust all of whom claimed to be owners of separate parts of the Register Unit.

A plan was put in in which the Register Unit was shown edged red and subdivided by red lines into five separate units marked Sygyn Bach, Sygyn Fawr, Ty Hen, Cwm Bach and Priestly Estate

Mr and Mrs Wilson claimed ownership of Sygyn Fawr on the strength of a Conveyance dated 26 October 1973 from Mrs N H Williams and a Supplementary Conveyance dated 24 February 1981.

Dr Grayling had purchased Sygyn Bach Farm on 13 January 1958 from Thomas Eric Askin. The parcels are described as 'All that farm with the farm house, mill, outbuildings and appurtenances situate at known as Sygyn Bach otherwise Sygyn Ganol farm and mill together with the sheep walk adjoining the said premises on the South side thereof.' The acreage of the farm is given as 81 acres 29 perches and the boundaries of the farm are described by reference to a plan on a Mortgage dated 25 March 1890.

The sheepwalk is described in the Conveyance as bounded by the water shedden of the mountain and situate in the hamlet of Nantmor.

In my view the wording of the Conveyance is only appropriate to pass a right of grazing and does not carry ownership of the soil of the sheepwalk.

Mr Lightfoot who claims ownership of Ty Hen relies on a conveyance dated 30 June 1961 from the Trustees of a Marriage Settlement. It is however, clear from the wording of the Conveyance that it only carries a right of pasturage and does not purport to convey ownership of the soil.



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Mrs Evans relied on a Conveyance dated 24 December 1935 from Snowdon Mountain Railway Limited which included Cwm Bychan Farm of 101.26 acres. It is not possible to identify the section called Cwm Bach on the Plan B referred to in the Conveyance.

No one claimed the remaining section described as Priestley Estate.

On this evidence I am satisfied that Mr and Mrs Wilson are the owners of the section marked Sygyn Fawr and hatched blue on the plan attached hereto and I shall direct the Gwynedd County Council to register them as owners.

I am not satisfied that any person is the owner of ^{any part of} the remainder 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

2nd

day of

April

1981

George Henke

Commons Commissioner

Llyn Dinas

Coed Pant-agored

No 9 WARD

29 Acres

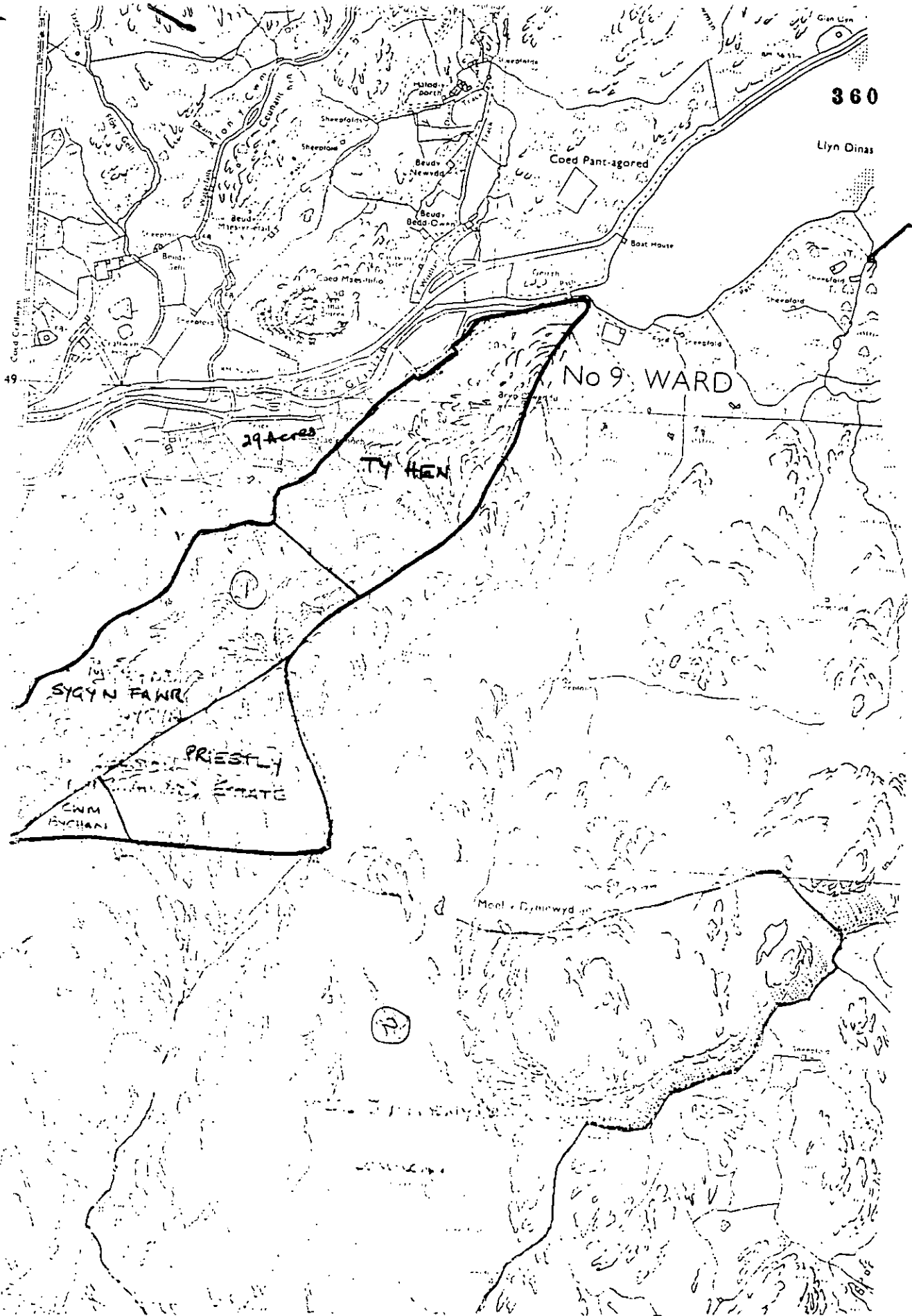
TY HEN

SYDYN FAWR

PRIESTLY ESTATE

CWM BUGHAN

Meol y Dymwyd



Coed Craffwrdd

49

(P)

(P)

10/1

Cocyn Perth

361

Garth Poffy

Budy Blaeny-wergloda

Wernias-dog

Coed Craflwyn

Afon Coin

Dinas

Craflwyn Lodge

Coed Cledu

COVENANT

Beddgelert

SYCYN BACH

Mynydd Sycyn

CRAIG Y LLAN

UNCLAIMED LAND

Afon Glas

Ynys Cwm Cwsg

Ynys Cwsg

Craig y Llann

(2)