



COMMONS REGISTRATION ACT 1965

Reference No. 274/U/104

In the Matter of Mynydd Ceunant Mawr, Llanegryn
and Llangelynin, Meirionnydd D

DECISION

This reference relates to the question of the ownership of part of the land described above being the part of the land comprised in the Land Section of Register Unit No. CL 118 in the Register of Common Land maintained by the former Merioneth 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 claims to ownership of the part of the land in question ("the Unit land") were made by (1) Mr and Mrs I G Williams (2) Mr and Mrs B D Pugh: 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 Dolgellau on 9 March 1982. At the hearing Mr B J P Williams, of the firm of Williams and Hancock, Solicitors, appeared on behalf of Mr and Mrs Williams; and Mr D R Jones of the firm of Guthrie Jones and Jones, Solicitors, appeared on behalf of Mr and Mrs Pugh.

In the ownership section of this Register Unit, the registration at Entry No. 1 has become final and extends to the whole of the Unit land except a part which was the subject of Objection No. 491 by Mr I G Williams. This is the part ("the unclaimed part") with which this reference is concerned.

By a Conveyance dated 29 November 1969 between (1) Barclays Bank and W M Rees (2) Mr and Mrs Williams there was conveyed to Mr and Mrs Williams a farm property known as Bronyfoel which included the mountain sheepwalk belonging to it and comprising 3/4a 1r and 4p. It seems clear from the plan attached to the Conveyance that this was the unclaimed part.

The claim by Mr and Mrs Pugh is based on a Conveyance to them dated 23 October 1964 of farm property known as Bodgadfan together with the right of pasturage over the unenclosed sheepwalk adjoining to and formerly belonging to the farm Brynllwyn "but for many years past belonging to (Bodgadfan) and used and enjoyed therewith". There was no evidence enabling the sheepwalk to be identified with the Unit land, and in any event the wording of the conveyance, in my view, indicates a grazing right not the land itself: in fact Mr and Mrs Pugh have registered a grazing right over the whole of the Unit land.

I do not think that the claim by Mr and Mrs Pugh is established and on the evidence I am satisfied that Mr and Mrs Williams are the owners of the unclaimed part and I shall accordingly direct the Gwynedd County Council, as registration authority, to register them as the owners 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



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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

7 April

1982

L. J. Morris Smith

Commons Commissioner