



COMMONS REGISTRATION ACT 1965

Reference Nos 274/D/124 and 125

In the Matter of Mynydd Llandegai,
Llandegai, Arfon D

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section and Entry Nos 1 to 29 and 31-33 in the Rights Section of Register Unit No CL.106 in the Register of Common Land maintained by the former Caernarvonshire County Council and is occasioned by Objection No 30 made by Lady Douglas Pennant and noted in the Register on 7 May 1970.

I held a hearing for the purpose of inquiring into the dispute at Caernarfon on 15 and 16 February 1977. The hearing was attended by Mr Gareth Edwards counsel instructed by Messrs Carter Vincent & Co on behalf of Lady Douglas Pennant. Mr G T T Stewart the applicant for rights under Entry No 25 also appeared. His property Tan y Bryn was conveyed by the Penrhyn Estate, which owns the mountain, in August 1956 and no rights were granted by that conveyance. Since both Tan y Bryn and the mountain were in the same ownership until 1956 there can be no rights appurtenant to Tan y Bryn.

Mr Gareth Edwards explained that some conveyances by the Penrhyn Estate to applicants for rights did grant rights and that other conveyances contained no such grants and that some applicants for rights were tenants of the Estate. He invited me to confirm the Entry in the Rights Section of these applicants whose properties had been conveyed together with common rights modified if necessary so as to accord with the rights granted, and to refuse to confirm all the other Entries. Mr Gareth Edwards assured me that the Estate had made a full investigation. In the absence of any applicant for rights other than Mr Stewart I must accept Mr Gareth Edwards submission and for this reason I confirm the Entry in the Land Section and I refuse to confirm Entry Nos 1, 5, 8-13 inclusive, 21, 23, 24, 25, 28, 29, 31 and 32. I confirm Entry Nos 2, 3, 4, 6, 7, 19, 20, 22, 26, 27 and 33 modified as follows:-

<u>Entry No</u>	<u>Modification</u>
2	Rights to be limited to 10 sheep or 1 cow
3	Rights to be limited to 10 sheep or 1 cow
4	Rights to be limited to 10 sheep or 1 cow on payment of 10/- per annum
6	Insert "or one cow" after the words 10 sheep
7	No Modification
19	No modification
20	Rights to be limited to 20 sheep or 2 cows
22	Rights to be limited to 33 sheep
26	Rights to be limited to 10 sheep or 1 cow
27	Rights to be limited to 2 cows
33	Rights to be limited to 10 sheep or 1 cow



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 19th day of May 1977

Y. A. Little

Commons Commissioner