



COMMONS REGISTRATION ACT 1965

Reference No 274/U/15

In the Matter of Mynydd Penygraig and
Mynydd Cwm yr Haidd Uchaf, Mallwyd and
Llanymawddwy, Meirionnydd D

DECISION

This reference relates to the question of the ownership of land known as Mynydd Penygraig and Mynydd Cwm yr Haidd Uchaf, Mallwyd and Llanymawddwy, Meirionnydd D being the land comprised in the Land Section of Register Unit No CL. 152 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 Miss Evans 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 Dolgellau on 30 July 1976.

Mr J D Parsons of Messrs Humphreys & Parsons appeared for Miss Evans.

Miss Evans now aged 92 owns two farms Penygraig and Cwm-yr Haidd Uchaf gave evidence that she had lived at Penygraig since 1909 and farmed it with her brother and sister till she let it to a Mr Jones and his brother who now live with her at Penygraig. She said she knew the land and had grazed it and that no other farmer had grazed that land. The tenant farmer Mr Jones who had been a tenant for 18 years confirmed the evidence of Miss Evans as also did Mr T S Evans.

Mr E H Jones who farms an adjoining farm and has known the land for over 30 years confirmed Miss Evans evidence he stated that the land had always been fenced, the fence separated the mountain from the cultivated land of the farm and there was a gate from Cwm yr Haidd Uchaf to the mountain.

On this evidence I am satisfied that Miss M J Evans is the owner of the land, and I shall accordingly direct the Gwynedd County Council, as registration authority, to register Miss M J Evans as the owner of the land 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 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 9th day of September

1976

C A Settle

Commons Commissioner