



COMMONS REGISTRATION ACT 1965

Reference No. 274/U/59

In the Matter of Ro Wen,
Llangelynin

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL 90 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 different parts of the land in question ("the Unit land") were made by (1) Meirionnydd District Council (2) Fairbourne Railway Ltd ("the Company") 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 29 April 1980.

At the hearing Mr D E F Williams, Chief Legal Officer of the District Council, appeared on its behalf, and Mr A M Dancer, Solicitor, of the firm of Griffith, Adams and Williams, on behalf of the Company.

Mr Williams produced four Conveyances ("the MDC Deeds") each comprising different parts of the Unit land: three of these (1) dated 3 April 1962 by Sir Percy Simner (2) dated 13 April 1962 by Howell Meredyth and (3) dated 13 April 1962 by Gwynedd Meredyth were to the Rural District Council of Dolgellau to which Meirionnydd District Council is the successor; the fourth is dated 29 November 1979 and made between (1) Leslie A Philpott (2) Meirionnydd District Council.

By a Conveyance dated 4 October 1978 between (1) Coastal Enterprises (Fairbourne) Ltd (2) the Company, land forming part of the Unit land was conveyed to the Company: this part is the northern section of the Unit land and is not comprised in any of the MDC Deeds.

On this evidence I am satisfied that Meirionnydd District Council is the owner of the parts of the Unit land comprised in the MDC Deeds and that the Company is the owner of the part comprised in the Conveyance of 4 October 1978, and I shall direct the Gwynedd County Council to register them respectively as such owners. Two small areas of the Unit land - one at its southern end adjoining the part comprised in the second of the MDC Deeds and the other adjoining on the east properties called Troeth - Meirion and Mureth on the plan attached to the fourth MDC Deed - are not comprised in any of the Conveyances: as to these two small areas I am not satisfied that any person is the owner and they 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 9 June 1980

L. J. Morris Smith
 Commons Commissioner