



COMMONS REGISTRATION ACT 1965

Reference No. 274/D/210 and 211

In the Matter of Tywyn Aberffraw Aberffraw
Ynys Mon.

DECISION

This dispute relates to the registration at Entries Nos. 39 and 40 in the Rights Section of Register Unit No. CL.8 in the Register of Common Land maintained by the former Anglesey County Council and is occasioned by Objection Nos. O/46 and O/51 both made by David Milligan and both noted in the Register on 29 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Bangor on 24 May 1979. The hearing was attended by Mr Milligan who informed me that Entry No. 40 had been withdrawn. Mr Foulks the applicant under Entry No. 39 did not appear. His claim was confirmed to the taking of sand. Mr Milligan stated that tenants of the Meyrick Estate were permitted to take sand and that sand taken by others was paid for and that there was no right to take sand. He further stated to Mr Foulks farm was distant from the common and that he was not a member of the Manor Court. In the light of this information and in the absence of Mr Foulks to support his application, I refuse to confirm Entry No. 39.

The Entries in the Rights Section only claim Rights over part of the land comprised in this unit, the part for which Rights are not claimed being North of Afon Ffraw. There is a note in the Land Section that the Entry is in conflict with the Entry in the Land Section of CL.57.

The dispute arising out of this conflict was not before me at the hearing. If the conflict relates to the land over which rights are not claimed this decision will not preclude the hearing at some future date of the dispute arising from the said conflict.

Mr Milligan contends that the land over which Rights are not claimed is not common land, he was informed by letter dated 19 April 1971 that his application A/319 CL.57 operated as an objection to the Entry in the Land Section of CL.8.

I can do no more than draw the attention of the Registration Authority to the circumstance that there appears to be an unresolved dispute as to the Entry in the Land Section of this unit and probably also unit No. CL.57.

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

16th

day of

July

1979

Commons Commissioner