



In the Matter of Waen Oer, Llangelynnin

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.20 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 Mr and Mrs Evan Pugh claimed to be the freehold owners of part of the land in question ("the Unit Land") 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 B J Williams of the firm of Williams and Hancock, Solicitors appeared on behalf of Mr and Mrs Pugh.

By a conveyance dated 5 May 1953 between (1) National Provincial Bank Ltd (2) Griffith T Owen the Bank conveyed to Mr Owen property which included all rights of the Bank (if any) to a sheepwalk containing 21.450 acres known as Waen Oer and shown in the plan annexed to the conveyance. This sheepwalk is a part of the unit land triangular in shape at the southern end of the unit land. By a conveyance dated 31 May 1979 between (1) Griffith T. Owen (2) Mr and Mrs Pugh there was conveyed to Mr and Mrs Pugh all such right and interest of the Vendor (if any) to the sheepwalk.

Evidence was given by Mrs Pugh that the sheepwalk was in the occupation of her father from 1949 to 1979 and rent was paid to Mr Griffith T Owen.

On this evidence I am satisfied that Mr and Mrs Pugh are the owners of the part of the unit land comprised in the conveyance and I shall accordingly direct the Gwynedd County Council, as registration authority, to register them as the owners of that part under section 8 (2) of the Act of 1965. I am not satisfied that any person owns the remainder of the unit land which 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

h. j. Morris Smith
Commons Commissioner