



In the Matter of (1) Land south of Esgair Lewyd, (2) Land north-west of Waunddubarthog, (3) Land north of Blaentrinant (4) Pegwnbach Llandinam (5) A tract of land forming part of Waunlluwestowain, Llandinam and Mochdre (6) A tract of land called Bryndadlau, Mochdre

DECISION

This reference relates to the question of the ownership of the land above mentioned being part of the land comprised in the Land Section of Register Unit No. CL.114 in the Register of Common Land maintained by the Powys 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 several persons claimed to be the freehold owners of parts of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Llandrindod Wells on 2 May 1984.

Mr G. Morgan of Milwyn Jenkins & Jenkins, Solicitors of Llanidloes appeared Mrs H M Jones, Mr W T Jones and Mr D Jones Mr B W Thistlethwaite of Emmys Jones & Co., Solicitors of Welshpool appeared for Mr J E Jones Mr D J Powell & Mrs M E Powell Messrs. Flanagan & Jones, Solicitors of Llanidloes appeared for Messrs. J C & V G S Jones.

Mr Stephen Tudor of the National Farmers Union appeared for Messrs. Kinsey Bros, Mr Pugh and Mr R Morgan. Other applicants appeared in person.

The register unit is just over 4,000 acres in extent and this hearing was concerned with the balance of land remaining unclaimed after a previous hearing at Welshpool on 3 June 1980.

I have numbered the areas on the map supplied to me (which will be forwarded to the Registration Authority with a copy of the decision) with the numbers 1-6 in accordance with the heading to the decision. Where appropriate I have written in the names of the persons who in my judgment on the basis of the documents shown to me establish a claim to ownership of the areas edged red in which their names appear.

These are as follows:

- (1) Richard David Davis of Glyn Teinion Llandinau Powys and Mrs Annie *Myfanwy* May Harding (see Jones) of Pant-y-gesail Clatter Caerswys Powys.



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(2) Mr David Joseph Powell and Mrs Margaret Ellen Powell of Golenfryn Llanfair Road, ~~near Powys~~. *New Town*

Part A

(3) Mr *Stephen* Pugh of The Graich Llidiantywaen

Part B

Mr & Mrs D J Powell

*'Part C'*

(4) / Mr Clifford Jason Jones, Joseph Graham Jones and Margaret Ivy Jones all of Brondrefawr, Pantydwr, Rhagadar Powys.

Part edged red and marked 'D' Mr Richard Frederick Morgan, Llwydaith Hall, Llanidloes

(5) Land forming part of Waunllestgwyn

P. Mrs Beryl Eirwen Myatt *(née Jones)* of Gallidywyll Llandinam

Q. David Arthur Jones of Rhydfaes Llandinam and William Thomas Jones of Croesllwyn Trefeglwys

R. Mrs Harriet May Jones of Croesllwyn Llanidloes, ~~Part of Jones and Co.~~

S. John Edward Jones of Tanyrhallt *Challen Carno*

T. Thomas Evan Kinsey & Roger James Kinsey Red House Dolwen Llanidloes ~~Conveyance 11.11.64 from Roger Kinsey~~

(6). Land called Bryndadlau Mochdre

X. John Kenneth George Morgan and Kathleen Mary Morgan Llwynmâdoc Mochre

Y. Gilbert Ernest Roger Morgan of Cwmgraig Mochdre Newtown

On this evidence I am satisfied that these persons are respectively the owners of the land as mentioned above, I shall accordingly direct the Powys County Council, as registration authority, to register them respectively as the owners of such land under section 8 (2) of the Act of 1965.



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I am not satisfied that any person is the owner of the remainder of the land and it 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 this 29<sup>th</sup> day of July 1985

*George Herketh*

Commons Commissioner.