

COMMONS REGISTRATION ACT 1965

Reference No. 276/U/149

Register Unit No. MCL088

In the matter of part of a tract of land known as Boncyn Cammen

(“Boncyn Cammen”), Llanfyllin, Powys

And in the matter of ownership of unclaimed land

DECISION

1. This reference relates to the question of the ownership of part of a tract of land known as Boncyn Cammen. Boncyn Cammen comprises 173.847 ha. of common land registered in the Land Section of Register Unit No. MCL088 maintained by the Registration Authority, Powys County Council. This registration became final on 18th June 1973.
2. Three Entries in the Ownership Section refer to the ownership of parts of Boncyn Cammen identified on the Register Map with the letters B, C and D. Area A was removed at an earlier stage. However, there is an area of land of Boncyn Cammen which comprises a rectangular parcel of land (“the Parcel”) lying between areas A and C as to which no owner has been registered. This is referred to in Entry No. 5 in the Ownership Section as “the remainder of the land”.
3. Since 21st August 1985 the Parcel has been under the care of Powys County Council pursuant to the provisions of section 9 of the Commons Registration Act 1965.

4. On 12th July 2002 the Notice of Reference (Unclaimed Land) was issued. The Parcel is identified as the area edged red on the attached plan.
5. On 18th November 2002 I held a hearing in Llanfyllin for the purpose of inquiring into the question. At the hearing a number of people attended including Mrs Margaret Evans who claimed to be the freehold owner of the Parcel. Mrs Evans produced a number of documents of title and an epitome of title to Blaen-y-Cwm Farm.
6. On examination of these documents it is clear that the Parcel forms part of the land comprising Blaen-y-Cwm Farm. I am also satisfied that Mrs Evans is the successor in title to Blaen-y-Cwm Farm. No other claim was made or evidence produced at the Inquiry to cast doubt on this. Indeed, once the Parcel had been identified at the hearing to all those present, there was general agreement that Mrs Evans was the owner of the Parcel. The Registration Officer did not dissent from this course of action.
7. I shall accordingly direct that Mrs Evans be registered as the owner of the Parcel in the Ownership Section of Register Unit No. MCL088 in accordance with my powers to do so pursuant to section 8(2) of the Commons Registration Act 1965.
8. 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 the notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 13th day of March 2003

Edward F Cousins
Chief Commons Commissioner