



COMMONS REGISTRATION ACT 1965

Reference No.276/D/119 and 120

In the Matter of Bryngwyn and Newchurch HillsBryngwyn and Newchurch Radnor D.DECISION

These disputes relate to the registrations at Entry Nos. 19 and 21 in the Rights Section of Register Unit No.CL.26 in the Register of Common Land maintained by the former Radnorshire County Council and is occasioned by Objection Nos. 271 and 1009 both made by T H R Probert and respectively noted in the Register on 30 September 1970 and 26 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Llandrindod Wells on 7 June 1978. The hearing was attended by Mr T H R Probert the objector and Mr H J Cave on behalf of Powys County Council the Registration Authority. The two applicants for rights did not appear.

Mr Roberts objection was that the rights claimed were excessive and he produced a copy of a presentment of the Court Leet of Lower Elvel which evidenced that the custom of that manor was for the commoner to graze 3 sheep for each acre of by land, 1 horse for 5 acres of by land and 1 beast for 10 acres of by land.

Entry No. 19 is for 58.9 acres of by land and applying the above mentioned scale I confirm that Entry modified by substituting in column 4 177 sheep and 12 horses and 6 beasts for 240 sheep 12 cows and 3 horses.

Entry No. 21 is for 82 acres of by land and applying the above mentioned scale I confirm that Entry modified by adding at the end of column 4 the words "provided that the total number of sheep grazed at any one time over this unit and unit No.CL.11 or either of them shall not exceed 246 sheep.

This modification is consistent with the applicants Entry in the Rights Section of Unit No.CL.11 he having claimed to graze one flock of sheep over both units.

~~For these reasons I refuse to confirm the registration.~~

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 21st day of July

1978

Y A L H C

Commons Commissioners.