



COMMONS REGISTRATION ACT 1965

Reference Nos 276/D/249 & 250

In the Matter of Commin-y-Rhos,
Ystradfellte, Brecknock BC

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section and Entries 1-11 inclusive in the Rights Section of Register Unit No CL. 113 in the Register of Common Land maintained by the former Breconshire County Council and is occasioned by Objection No 771 made by R G Davies and noted in the Register on 6 January 1977.

I held a hearing for the purpose of inquiring into the dispute at Brecon on 14 July 1977. The hearing was attended by Mr D J Powell of Messrs Jeffreys & Powell on behalf of Mr Davies who produced a conveyance dated 29 July 1954 made between Emily Jones of the one part and Mr Davies of the other part whereby the property known as Clynmarchir Issa (otherwise Glynmerchor Isaf) was conveyed to Mr Davies and Mr Powell identified the part of the Unit Land the subject of Mr Davies' Objection as being comprised in that conveyance by reference to the plan annexed thereto. Mr Davies gave evidence that the land was formerly enclosed but the fence adjoining a path on its east boundary was removed when the path was widened and made into a road. Mr Davies further stated that the land the subject of his Objection had always been occupied and farmed as part of his farm and no other person had grazed this land during his occupation. Mr Davies' evidence was confirmed by Mr Herbert Harris a member of the Community Council.

For these reasons I confirm the Entry in the Land Section being modified so as to exclude the land identified on the plan annexed to Objection No 771.

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 28th day of July 1977

G. A. Little

Commons Commissioner