



In the Matter of Common Land in the parishes  
of Llanbrynmair Cemmaes and Garthbeibo Montgomery D

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DECISION

This dispute relates to the registrations at Entry No. 1 in the Land Section and at Entries Nos 1 2 3 4 5 6 7 8 and 9 in the Rights Section of Register Unit No. CL 73 in the Register of Common Land maintained by the former Montgomeryshire County Council and is occasioned by Objection No. 233 and 232 both made by The Trustees of the Llanbrynmair Estate and both noted in the Register on 16 August 1972, and the conflicting registration at Entries Nos. 1 and 2 in the Ownership section of the said Register Unit.

I held a hearing for the purpose of inquiring into the dispute at Welshpool on 14 June 1979. The hearing was attended by Mr J I Williams of Messrs Longueville and Co on behalf of the Trustees of the Llanbrynmair Estate, Mr J Evans of Messrs J Clarke Hughes on behalf of Mr J R Roberts, Mr Henry Evans in person and Mr H J Cave on behalf of the Powys County Council.

The Ramblers Association which registered the land as common land withdrew its application as also did the applicants for rights under Entries Nos. 2 3 4 6 7 and 8.

Mr Williams agreed that I should confirm Entry No. 1 modified so that the rights claimed should be exercisable only over the land identified with the letter A on the Register Map and that I should confirm Entry No. 9 modified so that the rights claimed should be exercisable only over the land identified with the letters A E H and K on the Register Map and I confirm Entries 7 and 9 modified as aforesaid. It follows that the land A E H and K is common land and I confirm the Entry in the Land Section modified so as to exclude all the land other than that identified by the letters A E H and K.

It was agreed that I should confirm Entry No. 1 in the Ownership Section as applicable to the modified Entry in the Land Section and that I should refuse to confirm Entry No. 2 in the Ownership Section and I do so accordingly.

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

31<sup>st</sup>

day of

July

1979

*J A L H*

Commons Commissioner