



In the Matter of Craig Boeth, Llangynog,  
Montgomery D

---

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 67 in the Register of Common Land maintained by the former Montgomeryshire 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 (1) the Powis Castle Estate Trustees and (2) Messrs R, J F and S Prust claimed to be the freehold owners of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Welshpool on 23 February 1982.

At the hearing the Trustees were represented by their Agent, Mr P L Marriott, and the Messrs Prust appeared in person.

The Messrs Prust based their claim to ownership on the fact that they for ten years had grazed sheep on the land, as had Ms Annie Jones their predecessor in title to a property called Minffordd. Ms Jones registered this grazing right, which is now final, and in these circumstances the exercise of the right cannot, in my view, of itself be regarded as evidence of ownership of the land.

The evidence adduced by Mr Marriott was that already considered by me in my Decision on CL 15 (Ref: 276/U/89), and for the reasons given in that Decision, I am satisfied that the Trustees (Messrs H D G Salt, G C A Macartney and V M E Holt) are the owners of the land, and I shall accordingly direct the Powys County Council, as registration authority, to register them as the owners of the land under section 8(2) 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

29 March

1982

*L. J. Morris Smith*

Commons Commissioner