



COMMONS REGISTRATION ACT 1965

Reference No. 276/D/55-56

In the Matter of Cwmgwyn and  
Medwalleth Common, Beguildy

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DECISION

These disputes relate to the registration at Entry No. 23 in the Rights Section of Register Unit No. CL. 20 in the Register of Common Land maintained by the Powys County Council and are occasioned by Objection No. 948 made by the Crown Estates Commissioners and noted in the Register on 22 March 1972 and by Objection No. 1016 made by A Pugh & Sons and noted in the Register on 28 July 1972.

I held a hearing for the purpose of inquiring into the dispute at Llandrindod Wells on 7 January 1976.

Mr Hywel Moseley of Counsel appeared for the Crown Estates Commissioners, who objected to the registration only so far as it related to the right of piscary. Mr Moseley produced a letter dated 28 October 1975 from which it appeared that Mrs V Wright (now Mrs Bewick), who had purchased a part of the alleged dominant holding from the Applicant, Mr T A Pryce, did not wish to pursue the claim to a right of piscary. Letters were written to Mr Pryce as to the retained part of the holding, but no reply to these letters was received. Mr Pryce did not attend the hearing. In these circumstances, I refuse to confirm the registration as to the right of piscary.

The objection by A Pugh & Sons was directed against the number of animals for which the grazing right was claimed. Mr Arthur Cyril Pugh gave evidence to the effect that 3 sheep per acre represented the full grazing capacity of the Hill. He said that Mrs Wright had owned the land for only a few years and had little or no stock. Mr Pryce's use of the Hill had been somewhat irregular, being 75 sheep in some years and fewer or none in other years. He considered that the registration should be limited to 48 sheep units.

For these reasons I confirm the registration with the following modifications:-  
(1) delete the reference to fish, and (2) delete "75 sheep units" and substitute "48 sheep units".

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 20<sup>th</sup> day of

May

1976

A. E. Francis

Commons Commissioner