



COMMONS REGISTRATION ACT 1965

Reference No. 276/D/252-4

In the Matter of Fedw Wood Cwmdu  
Brecknock B C

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section and No 2 in the Rights Section of Register Unit No.CL.79 in the Register of Common Land maintained by the former Breconshire County Council and is occasioned by Objection No. 235 made by the Rev. M E Griffiths and noted in the Register on 8 December 1970, and objection No. 570 made by Cwmdu Parish Council and entered on the Register on 18 November 1971.

I held a hearing for the purpose of inquiring into the dispute at Brecon on 12 July 1977 and 12 June 1979. The adjourned hearing was attended by Mr E J C Selwyn of Messrs. Jeffries and Powell on behalf of Mr A V Wall the applicant for rights, by Mr D M Thomas Chairman of the Cwmdu Community Council and the Rev. M E Griffiths in person.

Enquiries made consequent on the hearing in 1977 have disclosed that the land is held in the Charitable Trusts of a charity registered with the Charity Commission. The land is not subject to common rights, the use of the land by inhabitants of Cwmdu is as beneficiaries under the trust.

The land is not subject to common rights nor is it waste of a manor and it is therefore not common land as defined by the Act of 1965. All parties were in agreement that I should refuse to confirm the registrations.

For these reasons I refuse to confirm the registrations.

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

Commons Commissioner