

JW



COMMONS REGISTRATION ACT 1965

Reference No. 276/D/569-576

In the Matter of Land known as Cefnmoel Llanfihangel,
Cwmdu

DECISION

This dispute relates to the registration at Entry Nos. 1,2,3,4,27,28,29 & 30 in the Rights Section of Register Unit No.CL.23 in the Register of Common Land formerly maintained by the Breconshire County Council and is occasioned by Objection Nos. 29,34,40,45 & 349-352 made by the Chairman of the Duke of Beaufort's Estate Commoners Association and noted in the Register.

I held a hearing for the purpose of inquiring into the dispute at Brecon on 27 October 1982. The hearing was attended by Mrs B Morgan for the Registration Authority, Mr D W Isaac and Mr J Williams, Chairman and a member respectively, for Cwmdu Community Council and Mr G W Shellard of Messrs. Henry Jones & Hobbs, Solicitors of Swansea for the Commoners Association. Mr W I Parry a Rights applicant whose application had become final appeared in person.

No one appeared for any of the applications in the Rights Section to which Objection had been made.

Mr Shellard on behalf of the Objector withdrew the objection in the following cases.

Entry No. 1 subject to O.S. No. 585 being deleted from the particulars in column 5.

Entry No. 2 subject to the claims in respect of turbary and riparian rights of water being deleted and to the grazing rights being limited to 5 sheep 1 cattle or 1 horse.

Entry No. 3 subject to the claim to riparian rights being excluded and to the grazing rights being limited to 8 sheep, or 1 cattle or 1 horse.

Entry No. 4 subject to the claim to riparian rights being excluded and to the grazing rights being limited to 68 sheep or 13 horses.

For these reasons I confirm the registrations at Entry Nos 1-4 subject to the modifications already mentioned and I refuse to confirm the registrations at Entry Nos 27,28,29 and 30.

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

17th

day of November 1982

Henry Herbert

Commons Commissioner