



COMMONS REGISTRATION ACT 1965

Reference No 276/D/148

In the Matter of Land known as Fownog,
Llansantffraid (Pool), Montgomery D

DECISION

This dispute relates to the registration at Entry No 1 in the Rights Section of Register Unit No CL. 31 (M) in the Register of Common Land maintained by the former Montgomeryshire County Council and is occasioned by Objection No 118 made by G B Thomas and noted in the Register on 30 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Welshpool on 8 December 1976. The hearing was attended by Mr Thomas the objector. Mrs Creighton who registered the application for Rights did not appear and her husband wrote to the Commons Commissioners that her object in procuring the Rights Registration was to preserve the land as an open space.

In the absence of any evidence as to the existence of the said rights the existence of which is disputed by Mr Thomas I have no alternative but to refuse to confirm the Entry at No 1 in the Rights Section.

Had Mrs Creighton appeared I would have wished to know the grounds of her belief that she was entitled to the rights which she claimed as sworn to by her in the statutory declaration which she swore in support of her application.

For these reasons I refuse to confirm the registration.

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 22nd day of February 1977

G. A. Little

Commons Commissioner