



In the Matter of Llanafan Hill, Llanafan Fawr, Powys

DECISION

This dispute relates to the registration at Entry Nos 2,10,11,17,19,31,34-37 and 38 (and 42 & 43) in the Rights Section of Register Unit No.CL.65 in the Register of Common Land maintained by the Powys County Council and is occasioned by various objections made by the Agent for the Glanusk Estate and noted in the Register.

I held a hearing for the purpose of inquiring into the dispute at Brecon on 27 July 1983. The hearing was attended by Mr J Bengough of Messrs. Knight, Frank and Rutley Chartered Surveyors and Land Agents of Hereford who appeared on behalf of the Glanusk Estate.

Mr Bengough stated that his clients withdrew unconditionally the objections lodged to the Rights applications at the following Entry Nos. 19,31, and 38 (and 42 & 43).

Mr Bengough also said that objections to the following applications in the Rights Section was also withdrawn subject to the conditions mentioned.

- No. 2. Subject to the right to cut and harvest bracken being limited to amount reasonably required for use on the dominant Tenement.
- No.10 " "
- No.11 " "
- No.17 Subject to the substitution in Column 5 of the Register of the name 'Llwynowen' for 'Llwynmadoc'
- No. 34 Delete in Column 4 the words "Right to Quarry.....Piscary" and the words 'peat and rushes' and limit the right to cut fern as for No. 2.
- No.35 Delete in Column 4 the words 'Peat and Rushes' and limit the right to cut fern as in No. 34.
- No.36 Right to take peat and turf is limited to the domestic needs of the dominant tenement ~~subject to~~
- No. 37 " and reduce number of sheep from 450 to 270

For these reasons I confirm the registrations at Entry Nos. 19,31, and 38 (42 & 43) with out modifications and the registrations at Entry Nos 2,10,11,17 & 34-37 subject to the modifications already mentioned.

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 21st day of September 1983
 George Harshbarger
 Commons Commissioner.

Amended in accordance with Regulation 33 pursuant to Regulation 33 (a) Harshbarger Commons Commissioner 15.11.83