

COMMONS REGISTRATION ACT 1965

Reference No. 58/D/16

In the Matter of Part of Radnor Forest
 (Imperial Metal Industries Firing Range)
 Llanfihangel Nantmellan and New Radnor
Powys

DECISION

This dispute relates to the registration at Entry No. 9 in the Rights Section of Register Unit No. CL.61 in the Register of Common Land maintained by the Powys County Council and is occasioned by Objection No. 966 made by Economic Forestry Ltd and noted in the Register on 1st January 1970.

I held a hearing for the purpose of inquiring into the dispute at Llandrindod Wells on 6th January 1975. The hearing was attended by Mr. G W Roddick of Counsel, instructed by Messrs. Dilwyn Jones & Sons, on behalf of the Applicants Messrs. A.C. and J.H. Mason of Fron Farm, New Radnor; and by Mr. Roy Woolley of Counsel, instructed by Messrs Iliffes, on behalf of the Objector Economic Forestry Ltd.

Mr. Roddick withdrew the application for registration.

Mr. Woolley asked for costs on Scale 2 on the ground that the application was frivolous and that his Clients were not informed until Friday 3rd January 1975 that the application was to be withdrawn. It appears from the file that the Applicants were informed of the date of the hearing by a letter dated 22 November 1974. I have no reason to believe that there was any evidence to support this registration.

For these reasons I refuse to confirm the registration and direct that the applicants shall pay the objector's costs on the County Court Scale 2.

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.

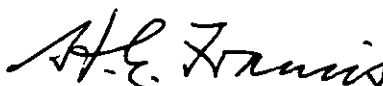
Dated this

19th

day of

March

1975



Commons Commissioner