

COMMONS REGISTRATION ACT 1965



Reference No. 276/U/95

In the Matter of Piece of land on the  
Bank of the River Banwy, Llanfair  
Caereinion, Montgomery D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.49 in the Register of Common Land maintained by the former Montgomeryshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference the Powis Castle Estate Trustees claimed to be the freehold owners of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Welshpool on 23 February 1982. At the hearing, the Trustees were represented by their Agent, Mr P L Marriott, Chartered Surveyor; there also appeared Mr D J Jones member of Llanfair Caereinion Community Council, on whose application the registration as common land was made but which made no claim to ownership.

The piece of land is some 0.130 acre in area, and the relevant facts are the same as in the case of CL.42 (ref: 276/U/94); for the reasons referred to in my decision in that case, I am satisfied that the Trustees (Messrs. D H G Salt, G C A Macartney and V M E Holt) are the owners of the land, and I shall accordingly direct the Powys County Council as registration authority, to register them as the owners of the land under section 8 (2) of the Act of 1965.

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 29 March 1982

*L. J. Morris Smith*  
Commons Commissioner