



In the Matter of Pt. Pen Cerrig Calch (part  
of Black Mountains) Crick Howell, Brecknock B

DECISION

These disputes relate to the registrations at certain Entries in the Rights Section of Register Unit No. CL 25 in the Register of Common Land maintained by the Powys County Council and are occasioned by eight Objections all made by the Chairman of the Duke of Beaufort's Breconshire Estate Commoners Association.

I held a hearing for the purpose of inquiring into the disputes at Brecon on 16 June 1982. The hearing was attended by Mr G W Shellard, a Trustee of the Commoners' Association and also the Agent of the Beaufort Estate, and by Mr R Howells (Rights Entry No. 6).

Particulars of the Entries objected to and of the Objections are as follows:-

Entry No.	Objection No.	date of noting in the Register.
1	28	19/10/1970
2	23	19/10/1970
6	35	28/10/1970
7	36	28/10/1970
23 (now Nos. 57,58,59)	278	7/9/1971
29	292	26/8/1971
33	304	31/8/1971
49	404	10/9/1971
54	304	31/8/1971

Entry No. 6. It was agreed that this registration be confirmed without modification and I confirm it accordingly.

Entry No. 29. This registration is now in an amended form which meets the Objection and I confirm it as so amended.

As regards the remaining Entries there was no appearance by or on behalf of the applicants for registrations. The Objections to grazing rights are to the numbers of animals claimed, and specify reduced numbers which accord with the formula approved by the Commoners Association for general application. In the case of Entries Nos. 33 and 54 the respective Solicitors for the applicants had written accepting the proposed reductions. In the absence of any opposition by the applicants concerned I think it appropriate to give effect to the Objections and to confirm the Entries listed in the following Table with the respective modifications set out in the Table. Entry No. 23 will be cancelled (if still subsisting in the Register) and of its replacing Entries I confirm No. 58 without modification.

Table of Entries confirmed with modifications

<u>Entry No.</u>	<u>Modification in Column 4</u>
1	For "250 sheep or 62 cattle or 62 horses" substitute "225 sheep or 41 cattle or 41 horses".
2	Delete paragraph (3)
7	Delete "250 sheep" and the words and numbers following down to and including "weaning" and substitute "180 sheep or 36 cattle or 36 horses or any combination of these numbers on a pro rata basis"
37	For the figures 506 and 101 (twice) substitute 378 and 76 (twice)
40	For the figures 715 and 36 (twice) substitute 630 and 136 (twice)
45	Delete "200 sheep" and the words and numbers following down to and including "weaning" and substitute "170 sheep or 34 cattle or 34 horses or any combination of these numbers on a pro rata basis"
59	For the figures 219 and 44 (twice) substitute 157 and 31 (twice)
67	For "62 sheep" substitute "59 sheep"
69	For the figures 387 and 78 (twice) substitute 360 and 72 (twice)

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

10 August

1982

Commons Commissioner