



In the Matter of the land known as  
The Manor, Penderyn

DECISION

This dispute relates to the registrations at Entry No 1 in the Land Section and at Entry Nos 1-43 in the Rights section of Register Unit No. CL.115 in the Register of Common Land maintained by the Powys County Council and is occasioned by Objection Nos 105, 108, 162-3 and 215 made by Mr and Mrs D E Davies, Mr M E H Whitting, the Forestry Commission and Cardiff Corporation respectively and noted in the Register..

I held a hearing for the purpose of inquiring into the dispute at Brecon on 16 November 1983. The hearing was attended by Mr E Harris of Edward Harris and Son, Solicitors of Swansea appearing for Penderyn Commoners Association which had registered the land. Mr Emlyn Thomas Solicitor appeared for Messrs. Davies Mr Andrew Green of Counsel instructed by R R Morgan Sons and Groves Solicitors of Cardiff appeared for Mr Whitting. Mr Perrett of the Treasury Solicitor's Department appeared for the Forestry Commission Mr E K Dixon appeared for the Welsh Water Authority Miss M R Fraser of Simmons & Simmons Solicitors of London EC2 appeared for Eagle Star Insurance Co. Ltd.

The hearing was continued on 1st, 2nd & 3rd February and 28 March 1984. Evidence was called but as the parties ultimately reached a compromise on the matters in dispute between them I do not propose to include a summary of that evidence in this decision.

The terms agreed between the parties are as follows. The areas of land which are the subjects of Objections 105, 108, 162, 163 and 215 shall be excluded from registration. Objections Nos. 162 and 215 apply to the same pieces of land.

The Common (less the areas mentioned in the said objections) is then to be subdivided into Manor Mawr (115a) and Manor Bach (1156). The latter comprises all the land formerly part of CL.115 which lies to the south of the two areas of land the subject of Objections 108 and 163. The former comprises what remains of CL.115 after excluding Manor Bach and the land the subject of objection No. 105. Mr Whitting will give up any claim to grazing rights on Manor Mawr by virtue of his registration at Entry No 40. The Forestry Commission's claim at Entry No. 41 would be amended by reducing the number of sheep from 2,400 to 300 and deleting the word 'Penmoelallt' in column 5.

For these reasons I confirm the registration at Entry No 1 in the Land section subject to the exclusion of the areas of land which are the respective subjects of objections Nos 105, 108, 162, 163 and 215 and I direct the remainder of the land registered at Entry No 1 be subdivided and described in the register as Manor Mawr and Manor Bach in accordance with the definition set out in this decision.



I confirm the registrations at the following Entry Nos in the Rights section.

(a) Entry Nos <sup>1-5,7-11,</sup> ~~3-11~~, 13-16, 18-28, 34-36 <sup>2039</sup> ~~28~~ (now 44 & 45) and 41 <sup>and 43</sup> limited in every case to the Manor Mawr and further limited in the case of Entry No.41 to ~~200~~ <sup>300</sup> sheep and appertenant only to Sych and Tynycwm Farms.

(b) Entry Nos 29,30,32,33 and 40 limited in every case to Manor Bach.

I refuse to confirm the registrations at Entry Nos 6,12,17, <sup>37</sup> and 42.

The result of the settlement is to remove from the ownership register the registrations at Entry Nos 2,4 and 5 and I confirm the registrations at Entry Nos 1 and 3.

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 <sup>9<sup>th</sup></sup> day of <sup>January</sup> 1985

*(George Haskett)*

Commons Commissioner

*Amended pursuant to regulation 33.*

*George Haskett  
4. ii. 85.*

*Further amended as above  
George Haskett  
6.4.85.*

*Further amended as above  
George Haskett  
26. iii. 85*

*Further amended as above  
George Haskett  
12. xii. 85*