



COMMONS REGISTRATION ACT 1965

Reference No. 58/U/4

In the Matter of The Warden, Presteigne

DECISION

This reference relates to the question of the ownership of land known as The Warden, Presteigne, being the land comprised in the Land Section of Register Unit No. VG.9 in the Register of Town or Village Greens maintained by the Radnorshire 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 Presteigne Urban District Council claimed to be the freehold owner 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 Llandrindod Wells on 5th June 1973.

Mr. G. Richards, Clerk of Presteigne Urban District Council, attended the hearing, and gave evidence confirming the statement contained in his letter dated 18th December, 1972, to the Clerk of the Commons Commissioners. This land is a public open space, reputed to have been presented to the Town of Presteigne by the 5th Earl of Oxford, who died in 1825. It has been managed by the Urban District Council since the 1890's, and is regulated by bye-laws made by the local Board in 1892. It has been fenced in by the Council, and has been under its control since the Council was set up in 1894. No document of title appeared to be available.

For these reasons I am satisfied that Presteigne Urban District Council is the owner of the land, and I shall accordingly direct the Radnorshire County Council, as registration authority, to register Presteigne Urban District Council as the owner 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 this 23rd day of July 1973

A. E. Francis

Commons Commissioner