



COMMONS REGISTRATION ACT 1965

Reference Nos: 276/D/280-287 inclusive

In the Matter of Tract of land  
16.122 acres, Llansaintffraid-  
in-Elvel, Radnor D

---

### DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and Nos 1 and 3 to 6 inclusive in the Rights Section and Entry No 2 in the Ownership Section of Register Unit No CL. 54 in the Register of Common Land maintained by the former Radnorshire County Council and are occasioned by:-  
Objection No 18 made by the Trustees of the Glanusk Settlement and noted in the Register on 5 September 1969  
Objection Nos 12 and 13 both made by W G Edward and both noted in the Register on 8 July 1969  
Objection Nos 972, 973 and 974 all made by E M Edward and all noted in the Register on 25 July 1972.

I held a hearing for the purpose of inquiring into these disputes at Llandrindod Wells on 8 June 1978. The hearing was attended by Mr W G Morris of Messrs Dilwyn Jones & Sons for the applicant for Rights under Entry No 1 for Mrs Edwards in her capacity as an Objector. Mr R J Gibbs the applicant for rights under Entry No 3 <sup>and</sup> the claimant for ownership under Entry No 2 in the Ownership Section appeared in person.

As regards the Entry in the Land Section it was common ground that the land coloured yellow in the plan annexed to this decision had been wrongly registered as part of Matts Common and I therefore confirm the Entry in the Land Section modified by the exclusion of the said land coloured yellow.

By a letter dated 6 June 1978 Messrs H Vaughan Vaughan & Co withdrew the claims for rights by the applicants under Entries Nos 5 and 6 in the Rights Section and I therefore refuse to confirm these Entries. The applicant for Rights under Entry No 4 did not appear and I refuse to confirm that Entry.

The Objection to the Entry at No 2 in the Ownership Section was withdrawn and I therefore confirm that Entry.

There remain for consideration Entry Nos 1 and 3 in the Rights Section.

As regards Entry No 1 Mrs Edward claimed to graze 168 sheep or their equivalent on 16.1 acres. This was about 10 sheep to the acre and probably excessive. As a result of the modification of the Entry in the Land Section the common is now only 8.75 acres and will clearly not support 168 sheep.

As regards Entry No 3, Mr Gibbs cannot as the owner of the Common be entitled to a right of common but he may be entitled to graze on his own land so long as such grazing does not prejudice the rights of the commoners. He wished to graze 1 pony.



This situation clearly called for a compromise and Mrs Edwards agreed that I should confirm her Entry at No 1 modified so that her grazing right should be limited to 30 sheep or their equivalent on the basis that 1 beast or 1 horse = 10 sheep, and she agreed that Mr Gibbs should as owner have the right to graze 10 sheep or 1 beast or 1 horse, and this decision accordingly evidences that such grazing by Mr Gibbs or his successors will not prejudice the grazing rights under Entry No 1.

In order to give effect to the above mentioned agreement I confirm the Entry at No 1 in the Rights Section modified as aforesaid and refuse to confirm Entry No 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 21<sup>st</sup> day of July 1978

*Y. A. Little*

Commons Commissioner

# ORDNANCE SURVEY

Provisional Edition

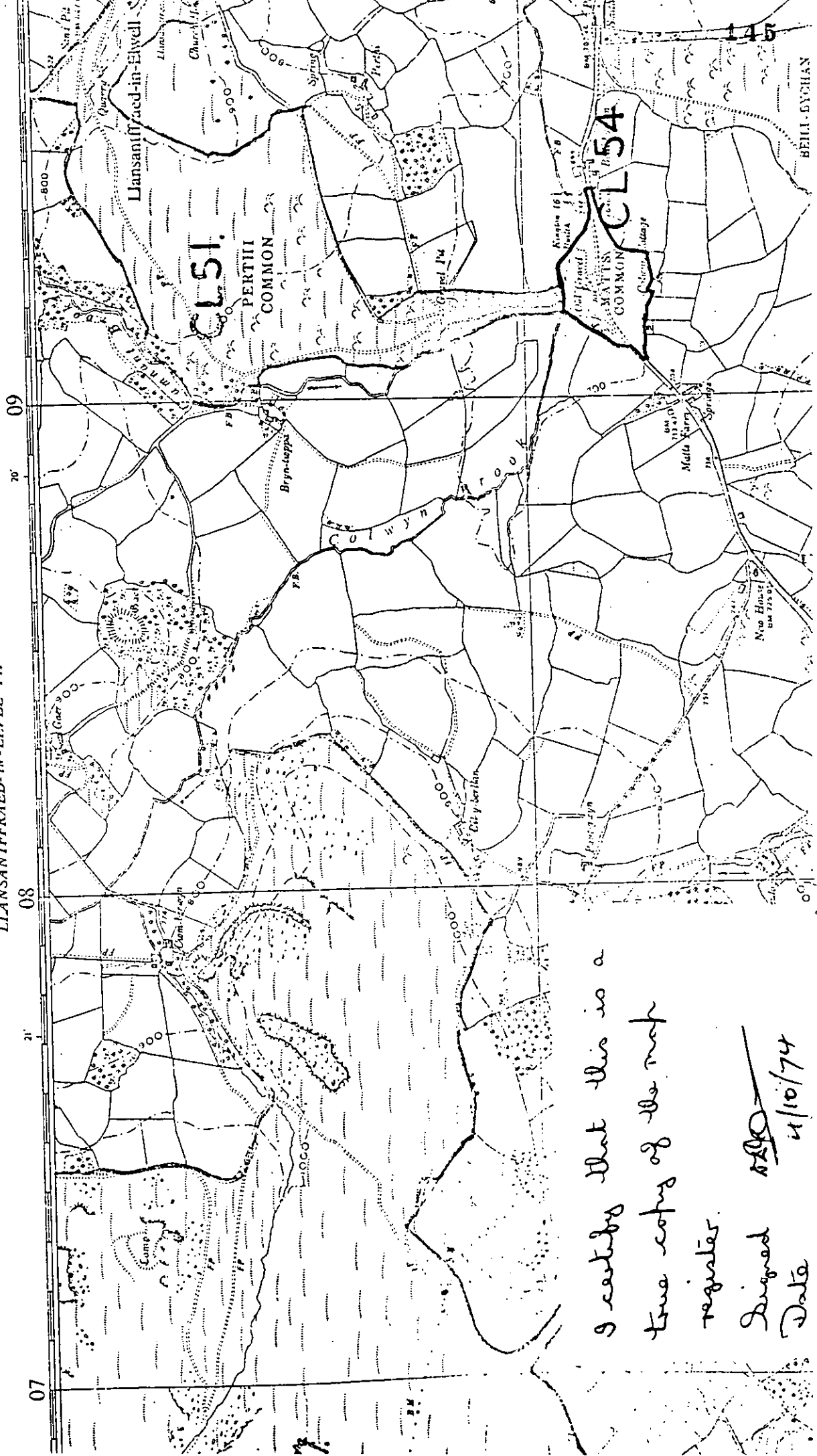
SHEET

Scale 1:10,560 or 6 Inches to 1 Mile

160

RADNORSHIRE  
COLIWYN RD

LLANSANTFFRAED-IN-ELVEL PH



I certify that this is a  
true copy of the map  
register.

Signed ASD  
Date 4/10/74

BELLI-GYCHAN