



COMMONS REGISTRATION ACT 1965

Reference No 276/U/47

In the Matter of Tract of land known as
Commins Rhos, Dolwen, Llandinam,
Montgomery D.

DECISION

This reference relates to the question of the ownership of land known as Tract of land known as Commins Rhos, Dolwen, Llandinam, Montgomery D. being the part of the land comprised in the Land Section of Register Unit No CL. 60(M) 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 Mr Evans, Mr Price, Mr Rees and Mrs Harries-Beadnell claimed to be the freehold owners of parts 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 9 December 1976.

Mr Hollis of Messrs Milwyn Jenkin and Jenkin appeared for Mr Evans, Mr Price and Mr Rees and Mr Evans the agent for the Beadnell Estate appeared for Mrs Harries-Beadnell. There was produced a copy of a Tithe Assessment of 1848 which disclosed that at that time Commins Rhos was in the ownership of three individuals, bracketed together, and in the occupation of four different people and that certain farms were charged for the Tithes assessed on the Common. There was also produced a map of 1825 which disclosed that Commins Rhos was subject to rights of mowing. Neither Mr Hollis nor Mr Evans produced any evidence as to the title to the land subsequent to 1848.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 14th day of January 1977

G A Little

Commons Commissioner