



COMMONS REGISTRATION ACT 1965

Reference No 51/D/80 TO 86

In the Matter of Land adjacent to
Tan-yr-Onnen (Plots 1 & 2),
Graigfechan, Llanfair D

DECISION

These disputes relate to the registration at Entry No 1 in the Land Section of Register Unit No CL. 111 in the Register of Common Land maintained by the former Denbighshire County Council and are occasioned by Objection No 128 made by Denbighshire County Council and noted in the Register on 19 July 1972 and the conflicting registrations at Entry Nos 1, 2 and 3 in the Ownership Section of this Register Unit.

I held a hearing for the purpose of inquiring into the dispute at Llangollen on 6 December 1977. The hearing was attended by Mr Fisher for the Clwyd County Council, Mr Gwilym Hughes for Mr Norman Hughes and Mr H R Coalsting in person.

This land is 0.54 of an acre in area and it is not surprising that there are no Entries in the Rights Section of the Register. Approximately half the land is claimed by the Clwyd County Council as the Highway Authority and there are three claims other than the claim of the County Council to ownership in the Ownership Section.

In my view the land is not common land and the parties attending agreed that I should refuse to confirm the Entry in the Land Section. Since I refuse to confirm the Entry in the Land Section I have no jurisdiction to give any decision as to the ownership of the land and the parties will have to resolve any differences they may have as to the ownership of the half acre of land either by agreement or in the Courts.

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 13th day of January 1978

L. A. Settle

Commons Commissioner