



COMMONS REGISTRATION ACT 1965

Reference Nos. 51/D/111 to 115
inclusive

In the Matter of Land at Migneint and
Gylchedd including two small parcels of
land in Llanfor and Llanycil, Meirionnydd District

DECISION

This dispute relates to the registrations at Entry Nos 3 and 19 in the Rights Section and Entry Nos 1 and 2 in the Ownership Section of Register Unit No.CL.10 in the Register of Common Land maintained by the former Denbighshire County Council and is occasioned by Objection No. 9 made by The National Trust and noted in the Register on 3 July 1970 and the conflicting registrations at Entry Nos. 3 and 19 in the Rights Section and 1 and 2 in the Ownership Section of Register Unit No.CL.10 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Dolgellau on 4th November 1975. The hearing was attended by Mr. R.Oliver Jones instructed by Messrs Charles Hughes and Co. on behalf of the National Trust and Mr.John Bellis on behalf of Mr. R.O.Roberts.

It was common ground that Mr.Roberts and his father and grandfather before him had grazed the land in question during their respective tenancies of Trawsnant Farm. The National Trust in 1951 acquired from Lord Penrhyn the land in question, Trawsnant Farm and other land in the immediate vicinity. There was a graziers committee and in 1956 a meeting was held to determine the boundaries of their respective "Cynhefins" and Mr. Roberts stated in evidence that he had agreed his boundaries with his neighbours on the spot.

Mr.Roberts gave evidence and produced his title deeds to Trawsnant which did not establish his alleged title to the land in question, they conveyed to him " the sheep walks (if any) which were part of Trawsnant". He did not deny that the shooting rights over the land in question had been let and said he took no interest in shooting. In answer to questions put by me he stated that he had never given any thought to the questions as to whether he was entitled to build on the land or whether he was entitled to exclude trespassers who were not molesting his sheep. It was clear from his answers that he had never considered occupying the land in question for any purpose other than grazing and that he had never considered far less claimed to be in occupation of the land as of right as distinct from in the exercise of this common right.



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At the conclusion of Mr. Roberts' evidence Mr. Bellis stated that he was content that I should confirm the Entry No. 3 and refuse to confirm the Entry No. 19 in the Rights Section and that I should confirm the Entry No. 1 and refuse to confirm the Entry No. 2 in the Ownership Section.

For these reasons I confirm the Entries at No. 3 in the Rights Section and No 1 in the Ownership Section and refuse to confirm the Entries at No 19 in the Rights Section and No. 2 in the Ownership Section.

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 November 1976

C A Sefton

Commons Commissioner