



COMMONS REGISTRATION ACT 1965

Reference No. 51/U/33

In the Matter of land at Penybryn Farm
Llanfair DC

DECISION

This reference relates to the question of the ownership of land known as land at Penybryn Farm, Llanfair DC being the land comprised in the Land Section of Register Unit No. CL.80 in the Register of Common Land maintained by the Clwyd 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 no person claimed to be the freehold owner of the land in question and no one 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 Ruthin on 3rd April 1974.

Mrs Barnaby, the applicant for registration, telephoned my Clerk on the morning of the hearing to say that she was unable to attend owing to fog, but that she had no information as to the ownership of the land in question. Mr A.G. Jones of School House, Pentre Celyn, Ruthin told me that he had been informed that the land had been left by Will for the benefit of the children of Llanfair DC, but he was unable to adduce any admissible evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be 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

13th

day of August - 1974

H. E. Francis

Commons Commissioner