



COMMONS REGISTRATION ACT 1965

Reference No 52/U/50

In the Matter of Old Quarry,  
Mynydd Llan, Ysceifiog, Delyn D

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DECISION

This reference relates to the question of the ownership of land known as Old Quarry, Mynydd Llan, Ysceifiog, Delyn D being the land comprised in the Land Section of Register Unit No CL. 75 in the Register of Common Land maintained by the former Flintshire 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 Clwyd County Council claimed to be the freehold owner 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 Llangollen on 6 December 1977.

Mr Fisher appeared for the Clwyd County Council and produced relevant extracts from the Enclosure Award dated 18 October 1885 for the Parishes of Ysceifiog and Nannerch and the map therein mentioned. The land in question No 171a on the said map was allotted for the use and enjoyment of proprietors of hereditaments within the parish for the extraction of building materials and for the repairs of the highways and private roads and paths within the parish subject to a proviso that the land should not be sold or conveyed out of the Parish "on any account whatever".

In the light of this unusual award, I am of opinion that the County Council cannot be the owner of the land in question and Mr Fisher did not press the County Council's claim.

In the absence of any other claim to ownership 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 13<sup>th</sup> day of January

1978

*L. A. Seale*