



COMMONS REGISTRATION ACT 1965

Reference Nos. 271/D/45
271/D/46

In the Matter of Part of Buckley Lower Common
Buckley, Alyn and Deeside D., Clwyd

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and Entry No. 1 in the Rights Section of Register Unit No. Cl. 23 in the Register of Common Land maintained by the former Flintshire County Council and are occasioned by Objection Nos. 8 and 9 made by James Lithgow (UK) Ltd. and both noted in the Register on 10th August 1970.

I held a hearing for the purpose of inquiring into these disputes at Mold on 13th March 1975. Mr. Owen, counsel, instructed by Messrs. Walker Smith and Way appeared for James Lithgow (UK) Limited and Mr. Shone and Mr. Roberts represented the Buckley Residents Association. This land was acquired by James Lithgow on 27th November 1967 and their title as proved in evidence commenced with a conveyance by Mr. Davies-Cooke made in July 1928. The land has been used as a pottery, a laundry and now has an office block built on it.

In these circumstances Mr. Jackson did not seek to support his registration of grazing rights and it is clear beyond doubt that the land in question was not waste of the manor on the relevant date.

For these reasons I refuse to confirm the registrations at Entry No. 1 in the Land Section and Entry No. 1 in the Rights Section.

I am required by regulation 50(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

19th

day of

17th March

1975

C. A. Settle

Commons Commissioner