



COMMONS REGISTRATION ACT 1965

Reference No.51/U/10

In the Matter of Recreation Allotment
Cefn Isaf ClocaenogDECISION

This reference relates to the question of the ownership of the land known as Recreation Allotment Cefn Isaf Clocaenog being the land comprised in the Land Section of Register Unit No.V.G.1 in the Register of Town or Village Greens maintained by the Denbighshire 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 John Henry Jones 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 Denbigh on 21 November 1972.

By a Conveyance dated 30 April 1930 Lord Bagot as tenant for life of the Pool Park Settled Estate conveyed the farm known as Bryn Coch in the Parish of Clocaenog to the claimant John Henry Jones and his brother David William Jones in fee simple, upon trust for sale and on trust to hold the net-proceeds of sale for themselves in equal shares as tenants in common. This Conveyance included such part of the land in question as is hatched black on the attached plan "subject ... to certain recreational rights of the Parish of Clocaenog as reserved ... under an Inclosure Award ... confirmed ... on 20 August 1861".

David William Jones died intestate and a widower in March 1971 and his statutory next of kin are his son Wynne Jones and Margaret Jones. Both John Henry Jones and his nephew Wynne Jones gave evidence to the effect that the beneficial half-share of David William Jones now belongs to John Henry Jones, who is undoubtedly the legal owner as the survivor of two joint tenants.

For these reasons I am satisfied that John Henry Jones of Bryn Coch Clocaenog nr. Ruthin is the owner of such part of the land in question as is hatched black on the plan annexed hereto; but I am not satisfied that any person is the owner of the remainder of the land in question. I shall accordingly direct the Denbighshire County Council, as registration authority, to register the said John Henry Jones as the owner of such part of the land as is hatched black on the said plan under section 8(2) of the Act of 1965 and to register the Clocaenog Parish Council as the owner of the remainder of the land under section 8(3) of the said Act.

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



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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

18th

day of

December

1972.

A. E. Francis

Commons Commissioner.

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