



COMMONS REGISTRATION ACT 1965

Reference No. 271/D/3

In the Matter of Tract of Land of about  
1,900 acres called Halkyn Common, Holywell.

DECISION

This dispute relates to the registration at Entry No.6 in the Rights section of Register Unit No.CL.11 in the Register of Common Land maintained by the Clwyd County Council and is occasioned by Objection No.22 made by Halkyn Mountain Graziers and Commoners Association Ltd. and noted in the Register on 5th October 1970.

I held a hearing for the purpose of inquiring into the dispute at Mold on 9th April 1975.

The hearing was attended by (i) Miss F. E. Woodruffe, solicitor, for the Executors of the Applicant for registration of the land, (ii) Mrs Pauline Jones on behalf of her husband Mr John Jones, the Rights applicant, and (iii) representatives of the Graziers Association (the Rights Objectors).

I refer to my decision under reference no. 271/D/1 for the broad factual background relating to Halkyn Common. This dispute relates only to the number and category of livestock in respect of which the Rights Applicant is entitled to grazing rights over the Common. The right provisionally registered (as modified) is the right to graze 24 sheep and followers, or 6 horses or 6 cattle and 6 geese and 100 fowl. The Objectors claimed that the right should be confined to 6 store cattle or 15 sheep and followers until weaned. At the hearing before me, Mrs Pauline Jones on behalf of her husband agreed to the limit proposed by the Objectors.

Accordingly, I confirm the registration with the modification that in column 4 of the Register the words and figures

"6 (six) store cattle or 15 (fifteen) sheep and followers  
 until weaned"

be substituted for

"24 sheep and followers, or 6 horses, or 6 cattle and 6  
 geese and 100 free range fowl."

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 *15<sup>th</sup>* day of *October* 1975

*A. E. Francis*

Commons Commissioner

ADDENDUM

It now appears (see the letter dated 9th February 1976 from the Secretary of the Graziers' Association) that the

Objectors have had no objection to the Applicant's claim to be entitled to graze 6 geese and 100 chickens on the Common. Accordingly, the words and figures "6 (six) geese and 100 (one hundred) chickens" should be added to the words and figures to be substituted in column 4 of the Register.

Dated this 2<sup>nd</sup> day of April 1976

*A. E. Francis*

Commons Commissioner