



COMMONS REGISTRATION ACT 1965

Reference No. 52/U/26

In the Matter of Waste Land at the rear of premises
in Well Street, Holywell

DECISION

This reference relates to the question of the ownership of land known as Waste land at the rear of premises in Well Street, Holywell, being the land comprised in the Land Section of Register Unit No. CL.33 in the Register of Common Land maintained by the 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 Flintshire 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 Mold on 10th April 1973.

Mr. H. W. Weston, a senior assistant Solicitor employed by Flintshire County Council, produced the original of a Conveyance dated 17th October 1876, made between S. T. Scrope and Sir Rees Mostyn (1), B.J.L. Frere and G.E. Frere (2), the then Earl of Denbigh (3) and the School Board for Holywell (4). By this Conveyance the land in question was (with other land) conveyed to the School Board in fee simple for the purposes of its functions under the Elementary Education Act 1870. Under and by virtue of the Education Acts 1902, 1921 and 1944 the land in question has become vested in Flintshire County Council as the local education authority.

For these reasons I am satisfied that Flintshire County Council is the owner of the land, and I shall accordingly direct the Flintshire County Council, as registration authority, to register itself as the owner of the land under section 8(2) 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

14th day of May 1973

A.E. Francis

Commons Commissioner.