



COMMONS REGISTRATION ACT 1965

Reference No. 272/D/1628-1672

In the Matter of the tract of land of about 95.843 acres known as Garreg Sawdde Common in the Parish of Llangadog and the tract of land of about 8.4 acres called Garreg Sawdde (part of) Llangadog in the Parish of Llangadog

DECISION

These references arise in the following way:- the tract of land called Garreg Sawdde Common comprising 95.843 acres was provisionally registered in the Land Section of Register Unit No. CL.39 in the Register of Common Land maintained by the Dyfed County Council. Part of the same land comprising 8.4 acres called Garreg Sawdde, Llangadog, was also provisionally registered as a village green in the Land Section of Register Unit No. VG.4 in the Register of Village Greens maintained by the same Council. Consequently all Rights registrations on the Register of Unit No. CL.39 were provisionally registered in the Rights Section of Register Unit No. VG.4 (see Note 1 on that Register dated 10 July 1968). The above Land Section registrations were treated as objections one to the other, and that dispute was determined by George Hesketh Esq, Commons Commissioner in a Decision given on 19 January 1981. He decided that the land comprised in Unit No. VG.4 should be removed from the register of Unit No. CL.39 and confirmed the registration of Unit No. VG.4. Unfortunately the questions arising out of the deemed Rights entries on VG.4 were not referred to him for decision at that time. They were referred to a Commons Commissioner on 28 October 1994.

I held a hearing to inquire into the references at Carmarthen on 8 March 1995. At the hearing Mr Thomas Vincent Hughes and Miss Julia Agnes Jones (claimants) were represented by Mr Emlyn Thomas, Consultant, and Mr Daniel Elwyn Williams (claimant) was represented by Mr J A Bellis of the N F U. Mr H W Jones and Mr G W Evans attended on behalf of Llangadog Community Council, and Mr W Lewis, registration officer, appeared on behalf of Dyfed County Council the registration authority.

Mr Vincent Hughes' rights over CL.39 are registered as Entry Nos. 86 and 94 in the Rights Section of that Register: Miss Julia Jones' rights as Entry No. 52: Mr D E Williams' rights as Entry No. 85. No other claimant to rights over VG.4 appeared, and so the question before me was whether or not the above rights extended also over VG.4. Each of the claimants gave evidence on oath to the effect that their animals had always grazed on VG.4 as well as on CL.39 and no-one challenged this evidence. Miss Jones told me that although games were played from time to time on VG.4 they did not materially interfere with the grazing of sheep cattle and ponies. On this evidence I decide as follows:-

- (i) I confirm Rights Entries in the Rights Section of VG.4 in the same terms as Entry Nos. 52, 85, 86 and 94 in the Rights Section of CL.39 save that each entry is to state that it extends both to CL.39 and VG.4 (similarly those entries on CL.39 are to be amended to show they extend also over VG.4)
- (ii) I will direct the deletion of Note 1 in the Rights Section of VG.4 and disallow all other deemed rights registrations arising out of that registration.



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

1st

day of

May

1995

Commons Commissioner