



COMMONS REGISTRATION ACT 1965

Reference No.55/U/23

In the Matter of Cefn Coed Common,
Raglan

DECISION

This reference relates to the question of the ownership of land known as Cefn Coed Common in the Parish of Raglan United being the land comprised in the Land Section of Register Unit No.CL.41 in the Register of Common Land maintained by the Monmouthshire 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 Lord Raglan 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 Monmouth on 3rd October 1973.

Mr. L. G. Chilcott, the Clerk of Raglan United Parish Council, attended the hearing and informed me that he had no evidence of ownership. Mr. J. Stephens, Solicitor, of the firm of Waddington, Llewellyn & Burge, Usk, appeared for the claimant, Lord Raglan.

Mr. Stephens produced a Conveyance dated 29th September 1902 by which the Duke and Duchess of Beaufort conveyed to the Claimant's grandfather, George Henry Fitzroy Baron Raglan, "All that the estate right and title of the Duke in and to the Manor or reputed Manor of Raglan with its rents fines heriots privileges appurtenances and other manorial rights". George Henry Fitzroy Baron Raglan died on 24th October 1921, having by his will (proved on 4th February 1922) devised all his real estate to his eldest son, the Hon. Fitzroy Richard Somerset. The latter in turn died in 1964 having by his will (proved on 15th February 1965) devised his real estate to his son, the present Lord Raglan. Mr. Stephens produced the probates of the wills referred to.

In 1902 the land in question was situate in the Parish of Llandenny, which afterwards became incorporated in the Parish of Raglan United. Colonel H. C. A. Davies gave evidence that he was Steward of the Manor of Raglan from the year 1930, and that he always understood that the land in question was in the Manor of Raglan. He said that if he was wrong in that view, then the land must have been situated in the Manor of Usk, which also belonged to Lord Raglan. Since 1930 the witness had periodically visited the common in order to ensure that there was no encroachment.

There was no other appearance.

For these reasons I am satisfied that Lord Raglan is the owner of the land, and I shall accordingly direct the Monmouthshire County Council, as registration authority, to register Lord Raglan as the owner of the land under section 8(2) of the Act of 1965.



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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 30th day of November 1973.

A. E. Francis

Commons Commissioner