



COMMONS REGISTRATION ACT 1965

Reference No. 50/D/9

In the Matter of Land bordering  
on the shore at Aberdesach in  
the Parish of Clynnog

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. C.L.60 in the Register of Common Land maintained by the Caernarvonshire County Council and is occasioned by Objection No. 78 made by the Public Trustee and noted in the Register on 30th September 1970.

I held a hearing for the purpose of inquiring into the dispute at Bangor on 6th December 1972. The hearing was attended by Mr. J.R. Thomas (a member of Clynnog Parish Council, the applicant), Mr. D.L. Jones (clerk to Gwyrfaï R.D.C.) and Mr. R.M. Rutherford (for the Public Trustee).

The objection of the Public Trustee was confined to such part of the land in question as was in the ownership of the Public Trustee. Mr. Rutherford produced a plan showing the land vested in the Public Trustee, and, after comparing this plan with the plan of the land comprised in C.L.60, it emerged that the only part of the land in Register Unit C.L.60 which belonged to the Public Trustee was the small tongue at the south west extremity shown hatched blue on the attached plan. Mr. J.R. Thomas on behalf of the Parish Council agreed that this small tongue of land should be excluded from the confirmation.

It also appeared that by a Conveyance dated 15th August 1972 the Parish Council of Clynnog (with the authority of the Charity Commissioners) conveyed a small piece of the land in question, being some 600 square feet in extent and lying immediately to the north of the uncoloured rectangular area shown within the green area on the plan of C.L.60, to the Rural District Council of Gwyrfaï in fee simple for sewerage and sanitary purposes. This conveyance granted to the R.D.C. rights to lay sewerage pipes and a rising main with the manhole and connections thereto under the adjoining land comprised in Register Unit C.L.60.

Both the Parish Council and the R.D.C. requested that the land so conveyed to the R.D.C. should be excluded from C.L.60, and that the confirmation of the registration as to the remainder should be subject to the rights of the R.D.C. under the above mentioned Conveyance.

Subject as above stated, I am satisfied that the land in question was properly registered as Common Land.

For these reasons I confirm the registration with the following modifications:- there should be excluded from this Register Unit (i) the small tongue of land shown hatched blue on the attached plan and (ii) the piece of land conveyed to



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Gwyrfai R.D.C. by the Conveyance above referred to. Moreover my confirmation of the registration as to the remainder of the land is subject to the rights granted to the R.D.C. by the said conveyance.

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

8<sup>th</sup>

day of

January

1973

A handwritten signature in cursive script that reads "A. E. Francis".

Commons Commissioner