



COMMONS REGISTRATION ACT 1965

Reference No. 50/D/18  
50/D/19

In the Matter of land known as the  
Watering Place, Rallt Wylt  
Talybont in the Parish of Caerhun

DECISION

These disputes relate to the registrations at Entries No 1 in the Land and Ownership sections of Register Unit No VG 8 in the Register of Town or Village Greens maintained by the Caernarvonshire County Council and are occasioned by Objection No 119 made by Mr R D Hughes and noted in the Register on 30th September 1970.

I held a hearing for the purpose of inquiring into the disputes at Caernarvon on 1st February 1973.

The hearing was attended by (1) Mr D. L. Dinwoodie, Clerk to Caerhun Parish Council, (2) the Objector, Mr R. D. Hughes, (3) Mr R. G. Laing, solicitor, on behalf of Mr S. A. Jones of Bryn Sirid, Talybont, and (4) Mr G. L. Roberts of Plas-y-Coed, Talybont, and (5) Rev. L. Parry Jones.

Much confusion was occasioned in this case by an unfortunate error in the register map, which did not correspond with the plan annexed to the applications for registration. However, as it transpired, the error was of no consequence save that it caused inconvenience to the Objector and to others who attended the hearing to object to the registration.

It transpired at the hearing that the land to which the applications for registration related was vested in Caerhun Parish Council as trustees by a Scheme dated 17th December 1920 made by the Charity Commissioners. The land was vested by the Scheme in the Council "for use as a watering place for the inhabitants of Rallt-Wylt-Common in the Parish of Caerhun". The Scheme was made on the basis of an Inclosure Award dated 25th January 1858, which allotted the land to the Churchwardens and Overseers of the Poor of the Parish of Caerhun "to be held by them and their successors in trust as a watering place for the inhabitants of Rallt-Wylt-Common in the said Parish".

In my view, land so held in trust is not a "town or village green" within the meaning of the definition in section 22(1) of the Commons Registration Act 1965.

For these reasons I refuse to confirm the registrations.

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 3<sup>rd</sup> day of March 1973

*A. E. Francis*

Commons Commissioner