



## COMMONS REGISTRATION ACT 1965

DECISION (DISPUTE)

Reference Nos. 54/D/17 to 21  
inclusive

In the Matter of The Saltings North West of  
Abergwynant Woods, Brithdir and Islawrdref  
Meirionnedd D

DECISION

Thesedisputesrelate to the registration at Entries Nos. 1 in the Land Section and No.1 in the Rights Section of Register Unit No. CL 110 in the Register of Common Land maintained by the former Merioneth County Council and are occasioned by Objections Nos. 12 and 331 both made by the Crown Estate Commissioners and respectively noted in the Register on 21 August 1970 and 8 September 1971 and Objection No.143 made by Mr T.M. Roberts and noted in the Register on 18 November 1970.

I held a hearing for the purpose of inquiring into the disputesat Dolgellau on 5th November 1975. The hearing was attended by Mr Oliver Jones, counsel instructed by Messrs Humphreys and Parsons on behalf of the Crown Estate Commissioners, Mr H. Harrod, counsel instructed by Messrs Griffith Adams and Williams on behalf of Mr T.M. Roberts and Mrs M. Hatcher of Messrs Warren Upton and Garside on behalf of the applicant for Rights Mr F Burgess. Mrs Hatcher did not seek to establish that Mr Burgess had any right to graze on the Crown's foreshore, and the ambit of this dispute was therefore as to whether or not any part of the land comprised in Unit No. CL 110 lay above the high water mark at medium tides.

Mr Oliver Jones called Mr Arthur Henry Jones, Surveyor and Draftsman to the Crown Estate Commission who prior to taking up that appointment had had 25 years service with the Ordnance Survey Department. He produced a map of 1901 and stated that he had inspected the land on 5th November 1970 and met Mr Burgess on the site. Mr A.H. Jones satisfied me by reference to the said map that all the land comprised in Unit No. CL 110 was foreshore in 1901 and told me that his inspection satisfied him that such was still the case on 5th November 1970.

For these reasons I refuse to confirm the registrations.

Applications for costs were made by Mr Oliver Jones and Mr Harrod. Mrs Hatcher on behalf of Mr Burgess agreed to make contributions towards the costs of the Crown Estate Commission and Mr Roberts acceptable to them and for this reason I make no order as to costs.

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 13<sup>th</sup> day of December 1975

C A Lett  
Commons Commissioners