



COMMONS REGISTRATION ACT 1965

Reference Nos 274/D/4 to 9 inclusive

In the Matter of Uwchgwyrfai Common,
Betws Garmon, Llandwrog & Llanwnda,
Arfon D

DECISION

These disputes relate to the registration at Entry No 1 in the Land Section and Entry Nos 1-54, 56-92 and 94-239 in the Rights Section of Register Unit No CL. 16 in the Register of Common Land maintained by the former Caernarvonshire County Council and are occasioned by Objection No 20 made by T Hughes and noted in the Register on 7 January 1970 and Objection No 105 made by W E Smith and noted in the Register on 30 September 1976 and the conflicting Entries at Nos 64 and 126 in the Rights Section of the Register.

I held a hearing for the purpose of inquiring into the dispute at Caernarfon on 15 February 1977. The hearing was attended by Mr Preece on behalf of the Crown Estate Commissioners and Mr T Hughes appeared in person.

Mr Hughes produced his title deeds which revealed that his root of title was based on three Deeds Poll executed by the Crown dated respectively 19 May 1837, 15 November 1854 and 22 February 1911 whereby the Crown granted to the individuals therein named the land which it recognised as encroachments on its waste.

Mr Preece produced the three said Deeds Poll and Mr Hughes having inspected the plans attached thereto was satisfied that the land claimed by him was not comprised in any of the said Deeds. The plan on a conveyance whereby Annie Griffiths conveyed Mr Hughes' property, Ty Den, to E T Ames, was inaccurate in that it did include the land now claimed by Mr Hughes. In these circumstances Mr Hughes was unable to contest the Crown's title.

Mr Smith had prior to the hearing been in communication with the Crown and did not appear to support his objection.

For these reasons I confirm the Entry in the Land Section and all the Entries in the Rights Section other than Entry No 126 a claim by the tenant which duplicates the claim by the owner under Entry No 64. I refuse to confirm Entry No 126. Neither of the applicants under Entries 64 and 126 appeared.

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 4th day of April

1977

G A Little

Commons Commissioner