



In the Matter of a Tract of land known as  
Hay Common, Hay

DECISION

This dispute relates to the registrations at Entry Nos. 1, 2, 4 and 5 in the Rights Section of Register Unit No. CL 69 in the Register of Common Land maintained by the Powys County Council and is occasioned by Objection Nos. 460, 461, 462 and 463 made by the Agent for the Glanusk Trustees and noted in the Register on 6 January 1972.

I held a hearing for the purpose of inquiring into the dispute at Brecon on 26 July 1983.

The hearing was attended by Mr E C J Selwyn of Messrs Jeffreys and Powell, Solicitors of Brecon, appeared for Miss E G Jones and Messrs H P and R D Davis the present applicants at Rights Entry Nos. 4 and 5. Mr J Bengough of Messrs Knight Frank and Rutley, Chartered Surveyors of Hereford appeared for the Glanusk Trustees.

Mr Bengough said that his firm had received a letter written on behalf of the Applicants at Rights Entry No. 1 stating that they agreed to their claim in respect of fern to be amended to read 'the right to cut and remove fern limited to agricultural purposes appurtenant to the dominant tenement'.

His clients were content with this and withdrew their objection.

Mr Selwyn said that Miss Jones agreed to reduce her claim to 40 sheep <sup>or</sup> and 5 ponies. Mr Bengough accepted this and withdrew his client's objection. Mr Selwyn said that the acreage of the dominant tenement at Entry No. 5 was 133.692 acres and Mr Bengough had withdrawn his clients' objection.

The reference in respect of Rights Entry No. 2 was adjourned.

For these reasons I confirm the registrations at Entry Nos. 1, 4 and 5 with the modifications of Entry Nos. 1 and 4 already mentioned.

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 15<sup>th</sup> day of August 1983

*George Harker*

Commons Commissioner

*Amended in red  
pursuant to Regulation 33*

*George Harker  
Commons Commissioner  
15. xii. 83*