



COMMONS REGISTRATION ACT 1965

Reference Nos 276/D/271 to 277
inclusive

In the Matter of Hungry Green Common,
Cregina, Radnor D

DECISION

These disputes relate to the Entries No 1 in the Land Section, Nos 1 to 7 inclusive in the Rights Section and 1 and 2 in the Ownership Section of Register Unit No CL. 56 in the Register of Common Land maintained by the former Rednorshire County Council and are occasioned by Objection Nos 650, 651 and 954 all made by P H Davies and respectively noted in the Register on 29 September 1970 and 19 April 1972, and Objection Nos 332, 330 and 329 all made by the Trustees of the Glanusk Settlement and noted in the Register on 25 September 1970.

I held a hearing for the purpose of inquiring into these disputes at Llandrindod Wells on 8 June 1978. The hearing was attended by Mr W G Morris of Messrs Dilwyn Jones & Son on behalf of Mr P H Davies and Mr H J Cave on behalf of the Registration Authority.

Mr Davies' Objection No 650 to the Entry in the Land Section was to about 1 acre part of the Unit Land identified on the plan annexed to that Objection. This Objection was not opposed and I therefore confirm the Entry in the Land Section modified so as to exclude the said 1 acre of land, and also the premises known as Crossways at the southeast extremity of the Unit Land which it was conceded were wrongly included in the registration and could not be common land.

Mr Davies' Objection No 651 was to the Glanusk Estate claim to ownership (Entry No 1 in the Ownership Section) of the 1 acre of land referred to above. Since I have excluded this 1 acre from the Land Section, I confirm Entry No 1 in the Ownership Section as applicable to the modified Entry in the Land Section.

Mr Davies' Objection No 954 was to the effect that he and not the Boughrood Charity (who claimed ownership under Entry No 2 in the Ownership Section) is the owner. The Boughrood Charity conceded Mr Davies' claim to ownership and for this reason I confirm the said Entry No 2 modified by the insertion in column 3 of Mr P H Davies, Graig-y-Onen, Hundred House, Llandrindod Wells as the owner in place of Mr J C P De Winton (on behalf of the Boughrood Charity).

The Glanusk Estates Objections were in each case that the right to cut and remove bracken must be restricted to a reasonable annual quantity for the agricultural requirements of the holding for which the right is registered. In my view this limitation is implicit in the rights claimed and no modification of the rights as registered is called for.



Mr Morris invited me to confirm Entry Nos 6, 7, 9 & 10 in the Rights Section. I assume on the footing that the other subsisting Entries are shown as having become final. Since there was an outstanding Objection to the Entry in the Land Section in my view no rights had at the date of the hearing become final. For the avoidance of doubts I confirm all the Entries in the Rights Section subsisting at the date of the hearing. If this does not accord with the factual situation I will if so requested before giving a Notice to the Registration Authority ~~to revise~~ this decision.

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 21 day of July 1978

Commons Commissioner