



COMMONS REGISTRATION ACT 1965

Reference No 276/U/34

In the Matter of land called
Bryn-y-Cudyn Common, Llangadfan,
Montgomery D

DECISION

This reference relates to the question of the ownership of land known as Bryn-y-Cudyn Common, Llangadfan, Montgomery D being the land comprised in the Land Section of Register Unit No CL. 38(M) in the Register of Common Land maintained by the former Montgomeryshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mr N M Evans claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Welshpool on 8 and 10 December 1976.

Mr Cooke of Messrs Harrison & Sons appeared for Mr N M Evans and he produced a conveyance dated 5 August 1919 made between Edward F Evans and Hugh Jones whereby the land in question was conveyed to E F Evans, the land being identified on the plan annexed to that conveyance. There was also produced a conveyance dated 8 October 1948 made between Evan Ellis Jones and Nelson Meyrick Jones whereby the land comprised in a mortgage dated 5 November 1926 was conveyed to Mr Evans. The land the subject of the said mortgage was 98.206 acres which after taking into account the lands the subject of a deed of exchange was the area comprised in the said conveyance dated 5 August 1919.

On this evidence I am satisfied that Mr N M Evans is the owner of the land, and I shall accordingly direct the Powys County Council, as registration authority, to register Mr N M Evans as the owner of the land under section 8(2) of the Act of 1965.

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 21st day of February

1977

G. A. J. H. E.

Commons Commissioner