



COMMONS REGISTRATION ACT 1965

Reference No 276/U/24

In the Matter of land in the  
Community of Gwarfog, Brecknock BC

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DECISION

This reference relates to the question of the ownership of land in the Community of Gwarfog, Brecknock BC being the land comprised in the Land Section of Register Unit No CL. 144 in the Register of Common Land maintained by the former Breconshire 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 A L Davies 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 Brecon on 13 July 1977.

Mr P Morris of Messrs E P Careless & Co appeared for Mr Davies and he produced a conveyance dated 8 August 1969 whereby Mr and Mrs Whelan conveyed to Mr Davies 25 acres part of the land in question identified on the plan annexed to that conveyance.

Mr Morris also produced a conveyance dated 13 October <sup>1933</sup> whereby E F Morgan conveyed to Mrs E A Davies together with the farm therein mentioned 65.664 acres (approximately) of hill land, but this land was not identified either in the parcels in the conveyance or on a plan.

Mr A L Davies gave evidence that he is aged 61 and that Mrs E A Davies was his mother. He said that he remembered the purchase of the farm and hill land at auction in August 1933 and that the family moved in the following autumn. He identified the hill land as that part of the land in question not purchased in 1969 and said it had always been farmed by the family and that no other person had ever occupied the land or grazed it and that it had now been improved. There are no Entries in the Rights Section of the Register and it was only very recently that he became aware of the Entry in the Land Section.

On this evidence I am satisfied that Mr A L Davies is the owner of the land, and I shall accordingly direct the Powys County Council, as registration authority, to register Mr A L Davies 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 22 day of August

1977

G. A. Settle.

Commons Commissioner