



In the Matter of Mynydd Penyfal, Llangenny

DECISION

This dispute relates to the registration at Entry Nos. 1, 2, 6, 8, 9, 11, 16, 18, 21, 25, 27 and 28 in the Rights Section of Register Unit No. CL 32 in the Register of Common Land maintained by the Powys County Council and is occasioned by Objections made by the Duke of Beauforts Breconshire Estate Commoners Association and the Sugarloaf Commoners Association and noted in the Register.

I held a hearing for the purpose of inquiring into the dispute at Brecon on 26 October 1982. The hearing was attended by Mr H Cave for the Registration Authority, Mr G W Shellard of Messrs Henry Jones and Hobbs, Surveyors of Swansea for the Estate Commoners Association and Miss M P Dann for the Sugarloaf Commoners Association. Mr J H Parsons appeared in person for Mrs D A Parsons a successor to Mr L Lewis an applicant in the Rights Section (Entry No. 16).

The applications at Entry Nos. 1, 2, 9 and 21 had been withdrawn.

Objections to the following Entry Nos. were withdrawn on the following terms:

Entry No. 6.

Grazing limited to 40 sheep or 8 cattle or 8 horses or any combination of stock pro rata and the deletion from column 4 of the words "to gather moss".

Entry No. 11.

Delete from column 4 "Right to gather moss wild fruit".

Entry No. 16.

Grazing rights limited to 145 sheep or equivalent in cattle or horses and all rights to be exercised only in respect of Coed-y-Person.

Entry No. 18.

Rights limited to grazing 20 sheep or stock equivalent and to estovers.

Entry No. 25.

Limited to 55 sheep or equivalent in cattle or horses, one animal to include young, until weaning, and estovers.

Entry No. 27 had been replaced by Entry Nos. 29 and 30 and these and Entry No. 28 were adjourned at Mr Shellard's request to enable him to bring in a Consent Order.

Since the hearing Mr Shellard has written to say that he withdraws his clients' objections to the Registrations at Entry Nos. 28, 29 and 30 and these three Registrations are therefore confirmed.

I also confirm the Registrations at Entry Nos. 6, 11, 16, 18 and 25 with the modifications already mentioned and I refuse to confirm the registrations at Entry Nos. 1, 2, 8, 9 and 21.



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

9th

day of

February

1983

George H. H. H.

Commons Commissioner