



In the Matter of Pt Pen Ceasing Calch (part
of Black Mountains) Llanbedr-Ystradury,
Brecknock B

DECISION

These disputes relate to the registrations at certain Entries in the Rights Section of Register Unit No. CL 26 in the Register of Common Land maintained by the Powys County Council and are occasioned by eight Objections all made by the Chairman of the Duke of Beaufort's Breconshire Estate Commoners Association.

I held a hearing for the purpose of inquiring into the disputes at Brecon on 16 June 1982. The hearing was attended by Mr G W Shellard, a Trustee of the Commoners' Association and also the Agent of the Beaufort Estate, and by Mr R Howells (Rights Entry No. 6).

Particulars of the Entries objected to and of the Objections are as follows:-

Entry No.	Objection No. and dated of noting in the Register.	
1	28	19/10/1970
2	23	19/10/1970
6	35	28/10/1970
7	36	28/10/1970
23 (now Nos. 63,64,65)	278	7/9/1971
29	292	26/8/1971
33	304	31/8/1971
50	404	10/9/1971
55	304	31/8/1971

Entry No. 6. It was agreed that this registration be confirmed without modification and I confirm it accordingly.

Entry No. 29. This registration is now in an amended form which meets the Objection and I confirm it as so amended.

As regards the remaining Entries there was no appearance by or on behalf of the applicants for registrations. The Objections to grazing rights are to the numbers of animals claimed, and specify reduced numbers which accord with the formula approved by the Commoners Association for general application. In the case of Entries No. 33 and 55 the respective Solicitors for the applicants had written accepting the proposed reductions. In the absence of any opposition by the applicants concerned I think it appropriate to give effect to the Objections and to confirm the Entries listed in the following Table with the respective modifications set out in the Table. Entry No. 23 will be cancelled (if still subsisting in the Register) and of its replacing Entries I confirm No. 64 without modification.

TableEntry Nos.

A. 1, 2, 7, 33, 55, 63, 65

In each of these Entries the particulars in Column 4 of the right of common are expressed by reference to a corresponding Entry in the Rights Section of CL 24. In the Decision dated 10 August 1982 (Ref: 276/D/499-506) relating to CL 24 the corresponding Entries are all modified. In Column 4 of the Rights Section of these Entries in CL 24 the modification will be the addition, at the end of the existing particulars, of the words "in the modified form in which it became final on 1982:"

B. 33 and 65

will be further modified in Column 5 by substituting for "Llewenaudrew" the words "Part Llewenaudraw"

C. 50

In Column 4 substitute for the existing particulars the words "To graze 8 sheep or 1 cattle or 1 horse".

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

17 August

1982

Commons Commissioner