



COMMONS REGISTRATION ACT 1965

Reference No. 58/U/3

In the Matter of Recreation Allotment, HeyopeDECISION

This reference relates to the question of the ownership of land known as Recreation Allotment, Heyope, being the land comprised in the Land Section of Register Unit No. VG.8 in the Register of Town or Village Greens maintained by the Radnorshire 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 The Rev. Elwyn John by his Solicitors, Messrs. Dilwyn Jones and Sons, Llandrindod Wells claimed that the land in question belonged to the Parish of Beguildy 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 Llandrindod Wells on 5th June 1973.

The hearing was attended by the Rev. Elwyn John, and by Mr. V. Dilwyn Jones and Mr. Gareth Morris of the firm of Messrs. Dilwyn Jones and Sons. It appears that the land in question was allotted as a recreation ground to the Churchwarden and Overseers of the Parish of Heyope by the Beguildy and Llangunllo Inclosure Award dated 20th November 1873. The land does not appear to have been used as a recreation ground for a very long time, if at all. It has been let to agricultural tenants for upwards of 70 years, and the rent has been paid to the Parish Church of Beguildy. I was told by Mr. Dilwyn Jones that the Church as such did not wish to lay claim to the ownership of the land, and he suggested that I should direct the Registration Authority to register "the Trustees of Heyope Recreation Ground" as the owners.

I conclude, therefore, that the land is still subject to a charitable trust for use as a recreation ground by the inhabitants of the Parish of Heyope, and if (as seems likely) it is not possible to identify the present trustees, it will be necessary to apply to the Charity Commissioners for a scheme appointing the trustees.

For these reasons I am satisfied that the Trustees of Heyope Recreation Ground are the owners of the land, and I shall accordingly direct the Radnorshire County Council, as registration authority, to register them as the owners 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

23rd

day of

July

1973.

Commons Commissioner