



In the Matter of Rhos-y-Breiddin Common,
Llanfihangel, Montgomery D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 19 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 The Powis Castle Estate Trustees claimed to be the freehold owners 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 23 February 1982.

At the hearing, the claimants were represented by their Agent, Mr P L Marriott, Chartered Surveyor: Mrs O Jones, one of the applicants to register rights (now final) appeared but did not claim ownership.

The evidence in support of the claim was the same as that given in relation to Register Unit CL 15, the area Llanfihangel in which CL 19 is situated appearing on the 1820 Manorial Map to be in the Manor of Mechan Uchcoed; this Manor is included in the property comprised in the Assent of September 1956. The reasons for my decision (Ref. 276/U/89) in regard to CL 15 are equally applicable in this case, and being satisfied that the claimants, D G G Salt, G C A Macartney and V M E Holt, are the owners of the land, I shall direct the Powys 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

29 March

1982

L. J. Morris Smith

Commons Commissioner