



COMMONS REGISTRATION ACT 1965

Reference Nos 58/D/30-31

In the Matter of The Begwns,
Llandewifach and Llowes, Powys

DECISION

These disputes relate to the registration at Entry No. 47 in the Rights Section of Register Unit No. CL.12 in the Register of Common Land maintained by the Powys County Council and are occasioned by Objection No. 633 made by Major G W F de Winton and noted in the Register on 29 September 1970 and by Objection No. 834 made by Begwns Commoners Association and noted in the Register on 30 September 1970.

I held a hearing for the purpose of inquiring into the disputes at Llandrindod Wells on 7 January 1975. The hearing was attended by Mr. V.G. Jones, F.R.I.C.S. on behalf of the Applicants and by Mr. Gareth Morris, solicitor of the firm of Messrs. Dilwyn Jones & Sons on behalf of Major de Winton, and by Mr. E.R. Lewis on behalf of Begwns Commoners Association.

The disputes relate to the inclusion in the particulars of the registered grazing right of a reference to 100 lambs in addition to 114 ewes.

Mr. V.G. Jones produced a photostat copy of the Minutes of the proceedings of the Court Leet and View of Frankpledge with the Court Baron of Walter de Winton, Lord of the Manor of Ishmonydd held on 12 October 1894. It appears that the Begwns formed part of the waste of this Manor. The Minutes show that the ancient custom of the Manor had been "to turn upon the waste land in the proportion of three sheep to every acre of enclosed land rented, and one Horse for every five acres and one Beast for every Ten acres."

The applicants' farm Tybanol is 38 acres in extent, so that prima facie the grazing right is limited to 114 sheep. Mr. Jones told me that it was the custom of graziers to turn out many ewes after lambing, and that until about the end of August every year it is usual to find ewes and lambs belonging to all graziers on the Common. This was not disputed by Mr. Morris, and he submitted that the word "sheep" (which would include lambs) should be substituted for the word "ewes" in the particulars of the registered right and that the reference to "100 lambs" should be deleted. Having regard to the description of the customary right of grazing in the manorial record referred to above, I feel bound to accept this submission.

For these reasons, I confirm the registration with the following modification, that in the fourth column of the Register (1) delete the word "ewes" and substitute the word "sheep" therefor and (2) delete "100 lambs".

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

25th

day of

April

1975

H. E. Francis

Commons Commissioner