



COMMONS REGISTRATION ACT 1965

Reference No 276/U/37

In the Matter of Tract of land known as
Mynydd Tyglas, Llangynog, Montgomery D

DECISION

This reference relates to the question of the ownership of a tract of land known as Mynydd Tyglas, Llangynog, Montgomery D being the land comprised in the Land Section of Register Unit No CL. 16(M) 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 Mr I S Williams and Mr W Williams 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 8 December 1976.

Mr R M Edwards of Messrs Longueville & Co appeared for Mr I S Williams and Mr W H Williams.

Mr I S Williams gave evidence that the land is fenced on the east, south and west but that it is unfenced on its north boundary. Messrs Williams own some fields adjoining the land on the East, but do not own any land adjoining the land on the unfenced boundary on the North.

Messrs Williams claimed to have been the only persons who have grazed the land in question but in view of the circumstance that a Mr E E Evans has obtained a final registration of grazing rights over the land without any objection by Messrs Williams I cannot be satisfied that Messrs Williams have had such exclusive occupation and to have acquired a possessory title.

Mr Edwards confined his clients' claim to a possessory title.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 21st day of February

1977

Z. A. Settle

Commons Commissioner