



COMMONS REGISTRATION ACT 1965

Reference No 51/U/63

In the Matter of Land at Maeshafn  
Well, Llanferres, Glyndwr D

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DECISION

This reference relates to the question of the ownership of land known as land at Maenshafn Well, Llanferres, Glyndwr D being the land comprised in the Land Section of Register Unit No CL. 252 in the Register of Common Land maintained by the former Denbighshire 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 Dr E R Salib claimed to be the freehold owner 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 Llangollen on 6 December 1977.

Mr Williams, counsel instructed by Messrs Keenan Kelly & Co appeared on behalf of Dr Salib and Mr J J Parry clerk to the Llanferres Community Council also appeared.

Mr Williams produced a statutory declaration sworn by Dr Salib to which there are exhibited the conveyance to him of the property known as Plas-y-Ffynnon together with the "appurtenances" thereto. There is no plan attached to the conveyance or an earlier conveyance dated 1946. However ~~this~~<sup>it</sup> is also exhibited to the said statutory declaration a copy of a judgment of the Denbigh and Ruthin County Court dated 9 June 1955 and a press report of those proceedings from which it appears that the Judge treated the land in question as being in the ownership of Mary Ann Joyce the Vendor to Dr Salib.

Mr Parry on behalf of the Community Council which registered the land as Common Land raised no objection to Dr Salib being registered as the owner thereof. The County Court Judge having accepted that Dr Salib's predecessor in title was the owner of the land in question as long ago as 1955 I am satisfied that Dr Salib is now the owner thereof and I shall accordingly direct the Clwyd County Council, as registration authority, to register Dr E R Salib as the owner 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 13<sup>th</sup> day of January

1978

G. A. Settle

Commons Commissioner