



COMMONS REGISTRATION ACT 1965

Reference No. 271/D/20

In the Matter of the Village Green between
Christ Church and Ebenezer Chapel, Rhesycae,
Halkyn.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.12 in the Register of Town of Village Greens maintained by the Clwyd County Council and is occasioned by the conflicting registration at Entry No.1 in the Land Section of Register Unit No.11 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Mold on 9th April 1975.

The hearing was attended by Mr Armon Ellis, Solicitor, on behalf of Halkyn Community Council, the successor to Halkyn Parish Council, which applied for the registration of the land as a village green; and by Miss F. E. Woodruffe, Solicitor, on behalf of the Executors of the late Duke of Westminster, who applied to register the land as common land.

Mr William Morgan Reece, who has lived at Rhesycae for some 60 years and was for many years a member of Halkyn Parish Council, told me that he had known this piece of land for nearly 70 years. The land is situate in the village of Rhesycae between Christ Church and Ebenezer Chapel, and has been used, ever since the witness has known it, for the playing of all manner of games, including football, cricket and quoits, by the inhabitants of the village, especially children. It is, according to the witness, the natural playground for Rhesycae. Mr Reece told me that he had had the land ploughed and re-seeded some years ago, so as to improve its condition for recreational use. No permission for such use of the land had ever been sought or given.

Miss Woodruffe did not oppose the registration of the land as village green.

For these reasons I confirm the registration.

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 14th day of November 1975

A. E. Francis

Commons Commissioner