



COMMONS REGISTRATION ACT 1965

Reference No.271/U/3

In the Matter of Yr Gro Llansantffraid Glyndwr DDECISION

This reference relates to the question of the ownership of land known as Yr Gro Llansantffraid Glyndwr being the land comprised in the Land Section of Register Unit No.CL.243 in the Register of Common Land maintained by the former Merioneth 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 W R Webb 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 Denbigh on 23 February 1978.

Mr R Thomas of Messrs. W H Edwards and Co., appeared for Mr W R Webb and Mr R D Jones appeared on behalf of the Glyndwr District Council of which council he is a member.

Mr W R Webb gave evidence that he is the owner of the adjoining land which was purchased by his father in 1923. He is aged 51, He started farming with his father in 1942 and has farmed on his own since 1960. He said that the land in question had always throughout the period of his recollection been farmed as an integral part of his farm Tynllgn. It was the only watering place for his stock and no one had ever sought to dispossess either him or his father. He said the land was fenced except where it adjoined his farm. He accepted that there was a public right of way along the river bank and he had never prevented anyone fishing from the bank.

Mr Jones claimed that the land was Glebe land and that the public had a right to fish. I endeavoured to explain to Mr Jones that the public could not have acquired a prescriptive right to fish but I fear that despite my earnest endeavours he remained unconvinced. Mr Jones had written to the Commons Commissioners on 1 November 1976 that he believed that the Church in Wales was the owner of the land and on the 5 November 1976 the Clerk to the Commons Commissioners wrote to the Secretary of the Church in Wales saying that he would be grateful if the Church would inform him if the Church wished to claim the land. The reply to his letter was that the church was making enquiries and would write again in due course. The Church did not write again nor did it appear at the hearing. In these circumstances I must assume that the Church does not wish to claim the land and it has not since November 1976 taken any steps to assert its ownership.



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In these circumstances I have come to the conclusion that Mr Webb is the owner of the land having by his exclusive occupation acquired a possessory title thereto subject to a right of way for the public along the river bank.

On this evidence I am satisfied that Mr W R Webb is the owner of the land, and I shall accordingly direct the Clwyd County Council, as registration authority, to register Mr W R Webb 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

17<sup>th</sup>

day of March

1978

*Y. A. Little*  
Commons Commissioner