



COMMONS REGISTRATION ACT 1965

Reference No. 274/U/66

In the Matter of Glandwr Sheepwalk,  
Llanaber

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DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL 151 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 the Executors of Thomas Nightingale claimed to be the freehold owners of the land in question ("the Unit land") 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 Dolgellau on 30 April 1980.

At the hearing Mr G Evans, Solicitor of the firm of J Charles Hughes and Co., appeared for Mrs Alice Nightingale, the sole survivor of Thomas Nightingale's Executors.

By a Conveyance dated 17 January 1955 between (1) Sylvia Hughes ("the Vendor"), (2) Ethel Colbeck and Another (3) Thomas Nightingale ("the Purchaser"), there were conveyed to the Purchaser first properties known as Glandwr Hall and Glandwr Home Farm comprising some 240 acres and secondly "all such rights as the Vendor has" in the sheepwalk shown on a plan. The sheepwalk shown on the plan is the Unit Land.

As appears from the recitals in the Conveyance the property was by a Vesting Assent dated 23 September 1947 vested in the Vendor as tenant for life under a settlement created by the Will of William Wilding Jones. I have seen a certified copy of an abstract of the Vesting Assent which, as abstracted, comprises (inter alia) pieces of land commonly known as Sheepwalks shown on a plan attached thereto, and these pieces of land include the Unit land. I have seen nothing to show that William Wilding Jones owned the freehold of the Unit land.

In December 1969 Thomas Nightingale applied to register a right of grazing over the Unit land in respect of Glandwr Home Farm and this right has become final.

Evidence was given by Mr Richard Griffith, who is aged 80 and from 1924 onwards was employed as shepherd by the owners of Glandwr Farm. He took the sheep to the sheepwalk every year: the sheepwalk was enclosed by a stone wall which was kept in repair by the adjoining owners including the owners of Glandwr Farm, though other adjoining owners did not use the sheepwalk for grazing.

Mr Griffith's evidence confirmed the exercise of grazing rights by the owners of Glandwr Farm but in my view contained nothing relevant to a claim to ownership



of the Unit land. Nor am I satisfied that "such rights as the Vendor has" in the Unit land which were comprised in the 1955 Conveyance were rights of ownership to the freehold.

In the result 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

4 June

1980

*L. J. Morris Smith*

Commons Commissioner