



COMMONS REGISTRATION ACT 1965

Reference No. 46/U/13

In the Matter of land surrounding Llyn Rhos Ddu,
Penlon, Newborough

DECISION

This reference relates to the question of the ownership of land known as land surrounding Llyn Rhos Ddu, Penlon, Newborough being the land comprised in the Land Section of Register Unit No. CL.51 in the Register of Common Land maintained by the Gwynedd 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 Right Hon. Lord Newborough DSC, claimed to be the freehold owner or part of the land in question. No other person claimed to have information as to the ownership of the land.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Llangefni on 2nd April 1974. Mr R.M. Rutherford ARICS, the Resident Agent of Glynllifon Estate, gave evidence on behalf of Lord Newborough in support of a claim to the ownership of the piece of land in the shape of an elongated triangle lying on the south side of Llyn Rhos-ddu, which piece of land is coloured red on the plan which accompanied Mr Rutherford's letter dated 7th June 1973 to the Office of the Commons Commissioners. Mr Rutherford produced the following documents of title:-

(a) An Assent dated 19th July 1971, by which the Public Trustee as personal representative of the Hon. F.G. Mynn deceased (who died in 1932) vested (inter alia) all land not specified in the Schedule thereto which formed part of the deceased's real estate in Lord Newborough for an estate in fee simple.

(b) A Lease dated 9th January 1956, by which the Public Trustee leased to the Nature Conservancy the Newborough Warren, including the piece of land claimed by Lord Newborough.

(c) An Estate Map dated before 1914 showing the boundaries of Glynllifon Estate as indicating the piece of land claimed by Lord Newborough.

As regards the remainder of the land comprised in this Register Unit, Mr Hugh Lewis, - the Chairman of Newborough Community Council - testified that he had been familiar with this land for upwards of 65 years. He said that the former Newborough Parish Council, of which he had been a member for some 50 years, had always looked after this land and regarded it as its own property, it being reputed that it had been given to the Parish as a watering place by a former Lord Newborough. He recalled seeing a map many years ago in which it was described as "Newborough Parish Council Watering Place". The Parish Council used to put up Notices on the land warning off gypsies.



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For these reasons I am satisfied that Lord Newborough is the owner of the land claimed by him, and I shall accordingly direct the Gwynedd County Council, as registration authority, to register him as the owner of such land under section 8(2) of the Act of 1965. I am also satisfied that, at the date of registration, Newborough Parish Council was the owner of the remainder of the land in question, and I shall accordingly direct the Gwynedd County Council, as registration authority, to register Newborough Community Council as the owner of such remainder under the said section 8(2).

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 *1st* day of *August* 1974

A.E. Francis

Commons Commissioner