



## COMMONS REGISTRATION ACT 1965

Reference Nos. 50/D/47-55  
inclusive

In the Matter of Llyn Nantlle Uchaf  
Llandwrog and Llanllyfni

DECISION

These disputes relate to the registration at Entry No. 1 in the Land and Rights sections of Register Unit No. CL.111 in the Register of Common Land maintained by the Gwynedd County Council and are occasioned by (i) Objection No. 55 made by Mr W.J. and Mrs M. Jones and noted in the Register on 16th September 1970.

(ii) Objection No. 142 made by Mr H.D. and Mrs G.E. Roberts and noted in the Register on 28th July 1972,

(iii) Objection No. 140 made by Mrs Davis Roberts and noted in the Register on 28th July 1972,

(iv) Objection No. 141 made by Mr G.E. Ellis and noted in the Register on 28th July 1972,

(v) Objection No. 143 made by Mr D.G. Evans and noted in the Register on 31st July 1972,

(vi) Objection No. 144 made by Mr A. Yendle and noted in the Register on 31 July 1972 and,

(vii) Objection No. 145 made by Mr H.E. Jones and noted in the Register on 31 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Caernarfon on 22 May 1974. The hearing was attended by Mr J.D. Pritchard Jones, Solicitor of Caernarfon, who appeared on behalf of all the objectors. There was no other appearance.

These disputes emanate from the application dated 28th November 1969 of Llandwrog Parish Council to register a right of common of piscary over Llyn Nantlle Uchaf for the benefit of the parishioners of the Parish. Pursuant to the application, the alleged right of common was registered in the Rights Section; and the land was registered in the Land Section of this Register Unit. These registrations provoked objections from all the owners of land abutting on the lake. The upshot was that the Parish Council, at a meeting held on 4th February 1974, resolved unanimously to "withdraw" the registration, and this resolution was confirmed by a joint meeting of Llanllyfni and Llandwrog Community Councils held on 25th April 1974. The question of costs was left to be determined by me.

For these reasons I refuse to confirm the registrations.



- 2 -

Mr Pritchard Jones on behalf of the Objectors asked for costs. I have no reason to believe that there was any evidence to support the view that the lake was subject to a right of common of piscary, and accordingly I consider that the Llandwrog Community Council, as the successor of Llandwrog Parish Council, should pay the Objectors' costs on County Court Scale 4. I shall in due course, if necessary, make a formal order to that effect.

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 16<sup>th</sup> day of August - 1974

*A. E. Francis*

Commons Commissioner