



COMMONS REGISTRATION ACT 1965

Reference No 274/D/1, 2 & 3

In the Matter of Yr Eifl,
Llithfaen, Pistyll, Dwyfor D

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section and Entry Nos 1 to 5 and 8 and 9 in the Rights Section of Register Unit No CL. 61 in the Register of Common Land maintained by the former Caernarvonshire County Council and is occasioned by Objection No 97 made by W T Pritchard and noted in the Register on 30 September 1970 and Objection No 100 made by E C C Quarries Limited and noted in the Register on 30 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Pwllheli on 25 May 1976. The hearing was attended by Mr Matthews on behalf of E C C Quarries Limited, Mr I E Owen of Messrs Robyns-Owen & Son on behalf of W M Roberts the applicant for rights under Entry No 8 and Mr R W Roberts of the Farmers Union of Wales on behalf of the applicants for Rights under Entry Nos 1, 2, 5 and 9. Mr W J Pritchard appeared in person.

Mr Pritchard claimed that a small parcel of land at the southwest tip was part of his property Ty Carol and produced some maps and documentary evidence in support of that claim but he was unable to produce his title deeds which he said were handed over to the Forestry Commission when he sold part of his land to the Commission. All those attending the hearing were content that I should confirm the Entry at No 1 in the Land Section of the Register modified so as to exclude the land claimed by Mr Pritchard identified on the plans annexed to his Objection No 97. As regards the Rights Entry Mr Darbyshire had written to withdraw his claims at Entry Nos 4 and 5 and I therefore refuse to confirm these Entries. Mr Owen on behalf of Mr W M Roberts (Entry No 8) stated that Mr Roberts had been in error when making his Entry which was for a right to graze 6 sheep over a part of the land, and he invited me to modify that Entry by giving Mr Roberts a right to graze 25 sheep over the whole of the land. Mr Roberts of the FUW and Mr Matthews accepted that there was an error attributable to confusion as to the boundaries of adjoining commons and were content that I should make the modification requested by Mr Owen. In view of the agreement of all the interested parties I am willing to modify Entry No 8 as requested by Mr Owen.

Mr Roberts invited me to confirm Entry No 9 and to confirm Entries 1, 2 and 5 modified so as to be limited to grazing for 75, 75 and 25 sheep respectively, and I accordingly confirm these Entries in the cases of Nos 1, 2 and 5 modified as aforesaid.

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 5th day of July

1976
C A Seale

Commons Commissioner