



COMMONS REGISTRATION ACT 1965

Reference No. 52/U/5

In the Matter of Grassland,
at Well Lane, Trelawnyd

DECISION

Square This reference relates to the question of the ownership of land consisting of about 400 yards of Grassland, at Well Lane, Trelawnyd, Flintshire, being that part of the southern of the two areas not hatched black on the attached plan and being the land comprised in the Land Section of Register Unit No. VG.2 in the Register of Town or Village Greens maintained by the Flintshire 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 no person claimed to be the freehold owner of the land in question and no one 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 Mold on 10th April 1973.

Mr. N. Roberts (Clerk to Trelawnyd Parish Council), Mr. G. Crompton (the owner of Bell Cottage) and Mrs. Wynne (on behalf of her father, Mr. G. Jones, the owner of Bell View) appeared before me.

Mr. Crompton and Mrs. Wynne gave evidence before me as to the use made for many years past by the respective owners of Bell Cottage and Bell View of the northern triangular piece of land comprised in this Register Unit. It was not appreciated at the hearing that this piece of land is not in fact included in this reference. The reference is dated 10th April 1972, and under the subjoined "Particulars of the Land", it is stated: "This reference does not relate to the land shown coloured red and hatched black on the plan". The triangular piece of land is coloured red and hatched black, and is therefore excluded from the reference. Accordingly, I have no jurisdiction, on the present reference, to deal with the ownership of any part of the land comprised in VG.2 except the unhatched area forming part of the southern piece of land. I received no evidence as to the ownership of the unhatched area.

For these reasons I am not satisfied that any person is the owner of the land not hatched black on the said plan, and I shall accordingly direct the Flintshire County Council, as registration authority, to register Trelawnyd Parish Council as the owner of the land under section 8(3) 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 *14th* day of *May* 1973

A.E. Francis
Commons Commissioner