



In the Matter of Wells Wood, Cleddon, Trelech United.

DECISION

This reference relates to the question of the ownership the land described above being the land comprised in the Land Section of Register Unit No. CL.81 in the Register of Common Land maintained by the Gwent 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 Trelech Community Council claimed to be the freehold owner of the land in question 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 Monmouth on 1 May 1986.

At the hearing the Trelech Community Council were represented by their chairman Mrs S.M. Appleton. The Council have no deeds relating to this land but claim title to it by virtue acts of ownership over a long period.

Mr Rees James Rogers of Lydda Garth, Trelleck, retired farmer, gave evidence that he is 74 years of age and he lived at Cleddon for 48 years. He became a parish councillor in 1953 and served for many years. CL.81 is a wood known as the Parish Piece or the Parish Wood. He remembered when he was a councillor the land being let by the parish council to a Mr Wilson who was authorised to take pea sticks in return for cutting and tidying the roadside hedge.

He produced the minute book of the Parish Council which recorded several occasions on which the council had let the parish wood to various people e.g. on April 16th 1934 the clerk reported "letting the parish wood to Mr Chas. Richards of Cleddon on the following terms..."

Mr Rogers had no doubt that this referred to the land comprised in CL.81.

When I visited Cleddon on 2 May 1986 I was shown further entries in the minute book dating between 1915 and 1932 which made it clear that the Parish Council had treated this land as owners by letting it out as a quarry on a royalty basis over the whole of that period. There is reference in the minutes to an award by which this land and other land was awarded to the Parish as a source of stone for road repairing purposes but no such award was

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produced to me.

On this evidence I am satisfied that the Trelech Community Council are the owner of the land, and I shall accordingly direct the Gwent County Council, as registration authority, to register them as the owner of the land under section 8(2) 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 2nd day of July 1986

Peter Landon-Davis

Chief Commons Commissioner