

Dear Claire,

Thank you for being so helpful and patient but I'm afraid I'm not as knowledgeable as Mr Craddock about common land and even professional people don't seem to ^{be} either. I acknowledge I made a mistake over the title map of 1840 and the valuation map of 1910, and I enclose ~~of~~ an extract of the schedule apportionment to go with the 1910 map - Graigfach, parcel 1033, 67 acres, pasturage, with payments to the local clergy (not tithes for the title map of 1840) As you know, the land in question can be viewed at

<https://places.library.wales/viewer/4547150#?cv=38&h=1033&C=0&m=0&s=0&x=ywh=221%2C583%2C4776%2C2508>.

I feel I have provided plenty of proof for this piece 'Y' to be deregistered as common land, as it was not subject immediately prior to its provisional registration (see schedule 2 of the Commons Act 2006 Section 7(2)d)

- (i) land subject to rights of common
- (ii) waste of the manor
- (iii) a town or village green
- (iv) land of a description specified in section 11 of the Inclosure Act 1845.

The 1922 conveyance of Rhinogiafod to my grandfather Richard Jones includes a plan of the land acquired by him under the Deed (which has already been sent) that conveyance distinguishes between the sheepwalk coloured green and the other lands coloured red, such lands being conveyed "in fee simple" i.e. freehold. It is clear that he (my grandfather) was acquiring the freehold of the land coloured red and there is no suggestion that anyone else had any rights to it. The land was not therefore Common land, waste of the Manor or village green then, or at any time since. The Deed is evidence of ownership and no one has claimed any rights to that land (the Ramblers Association tried but withdrew their application (see letter)) My father E.H. Jones was recognised as the owner of it (possessory rights) but it appears the solicitor acting for him didn't apply for the provisional registration to be removed (for absolute rights - see letters)

I understand there have been no objections received to the notices published of my application locally, only the Open Spaces Society. I hope this further satisfies the criteria needed.

As you know neither my husband or I are adept at computing/technology, hence the manuscript which I hope is readable.

Regards

F.A.O Michael Wilkins

Map of the inclosed land of the parish of darowen in the County of Montgomery

| PLANTATION | LANDS AND PREMISES | STATUTE MEASURE | ACRES IN THE ORIGINAL SURVEY | ACRES IN THE NEW SURVEY |
|--|------------------------------|-----------------|------------------------------|-------------------------|
| Richard Hughes <i>(particulars)</i> | 1074 <i>Seaw farm</i> | 2 27 | | |
| | 1077 <i>two small</i> | 1/2 | | |
| | 1028 <i>two fields</i> | 2 20 | | |
| | 1029 <i>Spade field</i> | 2 12 | | |
| | 1030 | 1 25 | | |
| | 1031 <i>Wedge ghympyngal</i> | 1/2 | | |
| | <u>Graigfach</u> | 216 1 1/2 | 16 8 3/4 | 10 10 1/2 |
| | | | | <i>c. a. 12.</i> |
| William Sebb | 1032 <i>pasture</i> | 7 1 1/2 | | |
| | 1033 <i>wood</i> | 67 2 20 | | |
| | 1034 <i>pasture</i> | 17 2 6 | | |
| | 1035 <i>arable</i> | 11 2 24 | | |
| | 1037 | 114 | 2 5 1/2 | 18 10 1/2 |
| William Roberts | 1038 <i>house and garden</i> | 1 | | |
| John Sebb | 1039 <i>house and garden</i> | 31 | | |
| Anna Hughes | 1040 <i>house and garden</i> | 6 | | |
| | 1041 <i>house and garden</i> | 4 | | |
| | 1042 <i>house and garden</i> | 4 | | |
| | 1043 <i>house and garden</i> | 14 | | |

1 result found for '1933' - [View Record](#)

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Ramblers' Association

To encourage rambling and mountaineering, to foster a greater knowledge, love and care for the countryside and to work for the preservation of natural beauty, the protection of footpaths and the provision of access to open country.

Registered Charity Number 306089

Your ref. WHH/JTR/EH JONES

1/5 Wandsworth Road,
London SW8 2XX

Messrs Humphrey Roberts & Bott
Joseph Davies & Son
1 Alfred Place
Aberystwyth
SY23 2BS

7th April 1987


Dear Sirs,

Re: **Mr E H Jones - Common Land at "Rhiwgriafol"**
Darowen Machynlleth Powys

I am writing to acknowledge your letter of February 19th.

We have carefully studied the papers and maps sent with your letter and I can inform you that the Ramblers' Association is agreeable to the course of action outlined in the final paragraph of your letter.

Yours faithfully,


Alan Mattingly
Director

re MR & MRS E H JONES
"RHIWGRIAFOL" DAROWEN MACHYNLLETH POWYS
REIGSTER UNIT CL76 Part 'Y'

We are now seeking to remove the Piece of Land hatched Yellow from the Commons Register in so far as it was obviously registered in error

We have been in touch with the Ramblers Association who, as we mentioned, originally made the Application in relation to this Piece of Land and they have written and confirmed that as far as they are concerned they agree that presumably the Area was registered in error and are agreeable to the Land being taken out of the Commons Register

In the circumstances, therefore, we think that the best course of action would be for Mr & Mrs Jones to complete Form 17 [Application for Removal of Land from the Register]. In the light of the fact that no Rights are registered on this Piece of Land we would have thought that this would have been sufficient to enable the appropriate removal to take place

However, you may consider it prudent to obtain formal confirmation from the Ramblers Association that they have no Objection to its Removal in so far as they made the original Application. However we will leave this to you to consider if it is necessary

Perhaps you could confirm that the above Action is acceptable and let us have the necessary Forms

Yours faithfully
HUMPHREY ROBERTS & BOTT JOSEPH DAVIES & SON



ENCLOSURES

Map & part 'Y' hatched yellow.

Our ref: WHH/BJB/79

13 February 1989

Mr E H Jones
Croeslyn
Newtown Road
MACHYNLLETH
Powys SY20 8EY

Dear Mr Jones

RE: RHIWGRIAFOL

I refer to previous correspondence with regard to the above matter, and apologise for not having contacted you sooner, but I have been in correspondence with the solicitor for Powys County Council with regard to removal of the small portion of land at Rhiwgriafol from the Commons Register.

I wrote to the Ramblers Association and they accepted that the registration might have been a mistake, and they were quite agreeable for this piece of land to be removed from the Commons Register.

However, Powys County Council have indicated that they are not prepared to remove the land from the Commons Register.

There have been a number of cases on this matter. The basis of their argument is that the land as a result of the Commons Registration Act provisions is conclusively presumed to be common land (irrespective as to whether this was registered in error or not) and for it to cease to be common land for the purpose of the Commons Registration Act 1965, there must be some event resulting in the ceasing taking place.

As it appears that there are no rights of common over the land, the Council take the view that it would be extremely difficult to say what events might take place which would enable the Council to consider whether the land had ceased to be common land.

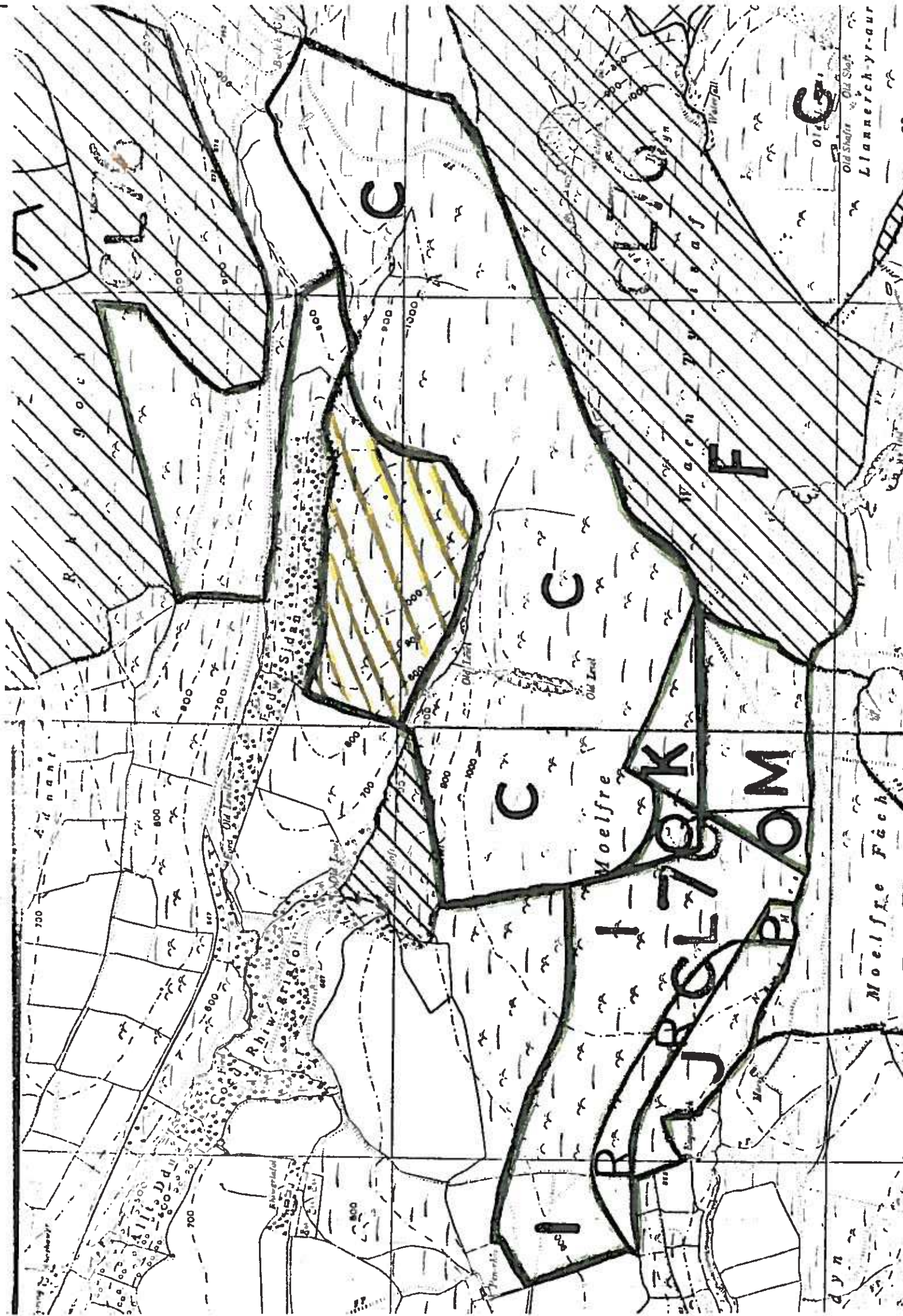
There is a lot of discussion going on with regard to the effect of the Commons Registration Act, and there seems to be no logic at all in the piece of land being parts of the Commons Register, but it does look as if there is very little that can be done further to remove the entry without possibly having to take the matter to the High Court, which would obviously be totally uneconomical bearing in mind the value of the piece of land in question.

It does I fear seem rather ridiculous that there is a piece of land which is in your name and which has no rights of grazing over it is still deemed to be common land. Nevertheless, as I mentioned, there seems little that we can do to remedy the situation.

Obviously from a practical point of view it makes little difference, and it seems to have a "nuisance value" more than anything else.

Obviously if you require any further assistance or advice, please do not hesitate to contact me.

[Redacted] (Solicitor - Humphrey Roberts + Bell)



Rhw. GRIARO

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