



Ein cyf/Our ref: CAS-03817-Z9J8D5

Mr Shaun Denny

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25 June 2026

**COMMONS ACT 2006- APPLICATION BY WELSH SLATE LIMITED UNDER SECTION
16 OF THE COMMONS ACT 2006 IN RESPECT OF COMMON LAND AT MYNYDD
LLANDEGAI (CL106)**

1. Following your application reference CAS-03817-Z9J8D5 made under section 16 of the Commons Act 2006 (the 2006 Act) for the deregistration and exchange of common land at Mynydd Llandegai (also known as or referred to as Llandygai) Common (CL106), I have received the report by the Inspector, N. Jones BA(Hons) MSc MRTPI, from Planning and Environmental Decisions Wales (PEDW).

Summary of decision

2. The formal decision is detailed at paragraph 19. The application is granted.

Procedural matters

3. Welsh Ministers have appointed PEDW to undertake the processing of section 16 applications on their behalf, including the making of recommendations to Welsh Ministers on whether an application should be granted.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

4. In considering an application to exchange land it is necessary for the proposals to be advertised to allow those with private interests and third party rights the opportunity to make representations on the application. The Inspector's report notes the application was advertised in the Bangor and Anglesey Mail on 2 October 2024. Notices were posted at the site and sent to relevant parties as well as being available online.
5. I note two representations were received from Natural Resources Wales and Open Spaces Society and the Inspector considered their views in their recommendation.

Considerations

6. The Welsh Government has issued guidance on 'Common Land Consents'. Welsh Ministers seek to adhere to this guidance in processing and determining applications. I note every application must be considered on its own merits and a determination may, in exceptional circumstances, depart from the guidance if it appears appropriate to do so.
7. Section 16(1) of the 2006 Act provides the owner of any land registered as common land may apply for the land (Release Land) to cease to be so registered. If the area of Release Land is greater than 200m² a proposal must be made to replace it with other land to be registered as common land (Replacement Land).
8. In determining this application, regard is to be had to:
 - i) the interests of persons having rights in relation to, or occupying, the release land (and in particular persons exercising rights of common over it);
 - ii) the interests of the neighbourhood;
 - iii) the public interest;
 - iv) any other matter considered to be relevant.
9. Section 16(8) of the 2006 Act sets out that 'public interest' includes the public interest in nature conservation, the conservation of the landscape, the protection of public rights of access to any area of land, and the protection of archaeological remains and features of historic interest.
10. Welsh Government's aim is to protect common land as part of its strategic objectives in relation to biodiversity and for the sustainable use of natural resources to improve the benefits to local communities, the economy and the environment. The 2006 Act provides for the safeguarding of commons for current and future generations, helping the Welsh Government to ensure the stock of common land is not diminished.

Inspector's Report

11. Consideration has been given to the Inspector's report. The Inspector's conclusion is set out at paragraph 48 of their report which is enclosed. The Inspector at paragraph 49 of the report, recommends 'the application to deregister and exchange land at CL106 Mynydd Llandegai Common is allowed and that an Order pursuant to Section 17 of the 2006 Act be made.'

12. The Inspector, in making her recommendation, considered a range of issues: statutory requirements, policy guidance issued by the Welsh Government and the representations received as a result.

Conclusions reached by the Inspector

13. In considering the application the Inspector applies the statutory tests under section 16(6) of the 2006 Act, and I consider these below.
14. Section 16(6)(a) requires me to have regard to the interests of persons having rights in relation to, or occupying, the release land (and in particular, persons exercising rights of common over it). I note the Inspector believes the proposed deregistration would not unacceptably interfere with the interest of those having rights over the land. I note the Inspector considers OSS's comments that there is long term fly-tipping, but the Inspector argues the replacement land appears to provide land of similar quality to the release land for grazing. I also note the applicant states the replacement land is closer to the commoners' properties and would be accessible directly from Ffordd Tai'r Mynydd and contiguous with the remainder of the common. I believe this would improve accessibility and convenience for the commoners. The Inspector also states the trimming back of some trees at the replacement land's narrowest part would ensure full access and connectivity between it and the adjoining common. I note the Inspector's view that a portable sheepfold would be provided which would assist with stock management but which, due to its moveable form, would have little effect on the openness of the common. I am, therefore, of the opinion there would be no unacceptable effects on those with rights over the release land.
15. When considering the interests of the neighbourhood (section 16(6)(b)) the Inspector considers the replacement land to be equally, if not more, convenient to residents and that it would be of a similar quality to the release land. It would be more easily accessible and would provide an opportunity for circuits and walks linking to the village roads and existing footpaths and so would not interfere with the future use and enjoyment of the land. As such, I am content the proposal will not detrimentally impact the neighbourhood.
16. When considering the public interest as required by section 16(6)(c) the Inspector states the deregistration will have little adverse effect on the public interest. Public access would be improved with some linkages to existing footpaths locally. There would be some loss of historical and archaeological features, but the remains would be recorded under the terms of the existing planning permission. There would be no unacceptable visual or landscape effects or on rights of common. There would be no loss of Special Area of Conservation (SAC) qualifying features. Whilst there would be some direct loss of Site of Special Scientific Interest (SSSI) habitat, overall, there would be no unacceptable effects on nature conservation. I also note the Inspector provided a Habitats Regulation Assessment interests and concluded the proposal would not have a significant adverse effect on the ecological integrity of the National Site Network site. As such I believe there will not be an unacceptable effect on the public interest.

17. When considering other relevant matters (section 16(6)(b)), I note the replacement land is larger than the release land, thereby increasing the stock of common land. I also note the quarry extension would contribute to the local economy and would be likely, amongst other things, to provide a continuing resource of roofing slates, which would contribute to locally distinctive design and support the social and cultural aims of heritage-related development and restoration, locally, nationally and potentially, internationally. I believe the proposal will also support the Welsh language by supporting the economy in Welsh speaking heartland.
18. I have considered the report and the issues considered by the Inspector and agree with their conclusion the application should be granted and an Order of Exchange should be made. I believe the considerations in section 16(6) of the 2006 Act support this conclusion.

Formal Decision

19. I have considered the Inspector's Report and noted the case for the applicant, the representations and the Inspector's conclusions. In conclusion, for the reasons given above, and in exercise of my authority as Cabinet Secretary for Climate Change and Rural Affairs, one of the Welsh Ministers, I hereby grant the application to deregister common land at Mynydd Llandegai Common, and provide replacement land, in accordance with the terms of the application CAS-03817-Z9J8D5 and the plans submitted therewith and an Order pursuant to Section 17 of the 2006 Act shall be made.
20. I enclose a copy of the Inspector's Report and a copy of the Order made under Section 17(1) and 17(2) of the 2006 Act, which has today been sent to Cyngor Gwynedd in their capacity as Commons Registration Authority for the area of common.
21. The Welsh Ministers' decision on this application will be published as required by regulation 19 of the Deregistration and Exchange of Common land and Greens (Procedure) (Wales) Regulations 2012.
22. This letter does not convey any approval or consent which may be required under any enactment, by-law, order, regulation or private agreement other than sections 16 and 17 of the 2006 Act. I note there are proposed works on the replacement land including the installation of a gate, new post and wire fencing, and the relocation of existing fencing. Separate consent for such works under section 38 of the 2006 Act is likely to be required.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Llyr Gruffydd', with a long horizontal flourish underneath.

Llyr Gruffydd AS/MS

Gweinidog Cabinet dros Wydnwch Gwledig a Chynaliadwyedd
Cabinet Minister for Rural Resilience and Sustainability