



In the Matter of Daybell's Bank,  
Ashford in the Water, West Derbyshire D

DECISION

This reference relates to the question of the ownership of land known as Daybell's Bank, Ashford in the Water, West Derbyshire D being the part of the land comprised in the Land Section of Register Unit No. CL 52 in the Register of Common Land maintained by the Derbyshire 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 Ashton in the Water Parish 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 Matlock on 15 November 1979.

Mr R Daybell a member of the Ashford in the Water Parish Council appeared for his Council.

The land in question formed part of an Old Road, now replaced by the A6. The County Council makes no claim to the land in its capacity as highway authority. The land adjoins the sheepwash and sheepwash Bridge and I was told that from time immemorial the Parish Council charged and collected fees for sheepwashing. I was also told that sheepwashing has now been discontinued because the price for dirty wool is now no less than the price for clean wool. I was further told that the County Council had expressed the view that land adjoining sheepwashes is usually vested in Parish Councils.

On this evidence I am satisfied that Ashford in the Water Parish Council is the owner of the land, and shall accordingly direct the Derbyshire County Council, as registration authority, to register Ashford in the Water Parish Council 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 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

25

day of

November

1979

J. A. Little

Commons Commissioner