



COMMONS ADMINISTRATION ACT 1945

Reference No. 8/D/17

In the Matter of High Bank Spring,
Charlesworth

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 82 in the Register of Common Land maintained by the Derbyshire County Council and is occasioned by Objection No. 30 made by Mr P D Martin and noted in the Register on 4 July 1972.

I held a hearing for the purpose of inquiring into the dispute at Matlock on 8 May 1980. The hearing was attended by Mr P D Martin and by Mr D J Clayton, Clerk to Charlesworth Parish Council.

The registration was made on the application of Mrs L W R Thorpe and the Objection is on the ground that the land was not common land at the date of registration: there are no rights of common registered. Mrs Thorpe died in 1972.

Mr Martin told me that he owns the field of which the registered land is part - he purchased it as part of Gnathole Farm in 1964. Mr Clayton said he does not know if it is common land.

In the absence of evidence to support the registration as common land I refuse to confirm the registration.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision 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

25 June

1980

Commons Commissioner