



In the Matter of School Mere (Cow Mere),
Monyash

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL 78 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 Monyash 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 8 May 1980.

At the hearing Mr J R Hildebrand the Clerk to the Parish Council appeared.

Giving evidence he said that in 1961 the Parish Council obtained consent to the filling in of the Mere and its conversion into a children's playground. This work was carried out in 1970 to 1971 at a cost to the Parish Council of £150 and in 1975/1976 the Parish Council spent £300 on the erection of a fence. Derbyshire County Council pays an annual rent of £5 to the Parish Council for the use of the children's playground in connection with the local school.

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

25 June

1980

L. J. Morris Smith

Commons Commissioner