



COMMONS REGISTRATION ACT 1965

Reference No. 206/U/22

In the Matter of Goosehill Green,
Castleton.

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. VG 29 in the Register of Town or Village Greens 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 Mr and Mrs C Hickinson claimed to be the freehold owners of the land in question ("the Unit land") 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.

Mr and Mrs Hickinson appeared at the hearing. They are the owners of Goosehill Cottage which was conveyed to them in 1966. There is no plan of the property on the Conveyance or on two earlier Conveyances which were produced: it does not appear that the Unit land was included in the property conveyed, and from a plan of his property which Mr Hickinson produced the property purchased is that shown on the Register map as adjoining the south-eastern boundary of the Unit land.

There is open access from Goosehill Cottage on to the Unit land, the grass on which Mr Hickinson has mown since 1966. There is a wall along the north western and eastern boundaries which he has repaired from time to time, and he said that no one else comes on the Unit land or claims rights over it.

On this evidence I am not satisfied that Mr and Mrs Hickinson or any other person owns the land, and I shall accordingly direct the Derbyshire County Council, as registration authority, to register Castleton Parish Council as the owner of the land under section 8(3) 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