

COMMONS REGISTRATION ACT 1965



Reference Nos. 208/U/97

In the Matter of Land at Hlland Moss, Hlland,  
Derbyshire

DECISION

This reference relates to the question of the Rights of land at Hlland Moss, Hlland, being the land comprised in the Land Section of Register Unit No. CL.63 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 Mr W Kaye 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 Derby on 11 May 1984. At the hearing Mr Kaye appeared in person.

There being entries in the Rights Section of the Register Unit, the land in question can only fall within the definition of "Common Land" in section 22 (1) of the Act of 1965 by being Waste land of a manor.

The lordship or purported lordship of the manor of Hlland (sometimes known as Holland) was conveyed to Mr Kaye by a conveyance made 6 October 1976 between (1) Lynton Stuart White (2) L S White and David Lawrence-Jones (3) William Kaye. Mr White's title was derived from a vesting deed made 26 August 1950 between (1) Sir Dymoke White (2) Headley Dymoke White (3) Sir Dymoke White, D White and L S White.

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

16<sup>th</sup>

day of

May

1984

*J. J. L. L. L.*  
Chief Commons Commissioner