



COMMONS REGISTRATION ACT 1965

Reference No. 208/U/59

In the Matter of Piece End and Red Water,
Bradshaw Lane, Foolow, West Derbyshire D

DECISION

This reference relates to the question of the ownership of land known as Piece End and Red Water, Bradshaw Lane, Foolow, West Derbyshire D being the land comprised in the Land Section of Register Unit No. CL 42 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 Foolow Parish 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 T A W Hoyland, Chairman of the Foolow Parish Meeting appeared for his Parish and he produced a signed statement by the Rev David Shaw, Rector of Eyam, stating that he had custody of the Tithe Map and Tithe commutation agreements dated 20 August 1839 to the Parish of Eyam and that the land in question is shown on the said map, and in the said agreements as being in the ownership and occupation of the Township of Foolow.

On this evidence I am satisfied that the Parish of Foolow is the owner of the land, and shall accordingly direct the Derbyshire County Council, as registration authority, to register the Foolow Parish Trustees as the owners 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 26th day of November 1979

G. A. Little

Commons Commissioner