



In the Matter of the pieces of land in the Parish  
of Church Gresley in the County of Derby known  
as Gresley Common

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DECISION

This reference relates to the question of the ownership of land known as Gresley Common in the parish of Church Gresley being the land comprised in the Land Section of Register Unit No. CL 28 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 Thomas Wragg and Sons Limited and South Derbyshire District Council claimed to be the freehold owner of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Derby on 11 June 1980.

Mr Joyce of Messrs Fishers, Solicitors of Ashby-de-la-Zouch appeared for Thomas Wragg and Sons Ltd and Mr Manley, Deputy District Secretary appeared for the District Council as successor of the former Swadlincote Urban District Council.

Mr Joyce produced an epitome of title supported by original documents which showed that all the clay and manorial rights in Church Gresley had been conveyed to the Company on 24 January 1918 by the Executors of the late John Downing Wragg to whom they had been conveyed by Sir Robert Gresley Bart on 6 April 1914.

Mr Manley stated the District Council was in the process of purchasing part of the land comprised in the Register Unit from Derbyshire County Council and a draft scheme under the Commons Act 1899 relating to this and adjoining land had been advertised and the date for objections had expired on the day before the hearing. The title deeds were with the Land Registry.

Other parts of the Register Unit were the subject of existing schemes under the Commons Act 1899.

It was agreed that the parties should allow mutual inspection of documents so that, if possible, agreement could be reached. Otherwise the hearing would have to be resumed at a later date.

I have since had letters from Messrs Fishers and the District Council in which the former relinquish their client's claim to such part of the Register Unit as is shown edged blue and edged red on the plan annexed hereto and the District Council withdraws its opposition to the claim of the Company to ownership of the remainder of the land comprised in the Register Unit.

On this evidence I am satisfied that the South Derbyshire District Council is the owner of so much of the land as is shown edged red and blue on the plan annexed hereto and that Thomas Wragg and Sons Limited is the owner of the remainder of the land comprised in the Register Unit No. CL 28 and I shall accordingly direct the Derbyshire County Council as registration authority to register South Derbyshire District Council as the owner of the said land edged red and blue as aforesaid and Thomas Wragg and Sons Limited as the owners of the remainder of the land comprised



in the said Register Unit No. CL 28 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

8<sup>th</sup>

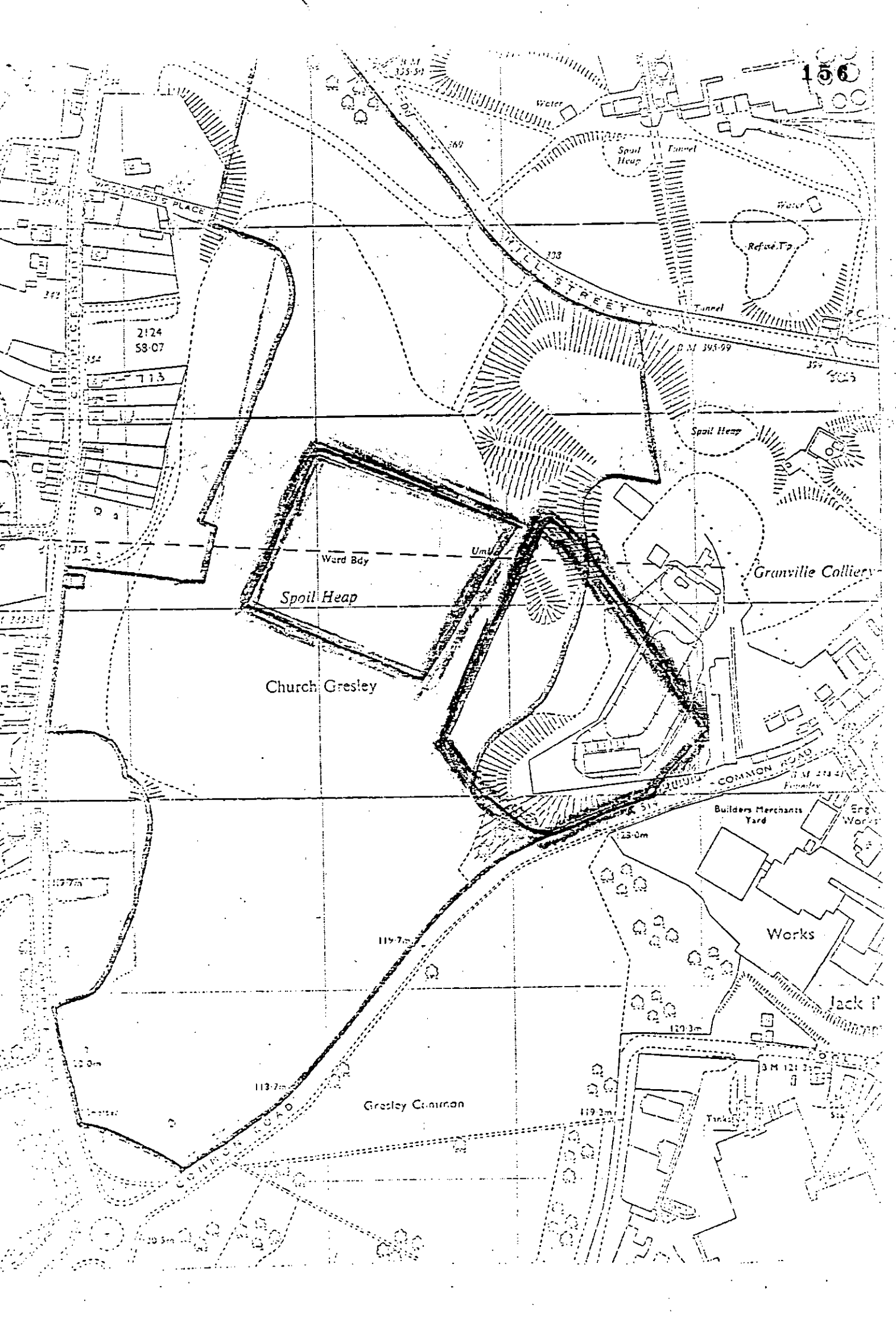
day of

September

1980

*Henry Herbert*

Commons Commissioner



WARD'S PLACE

2124  
58-07

713

Ward Bdy

Um...

Spoil Heap

Church Gresley

Granville Colliery

COMMON ROAD

Builders Merchants Yard

Works

Jack P

Gresley Common

Yards

123.0m

113.7m

119.7m

23.0m

123.0m

119.2m

B.M. 121-35

P.M. 393-09

B.M. 203-41

B.M. 125-59

Water

Water

Refuse TP

Spoil Heap

Spoil Heap

Tunnel

Tunnel

P.C.

359

1305

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