



In the Matter of Land in front of Shire Horse Inn
(formerly New Inn), Edl~~l~~aston and Wyaston, Derbyshire.

DECISION

This reference relates to the question of the ownership of land in front of the Shire Horse Inn (formerly the New Inn), Edl~~l~~aston and Wyaston, being the land comprised in the Land Section of Register Unit No. CL 41 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 the Edl~~l~~aston and Wyaston 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 Derby on 2 April 1981.

At the hearing the Parish Council was represented by Mr J P Galvin, its Clerk.

The land in question has for many years formed part of the Snelston Hall Estate in the possession of successive members of the Stanton family. By a letter dated 28 March 1968 addressed to the Clerk of the Parish Council the late Lt-Col John Percy Stanton purported to give the land to the Council to hold as Common land, but no conveyance to the Council was ever executed. Lt-Col Stanton died on 21 August 1974 and probate of his will was granted on 14 November 1974 to Lt - Col. John Richard Guy Stanton and Mr Cuthbert Eric Herbert. Mr Herbert died on 29 July 1976. By a conveyance made 31 March 1981 between (1) J R G Stanton. (2) The Parish Council the land was conveyed to the Parish Council.

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

5th

day of

October

1981

Chief Commons Commissioner