



In the Matter of the piece of land in the
Parish of Bretby in the County of Derby
situate to the East of the Castle Site and
known as The Green

DECISION

This reference relates to the question of the ownership of land known as The Green in the parish of Bretby in the County of Derby being the part of the land comprised in the Land Section of Register Unit No. VG 40 in the Register of Town and 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, Richard Arthur Herbert Perkins and Mrs Ann Gibson Wlysall 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 the 11 June 1980.

Mr G O Joyce, Solicitor of Messrs Fishers, Kilwardby Street, Ashby-de-la-Zouch, appeared for the claimants and deduced title beginning with a Conveyance made the 21 April 1915 Between The Right Honourable George Herbert Stanhope Molyneux Earl of Carnarvon (1) John William Corrie Fiere and Arthur Fitzhardinge Berkeley Portman (2) and John Downing Wragg in the Claimants as personal representatives of the late Eva Ruth Robotham who died on the 5 July 1966.

On this evidence I am satisfied that the Claimants, Richard Arthur Herbert Perkins and a Ann Gibson Wlysall (formerly Ann Gibson Perkins) are the owners of the land, and I shall accordingly direct the Derbyshire County Council, as registration authority, to register the said Claimants 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

8th

day of

September

1980

Henry Heath

Commons Commissioner