



In the Matter of Black Fell, Blanch Fell
and Haylot Fell, Caton-with-Littledale

DECISION

These disputes relate to the registrations at Entry No. 1, No. 2, No. 3 and No. 4 in the Rights Section of Register Unit No. CL 123 in the Register of Common Land maintained by Objection Nos. 361, 362, 363 and 364 made by F G Apedails (as agent for the Executors of the late Earl of Sefton) and noted in the Register on 29 June 1972.

I held a hearing for the purpose of inquiring into the dispute at Preston on 12 November 1980. The hearing was attended by Mr M Gillibrand, Solicitor, appearing on behalf of the applicants for the registrations: and by Mr W George of Counsel, appearing on behalf of the Objectors.

Agreement has been reached that the registrations be confirmed with certain modifications. The modifications are those set out in the following Schedule, and I confirm the registrations with those modifications.

Schedule of Modifications

- Entry No. 1. In column 4 delete the existing Particulars and substitute the following: "To graze sheep to a limit of 304 sheepgates (one ewe together with followers and a hog counting as one sheepgate) over the whole of the land comprised in this register unit".
- A right of turbary over the whole of the land comprised in this register unit.
- Entry No. 2. In column 4 delete the existing Particulars and substitute the following: "To graze sheep to a limit of 62 sheepgates (one ewe together with followers and a hog counting as one sheepgate) over the whole of the land comprised in this register Unit".
- Entry No. 3. In column 4 delete the existing Particulars and substitute the following: "To graze sheep to a limit of 79½ sheepgates (one ewe together with followers and a hog counting as one sheepgate) over the whole of the land comprised in this register unit".
- Entry No. 4. In column 4 delete the existing Particulars and substitute the following: "To graze sheep to a limit of 176 sheepgates (one ewe together with followers and a hog counting as one sheepgate) over the whole of the land comprised in this register unit and register unit CL 194 and CL 210".

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

1 December

1980

L. J. Morris Smith