



COMMONS REGISTRATION ACT 1965

Reference Nos 220/D/44  
220/D/45

In the Matter of Cold Clough or  
Cow Clough Pasture, Whitworth  
Town, Rossendale Borough,  
Lancashire

DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and at Entry No 1 in the Rights Section of Register Unit No CL. 278 in the Register of Common Land maintained by the Lancashire County Council and are occasioned by Objection No 250 made by West Pennine Water Board and noted in the Register on 7 March 1972.

I held a hearing for the purpose of inquiring into the dispute at Preston on 9 May 1978. At the hearing North West Water Authority (as successors of West Pennine Water Board) were represented by Mr G A Hartley their Solicitor, and Mr Walter Francis Lloyd (the Rights Section registration was made on the application of himself, his mother Mrs Constance Priestley Hyslop and his brother Mr George Walter Selwyn Lloyd) attended on his own behalf and as representing the other two applicants.

The land in this Register Unit is (according to the Register map) a little more than  $\frac{1}{2}$  a mile long from southwest to northeast and a little more than  $\frac{1}{4}$  of a mile wide from northwest to southeast. The Land Section registration was made in consequence of the application for the Rights Section registration.

The grounds of Objection relate to all the land except the part (about  $\frac{1}{6}$ th of the whole) on the Register map called "Thomas Head Quarry: Disused". Mr Lloyd said he withdrew the Rights Section registration, and was agreeable to my refusing to confirm both the registrations as regards all the land comprised in this Register Unit, that is my refusal should not be limited to the part of the land particularly mentioned in the grounds of Objection.

In the foregoing circumstances I refuse to confirm the registrations.

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 17<sup>th</sup> day of May -

1978

*G. A. Borden*

Commons Commissioner