



In the Matter of Fenwick Allotment,  
Ireby-with-Leck, Lancashire (No 1)

DECISION

This dispute relates to the registration at Entry No 1 in the Land section of Register Unit No CL 71 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by Objection No 178 made by Mrs F A Holloway and noted in the Register on 6 May 1971.

I held a hearing for the purpose of inquiring into the dispute at Lancaster on 28 February 1978. The hearing was attended by Mr H Parkes, the Chairman of the Ireby-with-Leck Parish Council, the applicant for the registration, and by Mr M Gillibrand, solicitor, on behalf of the Personal Representatives of S Nuttall, deceased, the applicants for the registration at Entry No 1 in the Rights section of the Register Unit, and by Mr T Jones, the agent of the Executors of the late Lord Shuttleworth, the applicant for the registration at Entry No 2 in the Rights section. There was no appearance by or on behalf of the Objector.

Mr Parkes informed me that the Parish Council had notified the former Lancashire County Council by a letter dated 21 January 1972 that it wished to "withdraw" its application. Mr Gillibrand and Mr Jones stated that they were instructed not to support the applications for the registrations in the Rights section.

In these circumstances I refuse to confirm the registration.

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 25<sup>th</sup> day of April 1978

CHIEF COMMONS COMMISSIONER