



COMMONS REGISTRATION ACT 1965

Reference Nos. 20/D/10
20/D/11
20/D/12In the Matter of Freckleton Marsh,
Freckleton, Fylde Borough, LancashireDECISION

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. CL.29 in the Register of Common Land maintained by the Lancashire County Council and are occasioned by Objection No. 153 made by Mr John Cornall Knowles "Secretary of the Freckleton Marsh Owners" and noted in the Register on 16 February 1971, by Objection No. 192 made by Mr H Kirby, "on behalf of Exors. of John Kirby (deceased)" and noted in the Register on 12 July 1971, and by Objection No. 334 made by Mrs Maggie Cookson and noted in the Register on 25 May 1972.

I held a hearing for the purpose of inquiring into the disputes at Preston on 11 May 1978. At the hearing Lancashire County Council who as registration authority made the registration without application, were represented by Mr J A Strong, their Senior Solicitor; and Mr Robert Banks of Marbank Farm, Lower Lane, Freckleton who was then the Secretary of the Freckleton Marsh Gate Owners Association, acting on behalf of the numbers in succession to Mr J C Knowles then deceased, Mr H Kirby and Mrs M Cookson were all represented by Mr G R Green, Solicitor of Dickson Child & Green, solicitors of Kirkham. Mr Green said that Mr Kirby and Mrs Cookson are members of the Association. With the agreement of Mr Strong and Mr Green, I adjourned the proceedings.

I held the adjourned hearing at Preston on 13 December 1979. At the hearing Lancashire County Council, Mr Banks (he is still the Secretary of the Association), Mr Kirby and Mrs Cookson were represented by Mr Strong and Mr Green as before.

Before the hearing there had been sent to the office of the Commons Commissioners a request to them to refuse to confirm the registration signed by or on behalf of Mr Banks, Mr Kirby, Mrs Cookson, Freckleton Parish Council, Fylde Borough Council and Lancashire County Council, and this request was repeated at the 1979 hearing by Mr Strong and Mr Green.

Having regard to the agreement reached as above recorded, I consider I should give effect to such request. Accordingly I refused 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 14th — day of April — 1980.

a. a. Baker

Commons Commissioner