



In the Matter of Jackson Height, Oswaldtwistle, and
Pike Low, Haslingden, Lancashire (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 139 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by Objection No. 325 made by the former Bolton County Borough Council, as water undertaker, and noted in the Register on 23 May 1972.

I held a hearing for the purpose of inquiring into the dispute at Preston on 29 January 1981. The hearing was attended by Mr D G Watson, solicitor, on behalf of Mr R E Baldwin, the applicant for the registrations at Entry Nos 1 and 2 in the Rights section of the Register Unit, and by Mr G Hartley, solicitor, on behalf of the North West Water Authority, the successor authority of the former Bolton County Borough Council.

Mr Watson informed me that he was instructed to agree that the land comprised in the Register Unit is not common land.

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 5th day of February 1981

Chief Commons Commissioner