



COMMONS REGISTRATION ACT 1965

Reference No 20/3/74

In the Matter of land at Stubbins Lane,
Sabden, Ribble Valley District, Lancashire

DECISION

This reference relates to the question of the ownership of part of the land which is at Stubbins Lane, Sabden, Ribble Valley District and which is the land comprised in the Land Section of Register Unit No CL. 31 in the Register of Common Land maintained by the Lancashire County Council. The said part ("the Referred Land") is that part of the said land of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the Referred Land in question and no person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the Referred Land at Preston on 24 January 1978. At the hearing Sabden Parish Council was represented by Miss A Alston, MBE, one of their members.

The land ("the Unit Land") in this Register Unit comprises two pieces each of which is approximately triangular and which are joined by a narrow strip. On the Register map across this strip is drawn the line A-B. In the Ownership Section of the Register Mr Bernard S Varley and Mr William Slater are registered as the owners of the part of the Unit Land east of the line A-B, and subregistration being undisputed has become final. One of the sides of the east (Messrs Varley's and Slater's) part lies along Stubbins Lane, so that the Referred Land (that is the west part) can only be approached from Stubbins Lane by crossing the land of which Messrs Varley and Slater are now the registered owners.

Miss Alston, who is also a member of Ribble Valley Borough Council, handed me a statement of her evidence, a map and an abstract of a conveyance dated 1897. On behalf of the Parish Council she claimed the land on her map marked in black and gave me some information as to how such land was now being used and as to how it could be used to the better advantage of the public.

I also had before me a letter dated 13 January 1978 from the Clerk of the Parish Council with which was enclosed extracts from the Parish Council Minute Book relating to meetings held between 6 November 1967 and 22 May 1968 (inclusive).

The land referred to by Miss Alston is on the east side of Stubbins Lane, near to its junction with Padiham Road where such road crosses the Bridge. The Unit Land (according to the copy of the Register map supplied to me by the County Council) is on the west side of Stubbins Lane about 100 yards from the Bridge; of this land Miss Alston said nothing. An extract from the Parish Council Minute Book suggests that they at one time wished to dispute the ownership — registration made on the application of Messrs Varley and Slater, but the copy of the Register supplied to me by the County Council contains nothing to suggest that the Parish Council ever sent to the County Council as registration authority any formal objection to it.



There may have been some misunderstanding; but as far as I am concerned on this reference, I can only deal with the ownership of the Referred Land. As to this, I have no evidence, and accordingly I am not satisfied that any person is the owner of the Referred Land and it will therefore remain subject to protection under section 9 of the Act of 1965.

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 state a case for the decision of the High Court.

Dated this 15th day of February — 1978

a. a. Baden Fuller

Commons Commissioner