



In the Matter of Salesbury and Compster Green
Commons, Salesbury, Lancashire (NO.1)

DECISION

These disputes relate to the registration at Entry No. 1 in the Land section of Register Unit No.CL.4 in the Register of Common Land maintained by the Lancashire County Council and are occasioned by Objection No. 20 made by Mrs J Lord and noted in the Register on 4 December 1970 and the conflicting registration at Entry No. 1 in the Land section of Register Unit No.VG.49 in the Register of Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Blackburn on 20 June 1984. The hearing was attended by Mr P Timson, Solicitor, on behalf of the Ribble Valley Borough Council, the successor authority of the former Blackburn Rural District Council, the applicant for the registration, by Mr C H Frankland, a member of the Salesbury Parish Council, and by Mrs Lord. There was no appearance on behalf of the Ramblers' Association, the applicant for the conflicting registration.

Mrs Lord's Objection relates to a very small area of land, which Mr Timson and Mr Frankland agreed should not be included in the Register Unit.

The Rights Section of the Register Unit contains ten entries. There is no objection to any of them that the right in question does not exist, the only reasons why each of them has not become final being the existence of Mrs Lord's Objection and the conflicting registration. But for the technical disputes so generated, each of the registrations in the Rights section would have become final.

In these circumstances I am satisfied that the land comprised in the Register Unit, other than that the subject of the Objection, falls within the definition of "Common Land" in section 22 (1) of the Commons Registration Act 1965 as being subject to rights of common, and I therefore confirm the registration with the following modification, namely the exclusion of the land the subject of Objection No. 20.

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

29th

day of

June

1984

Chief Commons Commissioner