



In the Matter of Salt Marsh, Bolton-le-Sands  
Warton, and Silverdale, Lancashire (NO.2)

DECISION

These disputes relate to the registrations at Entry Nos 1 and 2 in the Rights section of Register Unit No. CL.264 in the Register of Common Land maintained by the Lancashire County Council and are occasioned by Objections Nos 300 and 357 made by Mr G.C. Harries and Mr R G Swainson and noted in the Register on 5 May 1972 and 15 June 1972 respectively.

I held a hearing for the purpose of inquiring into the dispute at Lancaster on 17 July 1984. The hearing was attended by Mr M A H Bates, Solicitor, on behalf of Mr J Wilkinson, the applicant for the registration at Entry No 1 and by Mr N Le Poidevin, of Counsel, on behalf of the Royal Society for the Protection of Birds, the successor in title of the Objectors. There was no appearance by or on behalf of Mr W S Burrow, the applicant for the registration at Entry No.2.

I have since been informed that it has been agreed that the registration at Entry No 1 should be confirmed with the substitution for the figures and words in column 4 of Entry No. 1 of the following figures and words:-

"To graze 750 sheep and their followers or such larger number as shall be permitted pursuant to an Agreement and Compromise dated 3 June 1981 and made between James Wilkinson and Roger James Wilkinson of the first part Charles Leonard Mason of the second part John Glendower Rowe Harding, James Roskell Reynolds, Richard James Gillow Reynolds and Henry Claude Lucas of the third part Lancashire County Council of the fourth part and Warton Parish Council of the fifth part as varied by a Deed of Variation dated 9 November 1984 and made between James Wilkinson and Roger James Wilkinson of the first part The Royal Society for the Protection of Birds of the second part the said Richard James Gillow Reynolds of the third part Lancashire County Council of the fourth part and Warton Parish Council of the fifth part over the whole of the land comprised in this Register Unit, the part of the land comprised in Unit No.CL.145 lying south of the line O-N and west of the line N-F on the Register Map, and over the parts of the land comprised in Register Unit CL.160 lying north-west of the line A-B, south-east of the line E-F on the Register Map and north and west of the main channel carrying the River Keer (notwithstanding that the position of the said channel may change from time to time due to accretion or erosion)".

This I accordingly do, and I refuse to confirm the registration at Entry No.2.



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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 28th day of November 1984

A handwritten signature in cursive script, appearing to read 'G. L. Smith', written over a horizontal line.

Chief Commons Commissioner