



In the Matter of Salt Marshes, Bolton-le-Sands and Warton, Lancashire, (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 35 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by Objection No. 94 made by the Executors of William Bargh, deceased and noted in the Register on 4 December 1970.

I held a hearing for the purpose of inquiring into the dispute at Lancaster on 1 and 2 March 1978. The hearing was attended by Mr W D Molyneux, Solicitor, on behalf of the Bolton-le-Sands Parish Council, Mr R B Armstrong, the Vice-Chairman of the Warton Parish Council and Mr J Leeming, of counsel, on behalf of Mr C L Mason, the successor in title of Mr and Mrs R V Dixon, the applicants for the registration at Entry No. 3 in the Rights Section of the Register Unit.

I re-opened the hearing at Lancaster on 17 July 1984, when Mr R M N Gillibrant, Solicitor, appeared on behalf of Mr George Mason, the successor in title of Mr J Mason, in consequence of whose application for the registration at Entry No. 1 in the Rights Section of the Register Unit this registration was made, and on behalf of the other applicants for registrations in the Rights Section or their successors in title, Mr Molyneux appeared for the Bolton-le-Sands Parish Council, and the Warton Parish Council was represented by Mr Truman, its Chairman.

Mr Gillibrant informed me that it had been agreed that I should confirm the registration with the following modification, namely, the insertion after the words "Salt Marshes" of the words "the northern and western boundaries of which adjacent to Register Unit No. CL 264 are formed by 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", which I accordingly do.

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

26th

day of

July

1984


Chief Commons Commissioner