



In the Matter of Salt Marshes, Warton and  
Silverdale, Lancashire (NO.2)

DECISION

These disputes relate to the registrations at Entry Nos. 1, 2, 4 and 5 in the Rights section of Register Unit No. CL.45 in the Register of Common Land maintained by the Lancashire County Council and are occasioned by Objection No. 1 made by the former Lancaster Rural District Council, Objection No. 70 made by Mr J Wilkinson, Objection No. 75 made by Mr T.W. Ward, Objection No. 50 made by Mr G.C. Harries and Mr R G Swanson, Objection No. 120 made by Mr T.W. Ward, and all noted in the Register on 4 December 1970, Objection No. 187 made by Mr C L Mason and noted in the Register on 24 June 1971, Objection No. 295 made by Mr Harries and Mr Swanson and noted in the Register on 5 May 1972, and Objection No. 392 made by Mrs H M C Reynolds, and noted in the Register on 18 July 1972.

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 J Leeming, of Counsel, on behalf of the Trustees of H M Reynolds, deceased, the applicants for the registration at Entry No 1 and Mr C L Mason, the applicant for the registration at Entry No. 4, and by Mr L Howarth, Solicitor, on behalf of Mr Wilkinson (also the applicant for the registration at Entry No. 5),

At the hearing I was informed that the parties had agreed upon the decision to be given in this and some other matters, and I asked that in order to avoid misunderstanding agreed terms should be put into writing. I was subsequently provided with a copy of an agreement and compromise made 3 June 1981 between (1) James Wilkinson and Roger James Wilkinson (2) Charles Leonard Mason (3) John Glendower Rowe Harding, James Rosewell Reynolds, Richard James Gillow Reynolds, and Henry Claude Lucas (4) Lancashire County Council (5) Warton Parish Council. This document relates to several registrations in addition to those which are the subject of the present reference, and it is not drafted so as to state with precision what modification is sought in respect of each of the references to which it relates. Doing the best that I can to give effect to the wishes of the parties, I confirm the registration at Entry No. 1 with the following modification, namely, the substitution for the words in column 4 of the words: "To graze 150 sheep and their followers over the whole of the land comprised in this register unit with the exception of the land lying south of the line O-N and west of the line N-F on the Register Map; I confirm the registration at Entry No. 2 with the following modification, namely, the substitution for the words in column 4 of the words: "To graze 750 sheep and their followers over the whole of the land comprised in this register unit with the exception of the land lying south of the line O-N and west of the line N-F on the Register Map; I refuse to confirm the registrations at Entry Nos. 3 and 4; and I confirm the registration at Entry No. 5 with the following modification, namely, the deletion in column 4 of the words following the words "the register map".



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Should any person entitled to be heard so request within 28 days from the date on which notice of this decision is sent to him, I will set aside the decision and restore the case to the list for further hearing.

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 2nd day of February 1983

Chief Commons Commissioner