



In the Matter of Salt Marshes, Warton and
Silverdale, Lancashire (NO.1)

DECISION

These disputes relate to the registration at Entry No 1 in the Land 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, and Objection No. 75 made by Thos.W Ward Ltd and all 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 J Leeming, of Counsel, on behalf of Mr J P Merrett, the applicant for the registration, the Trustees of H M Reynolds, deceased, the applicants for the registration at Entry No 1 in the Rights Section of the Register Unit, and Mr C L Mason, the applicant for the Registration at Entry No 4 in the Rights Section, by Mr L Howarth, Solicitor, on behalf of Mr J Wilkinson (also the applicant for the registration at Entry No 5 in the Rights Section), and by Mr R B Armstrong, the Vice-Chairman of the Warton Parish Council.

I resumed the hearing at Lancaster on 17 July 1984, when the Reynolds Trustees were represented by Mr C L Billington, Solicitor, Mr Wilkinson was represented by Mr M A H Bates, Solicitor, and the Lancashire County Council, the successor in title of the former Lancaster Rural District Council, was represented by Mr J A Strong, Solicitor.

I have since been informed that it has been agreed that I should confirm the registration with the following modifications, namely, the insertion after the words "Salt Marshes" of the words "the south-east boundary whereof is formed by the Main Channel of the River Keer (notwithstanding the position of the said channel may change from time to time due to accretion or erosion)" and the exclusion of the land shown hatched purple on the map attached to a deed of variation dated 9 November 1984 and made between (1) James Wilkinson and Roger James Wilkinson (2) The Royal Society for the Protection of Birds (3) Richard James Gillow Reynolds (4) Lancashire County Council (5) Warton Parish Council.

This 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

29th

day of November 1984

[Signature]
Chief Commons Commissioner