

In the Matter of Trawden Moors, Pendle,
Lancashire (No. 2)

DECISION

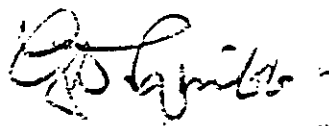
This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 134 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by Objection No. 422 made by Mr J M Beswick and Mr G Hey, the Executors of H Bannister, deceased, and noted in the Register on 27 July 1972.

I held a hearing for the purpose of inquiring into the dispute at Preston on 29 January 1981. The hearing was attended by Mr William Foster, solicitor, on behalf of Mr L Bracewell, one of the applicants for the registration at Entry No. 1 in the Rights section of the Register Unit, and by Mr B C Maddocks, of counsel, on behalf of the Objectors.

In the circumstances stated in my decision in In the Matter of Trawden Moors, Pendle (No. 1) (1981) Ref. No. 220/D/218 - 220 I have refused to confirm the only two registrations in the Rights section of the Register Unit. There being no evidence that the land comprised in the Register Unit falls within the definition of "common land" in s.22(1) of the Commons Registration Act 1965, I refuse to confirm the registration.

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 18th day of March 1982



Chief Commons Commissioner