



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

DECISION

This dispute relates to the registration at Entry No 1 in the Rights Section of Register Unit No.CL.160 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by Objection No. 303 made by Mr G C Harries and Mr R G Swainson and noted in the Register on 5 May 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 Ian 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 and by Mr N P Le Poidevin, of Counsel, on behalf of the Royal Society for the Protection of Birds, the successors in title of the Objectors.

I continued the hearing at Lancaster on 17 July 1984, when Mr Le Poidevin informed me that the Royal Society for the Protection of Birds had succeeded to the interest of Mr and Mrs Dixon as well as that of the Objectors.

I have since been informed that it has been agreed that the registration should be confirmed with the following modification, namely, the substitution for the figures and words in column 4 of the figures and words:-
"To graze 750 sheep and their followers or such larger number as shall be permitted by the terms of 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 Clause 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 the said 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 save and except any part lying south 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) and except the part of the land therein lying south and west of the line C-D on the Register map and over the whole of the land comprised in Register Unit No. CL.45".

This I accordingly do.

Mr Le Poidevin also invited me to add to the Register a registration at a new entry, to be numbered 4, of a right to graze sheep and followers attached to Moss House Farm, but it does not appear to me that I have any jurisdiction to do this.



-2-

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 on the High Court.

Dated this 28th day of November 1984

A handwritten signature in cursive script, appearing to read 'G. P. L. Quirk', with a horizontal line drawn underneath the signature.

Chief Commons Commissioner