



In the Matter of Warton Salt Marsh, Warton  
and Silverdale, Lancashire (No. 1)

---

DECISION

This dispute relates to the registration at Entry No. 2 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. 186 made by Mr C L Mason and noted in the Register on 24 June 1971.

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 L Howarth, Solicitor, on behalf of Mr J Wilkinson, the applicant for the registration, and by Mr Ian Leaming, of Counsel, on behalf of the Objector.

At the hearing I was informed that the parties had agreed upon the decisions to be given in this and some other related matters, and I asked that in order to avoid misunderstanding the 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, Richards James Gillow Reynolds, and Henry Claude Lucas (4) Lancashire County Council (5) Warton Parish Council. This document relates to several registrations in addition to the one which is 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. 2 with the following modification, namely, the substitution for the words in column 4 of the words: "To graze 3000 sheep and their followers over the land north-west of the line A-B on the Register Map and the land south-east of the line E-F on the Register Map and north and west of the main channel of the River Keer notwithstanding that the position of the said channel may change from time to time due either to accretion or to erosion".

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