



In the Matter of Pennington Green Common,  
Aspull, Lancashire

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DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Sections of (1) Register Unit No. VG 48 in the Register of Town or Village Greens and (2) Register Unit No. CL 129 in the Register of Common Land maintained by the Greater Manchester County Council and <sup>are</sup> occasioned by the registrations being in conflict.

I held a hearing for the purpose of inquiring into the disputes at Salford on 3 April 1979. The hearing was attended by Mr P P Yeo, Solicitor of Wigan Metropolitan District Council, which is the successor to the applicant for registration of the land as common land. There was no appearance on behalf of the Ramblers Association, which was the applicant for registration as a town or village green. Mr M G M Brogden, Solicitor of the Registration Authority attended.

Mr Yeo was not in a position to contend positively that the land was common land, but Mr Brogden drew my attention to a Scheme made and approved in March 1902, under the Commons Act 1899 for the regulation of Aspull Moor and Pennington Green Common, in which these two areas of land are referred to as "the common" and as "being a common within the meaning of the Commons Act 1899". Aspull Moor is itself registered as common land (Register Unit No. CL 128).

In the absence of any other evidence, I confirm the registration in the Register of Common Land and refuse to confirm the registration in the Register of Town and Village Greens.

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 31 May

1979

L. J. Morris Smith

Commons Commissioner