



In the Matter of Deans Greave Rough, Rossendale

DECISION

This dispute relates to the registration at Entry No. 3 in the Rights Section of Register Unit No. CL.235 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by Objection No. 98 made by Mr Ernest Chadwick and noted in the Register on 4 December 1970.

I held a hearing for the purpose of inquiring into the dispute at Preston on 27 June 1984. The hearing was attended by Mr Chadwick in person.

Entry No. 3 is of a grazing right registered by Mr J B Askew as attached to Heights Farm. The objection is on the ground that the right has never existed. Mr Chadwick told me that he has been familiar with the area for some 60 years and has himself grazed on this common for over 30 years and that there was never any grazing from Heights Farm. Mr John Thrope, giving evidence, said that he had grazed animals on the common for 25 years and has no knowledge of any grazing from Heights Farm.

Mr Askew was not present or represented at the hearing and in the absence of any evidence in support of the right claimed 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 18 July 1984

*L. J. Morris Smith*

Commons Commissioner