



COMMONS REGISTRATION ACT 1965

Reference No.20/U/69

In the Matter of Parlick Fell, Chipping,
Clitheroe R.D., Lancashire

DECISION

This reference relates to the question of the ownership of land known as Parlick Fell, Chipping, Clitheroe Rural District being the land comprised in the Land Section of Register Unit No.CL.12 in the Register of Common Land maintained by the Lancashire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference the Clerk of Chipping Parish Council wrote saying that the land belonged to the rate payers of the parish of Chipping and is grazed by the farmer's sheep. No other person claimed to be the freehold owner of the land in question or to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Preston on 21 February 1974. The hearing was attended by (1) Mr. P. Stott, (2) Mr. G. D. Brewer, (3) Mr. J. Hayhurst, (4) Mr. N. B. Huddleston, and (5) Mr. J. Hayes.

The land comprised in this Register Unit contains (according to the Register) 66.35 hectares (between 163 and 169 acres). In the Rights Section, there are 43 Entries of rights to graze varying numbers of sheep attached to the farms specified in column 5 of the Register; these numbers when added together, total 1,254.

Mr. Stott, Mr. Brewer, Mr. Hayhurst and Mr. Hayes attended the hearing as being or representing persons on whose application grazing rights had been entered on the Register (Mr. Hayes also represented Hayes Wolfen Hall Limited) as follows:-

<u>Entry No.</u>	<u>Applicant</u>	<u>Farm to which right is attached</u>	<u>Sheep Number</u>
1.	Mr. J. Hayes	Wolfen Hall Farm	50
4.	Mr. J and Mrs. M. Hayhurst.	Out Lane Head Farm	70
15.	W. P. Brewer and Sons Ltd.	Lower Core Farm	70
16.	Ditto	Watery Gate Farm	22
24.	Mr. P. Stott	Clark House Farm	23

Mr. Huddleston attended as representing Chipping Parish Council. He is one of their members; he explained that the Parish Council was not at the hearing represented by Mr. Stott their chairman, because Mr. Stott was concerned (as above mentioned) as owner of a registered grazing right.

All those who attended the hearing, were agreed that no evidence of ownership of the land could be offered.



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In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 of the Act of 1965.

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

26th

day of

February

1974.

A. A. Baden Fuller

Commons Commissioner