



COMMONS REGISTRATION ACT 1965

Reference No. 220/U/31

In the matter of land known as
the Shore in the parish of
Bolton-le-Sands

DECISION

This reference relates to the question of the ownership of land known as the Shore in the parish of Bolton-le-Sands being the land comprised in the Land Section of Register Unit No. CL78 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 Bolton-le-Sands Parish Council claimed to be the freehold owner of the land in question and no other person claimed 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 Lancaster on 16 June 1987.

Bolton-le-Sands Parish Council was represented by Mr W D Molyneux Solicitor of Messrs John Whittle, Robinson & Bailey of Preston. Lancashire County Council, the registration authority, was represented by Mr J A Strong, Solicitor.

This reference relates to a comparatively small parcel of land known as the Shore, on the east side of the northern end of the Salt Marshes in the parishes of Bolton-le-Sands and Slyne-with-Hest which are registered under the Act of 1965 as CL43. I heard this reference immediately after that in respect of CL43.

Mr Molyneux said that the same evidence was relied on by the Parish Council to establish a possessory title in this case as had been given by Mr Goldsworthy and Mr Parkinson in respect of CL43.

Mr Parkinson then gave further evidence. He said that:-

The road across CL78 was the access road to Red Bank Farm, and was the only vehicular access to the farm. The farmer had never disputed that the Parish Council was the owner of the road. He had put "sleeping policemen" across the road. The Parish Council had requested their removal and the farmer had complied. The Parish Council had allowed parking on the road, and their car parking attendant collected parking money along this road in particular. They removed or asked the police to remove campers on the land. They got the police to remove abandoned vehicles. They placed seats and litter bins on the land. At some date prior to 1972 they requested Lancaster Rural District Council to put up a toilet block on the land, and this had been done.

On this evidence, coupled with the evidence which had previously been given in respect of CL43 (insofar as it related to this register unit also) I am satisfied that Bolton-le-Sands Parish Council is the owner of the land; and I shall accordingly direct the Lancashire County Council, as registration authority, to register it as the owner of the land under section 8(2) of the Act of 1965.



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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

3rd

day of September 1987

Commons Commissioner