

Section 19(2)(a) of the Commons Act 2006
Application to correct the register
CA10/50 – CL180 Quarry, Great Corby

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The Application

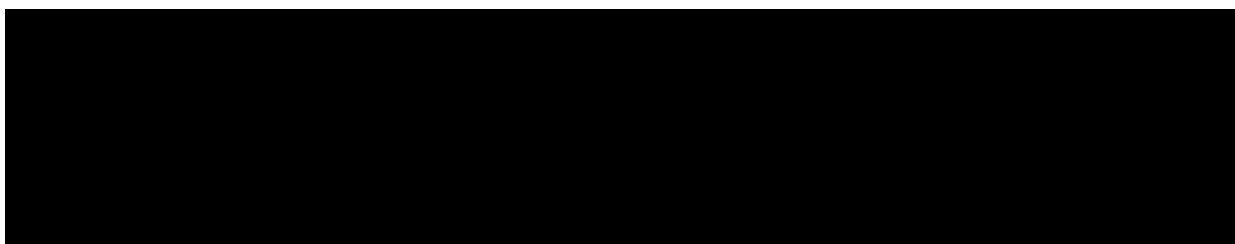
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COMMONS ACT 2006: REFERRAL OF CORRECTIVE APPLICATIONS AND PROPOSALS TO THE PLANNING INSPECTORATE

Referral Letter

COMMONS ACT 2006 – *Section 19(2)(a)*

Land at Great Corby Primary School, Great Corby, Carlisle, Cumbria, CA4 8NE, forming part of 'CL180 Quarry, Great Corby'.

This application is referred to the Planning Inspectorate under Regulation 26 of the Commons Registration (England) Regulations 2014 ("the Regulations") because:-

we have an interest in the outcome of the application such that there is unlikely to be confidence in our ability to determine it impartially. Our interest is as the freehold owner of the land shown on Land Registry title CU212089, which forms part of the application land.

AND

persons with a legal interest in the land subject to the application have objected to it. Their legal interest in the application is as landowners of part of the application land. We have asked all such objectors to provide documentary evidence of their legal interest. Documentary evidence was provided by The Great Corby Educational Foundation of Charities Commission Direct in terms of Land Registry title CU263679, which list them as the registered proprietor of part of the application land. A Mr R.C. Armstrong also claims to be the owner of part of the application land and has previously made statutory declarations to that effect, although his name is not listed with the Land Registry.

The application has been dealt with in accordance with the Regulations. In referring this application or proposal we have included all the material relevant to the determination of the case and we confirm that the Planning Inspectorate may retain this material. Please see the file checklist and the index to the file.

We have publicised the application or proposal in accordance with the Regulations.

We take a neutral stance towards the application.

71 representations have been received (64 were considered to be duly made and a further 7 were considered not to be duly made) and these have been served on the applicant. The representations are from the following persons: [Please see the representations summary sheet immediately following this letter]

We have not included any representations which were subsequently withdrawn. The applicant has responded to the representations. The applicant's response is included in the file.

The applicant's response has been forwarded to all those who made representations for information.

The parties have been told that the case is being referred to The Planning Inspectorate.

We certify that this application or proposal has been made in accordance with the Regulations and we have fulfilled our duties as registration authority under the Regulations.

Signed



Jason Weatherill
Commons Officer

On behalf of Cumbria County Council

Date: 28/05/2021

CA10/50 - Application to correct the register

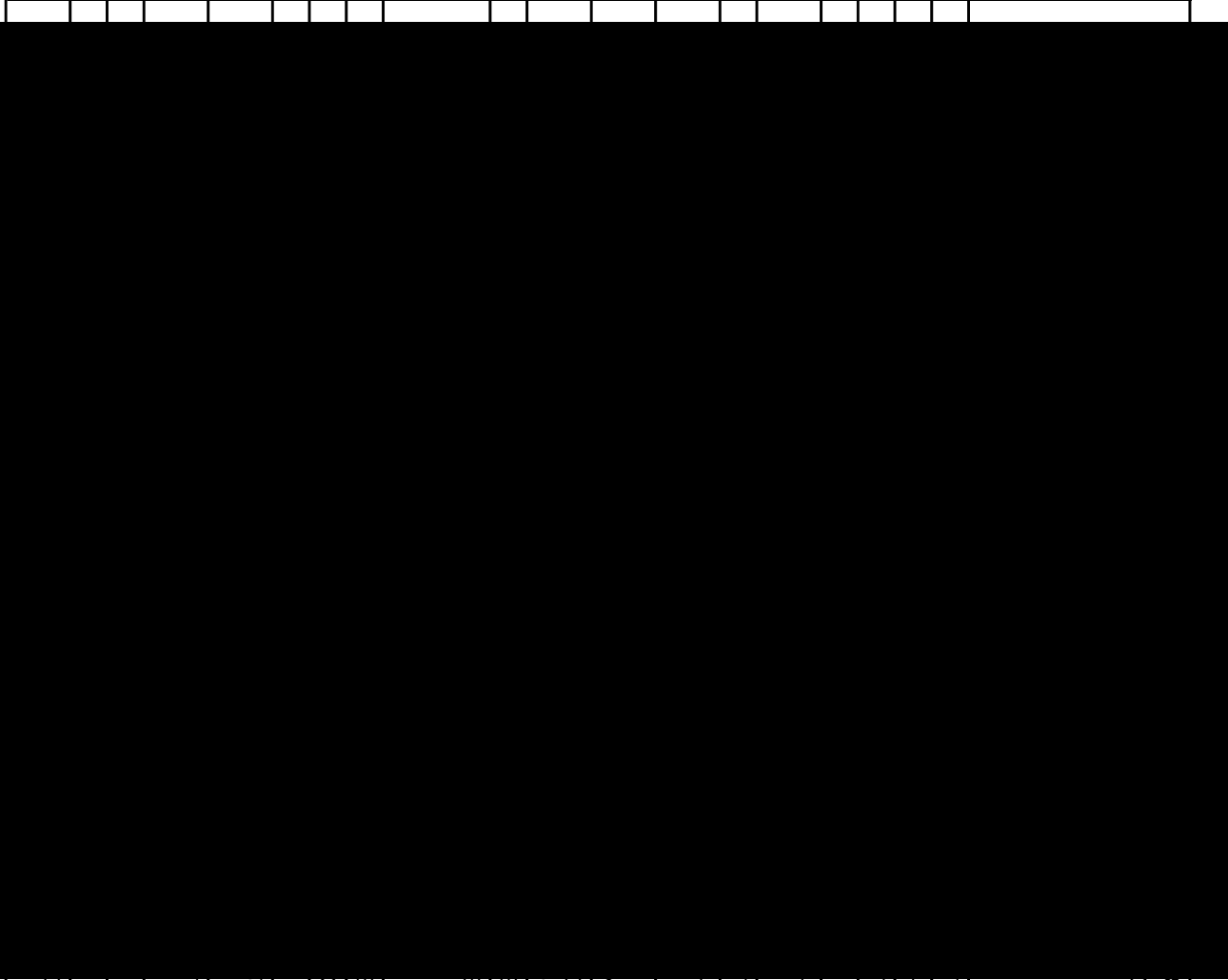
CL180 - Quarry, Great Corby

Applicant - Kirsty Williamson

First representation period 15/12/20 - 05/02/21. Second representation period 10/02/21 - 25/03/21

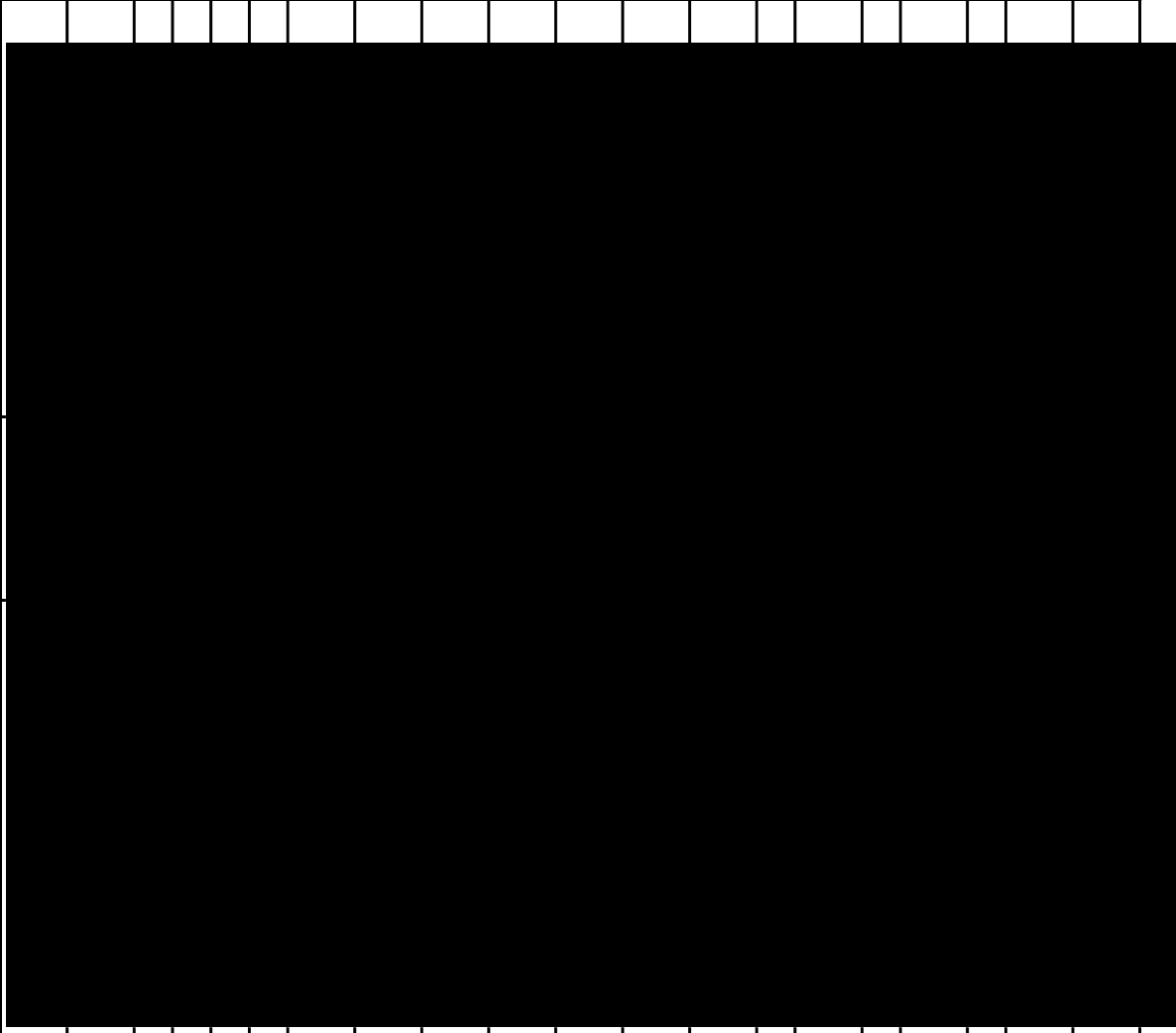
Date Received	From	Post or email	Legal interest stated?	Number given to rep	Address	Tel. Number	Email
06/01/2021	Elizabeth and Stuart Park	Email	N	NDM1			
06/01/2021	Nichola J McCoy	Email	N	Filed with 4			
06/01/2021	Mr James McCoy	Email	N	Filed with 4			
06/01/2021	Mr James Buis	Email	N	1			
07/01/2021	Mrs Debbie Penrith	Email	N	2			
07/01/2021	Mr Chris Mothersdale	Email	N	3			
07/01/2021	Mrs Nichola McCoy, Mr Ian Nelson, Miss Mollie McCoy, Mr James McCoy, Miss Sophie Nelson and Mrs Elaine Hodgson	Email	N	4			
07/01/2021	Dr John Storr	Email	N	5			
07/01/2021	Joan Thirlaway	Email	N	6			
07/01/2021	Bob Summers	Email	N	7			
07/01/2021	Valerie Turner	Email	N	8			
07/01/2021	N.P. Bull	Email	N	9			
07/01/2021	Christine Magas	Email	N	10			
07/01/2021	Brian Currie "on behalf of my wife and 2 children"	Email	N	NDM2			
08/01/2021	Andrea Nanson	Email	N	11			
08/01/2021	Mark Magas	Emailed letter	N	12			

08/01/2021	Elizabeth Burke	Email	N		13 C
09/01/2021	Rick Shepley	Email	N		NDM3
11/01/2021	Chris Stevens	Email	N		14
09/01/2021	Penny Lawson	Email	N		15 1
10/01/2021	Sandra Downer & Philip Downer	Email	N		16 2
09/01/2021	Jennifer Boyd	Email	N		NDM4
10/01/2021	Gill Bruce	Email	N		17 D
11/01/2021	Susanna Donovan	Email	N		18 C
12/01/2021	Mrs Diane Jenkins	Letter	N		19 C
12/01/2021	Dr Andrew Donovan	Email	N		20 C
13/01/2021	David Jenkins	Letter	N		S 21 C
13/01/2021	Graham Jenkins	Letter	N		N 22
13/01/2021	Frances and Kenneth Prudham	Letter	N		23 H
13/01/2021	Helen Hinvest	Email	N		24 1
14/01/2021	Kenny Brooks and Lorraine Brooks	Email	N		25 F
14/01/2021	Jenny Lyons	Email	N		NDM5
18/01/2021	Jennifer Robertson	Letter	N		26 1
19/01/2021	Stuart Fraser	Email			NDM6 H
20/01/2021	Dorothy Downer	Letter	N		27 1
21/01/2021	Violet Warwick	Emailed letter	N (although was previously a Trustee of the Gt Corby Educational Foundation)		K 28 B



24/01/2021	Tracy Stevenson	Emailed letter (to LM)	N		29
23/01/2021	[REDACTED]	Email	N		NDM7 wishes to remain anonymous
25/01/2021	Mrs Karen Tait	Email	N		30
26/01/2021	Mr A J Stevenson	Emailed letter (to LM)	N		31
27/01/2021	Teresa Gallagher	Email	N		32
27/01/2021	Mrs Anita Armstrong	Letter	N		33
28/01/2021	Susan Wilson (on behalf of the Trustees of Great Corby Educational Foundation)	Emailed letter	Yes		34
28/01/2021	Paul Armstrong	Letter	N		35
28/01/2021	Peter Armstrong and Linda Armstrong	Email			36
28/01/2021	Louise Cuthbert	Emailed letter	N		37
29/01/2021	David Dixon and Pauline (Polly) Dixon	Emailed letter	N		38
31/01/2021	Karen McLennan	Email	N		39
31/01/2021	Chris Pendleton and Anne Pendleton	Email	N		40
01/02/2021	Helen Dodd	Emailed letter	N		41
01/02/2021	Martin Armstrong	Email	N		42
02/02/2021	Mr Donald Smith	Emailed Letter and docs	N		43
02/02/2021	Gareth Melvin	Email	N		44

02/02/2021	Rachel Williamson	Email	N	45
03/02/2021	Andrew Little	Emailed letter	N	46
03/02/2021	Mark Waugh	Email	N	47
04/02/2021	Ann Graham	Email	N	48
04/02/2021	Neil Little	Email	N	49
04/02/2021	Karen Little	Email	N	50
04/02/2021	Linda Aspinall	Email	N	51
04/02/2021	John Winder, Janice Winder and Emily Winder	Email	N	52
05/02/2021	Andrew Curtis	Email	N	53
05/02/2021	Hugh Craddock (The Open Spaces Society)	Email	N	54
05/02/2021	Vivienne Evans	Emailed letter	N	55
05/02/2021	Christian Dymond and Charlotte Dymond	Email	N	56
05/02/2021	John Billett	Letter	N	57
05/02/2021	Mrs M Brown (?)	Letter	N	58
14/02/2021	Sam Dixon	Emailed letter	N	59
05/03/2021	Mr R.C. Armstrong	Letter	Yes	60
07/03/2021	Bert and Sarah Thomas	Emailed letter	N	61
17/03/2021	Steven Arthur	Letter	N	62
24/03/2021	Ian Astle	Emailed letter	N	63
18/01/2021	Anna Gray	Emailed letter	N	64



Commons Act 2006: section 19

Application to correct the register**This section is for office use only**

Official stamp

Application number

COMMONS ACT 2006
CUMBRIA COUNTY COUNCIL
COMMONS REGISTRATION AUTHORITY

30 SEP 2020

CA 10 / 50

Applicants are advised to read 'Part 1 of the Commons Act 2006: Guidance to applicants' and to note:

- All applicants should complete boxes 1–8.
- Any person can apply under section 19 of the Commons Act 2006.
- You will be required to pay a fee unless your application is to correct a mistake made by the registration authority (section 19(2)(a)) or to remove a duplicate entry (section 19(2)(c)). Ask the registration authority for details. You would have to pay a separate fee should your application be referred to the Planning Inspectorate, unless it is to correct a mistake made by the authority or to remove a duplicate entry.

Note 1

*Insert name
of commons
registration
authority.*

1. Commons Registration Authority

To the:

Tick one of the following boxes to confirm that you have:

enclosed the appropriate fee for this application:

or

applied for a purpose in section 19(2)(a) or (c), so no fee is enclosed:

Note 2

If there is more than one applicant, list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or an unincorporated association. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This box should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence

2. Name and address of the applicant

Name: Miss Kirsty Williamson

Postal address:

Great Corby Primary School

Great Corby

Carlisle

Cumbria

Post Code: CA4 8NE

Telephone number: [REDACTED]

Fax number:

E-mail address: [REDACTED]

3. Name and address of representative, if any

Name: Miss Anna Lightfoot

Firm: Northern Construction & Security Ltd

Postal address:

The Bothy

Chapel Place

Denton Holme Trading Estate

Carlisle

Cumbria

Post Code: CA2 5DF

and notices will be sent to the person or firm named here. If you supply an email address in the box provided, the representative may receive communications from the registration authority or other persons (e.g. objectors) via email.

Telephone number: [REDACTED]

Fax number:

E-mail address: [REDACTED]

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 11 to the Commons Registration (England) Regulations 2014.

4. Basis of application for registration and qualifying criteria

Specify the register unit number to which this application relates:

CL180

Specify the rights number to which this application relates (if relevant):

Tick one of the following boxes to indicate the purpose (described in section 19(2)) of your application. Are you applying to:

- Correct a mistake made by the commons registration authority:
- Correct any other eligible mistake:
- Remove a duplicate entry from the register:
- Update the details of any name or address referred to in an entry:
- Record accretion or diluvion:

Note 5

5. Describe the purpose for applying to correct the register and the

Explain why the register should be amended and how you think it should be amended.

amendment sought

The purpose of this application is to de-register any land occupied by Great Corby Primary School. Currently, with the school playground being on common land, the public are able to walk through the playground, causing a major safeguarding issue. In the original application in the area – application 735 – the area of land encompassing the playground seems to be excluded. On the map that superseded this – application 57 – it is harder to tell if the playground is excluded, however, it is assumed it is not if the public are free to walk across the land. I suggest that the register be adjusted back to that of application 735, with there being a clear exclusion of Great Corby Primary School and its playground area.

Note 6

6. Supporting documentation

Alongside the application, the maps of application 735 and 57 have been included. I have also included a zoomed in version of map 735 with the area of Great Corby School's playground highlighted in pink, to show its original exclusion.

List all supporting consents, documents and maps accompanying the application, including evidence of the mistake in the register. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

Note 7

List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

7. Any other information relating to the application

REMINDER TO APPLICANT

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

You are advised to keep a copy of the application and all associated documentation.

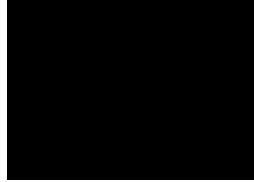
Note 8

The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or an unincorporated association.

8. Signature

Date: 24.9.2020

Signatures:

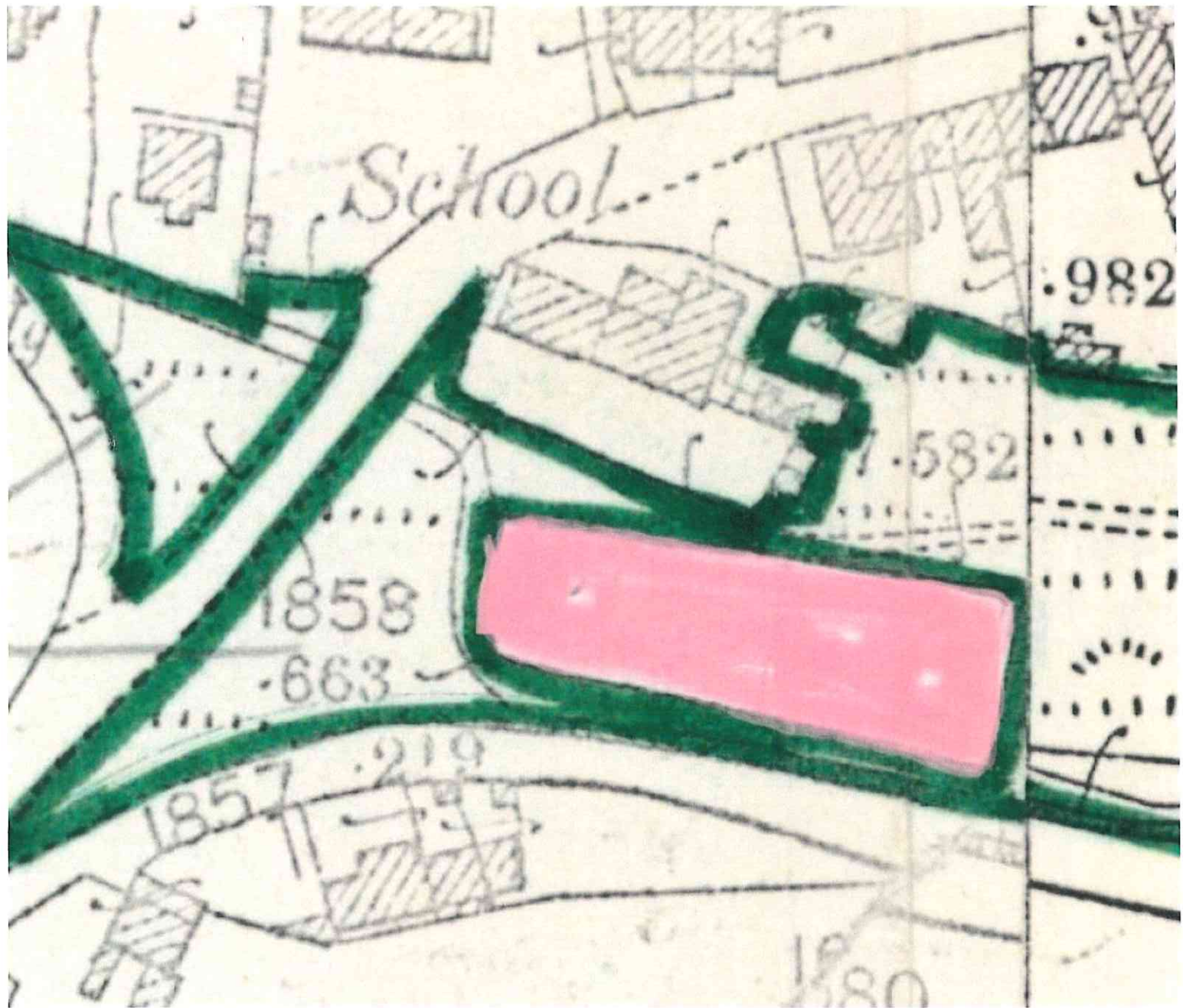


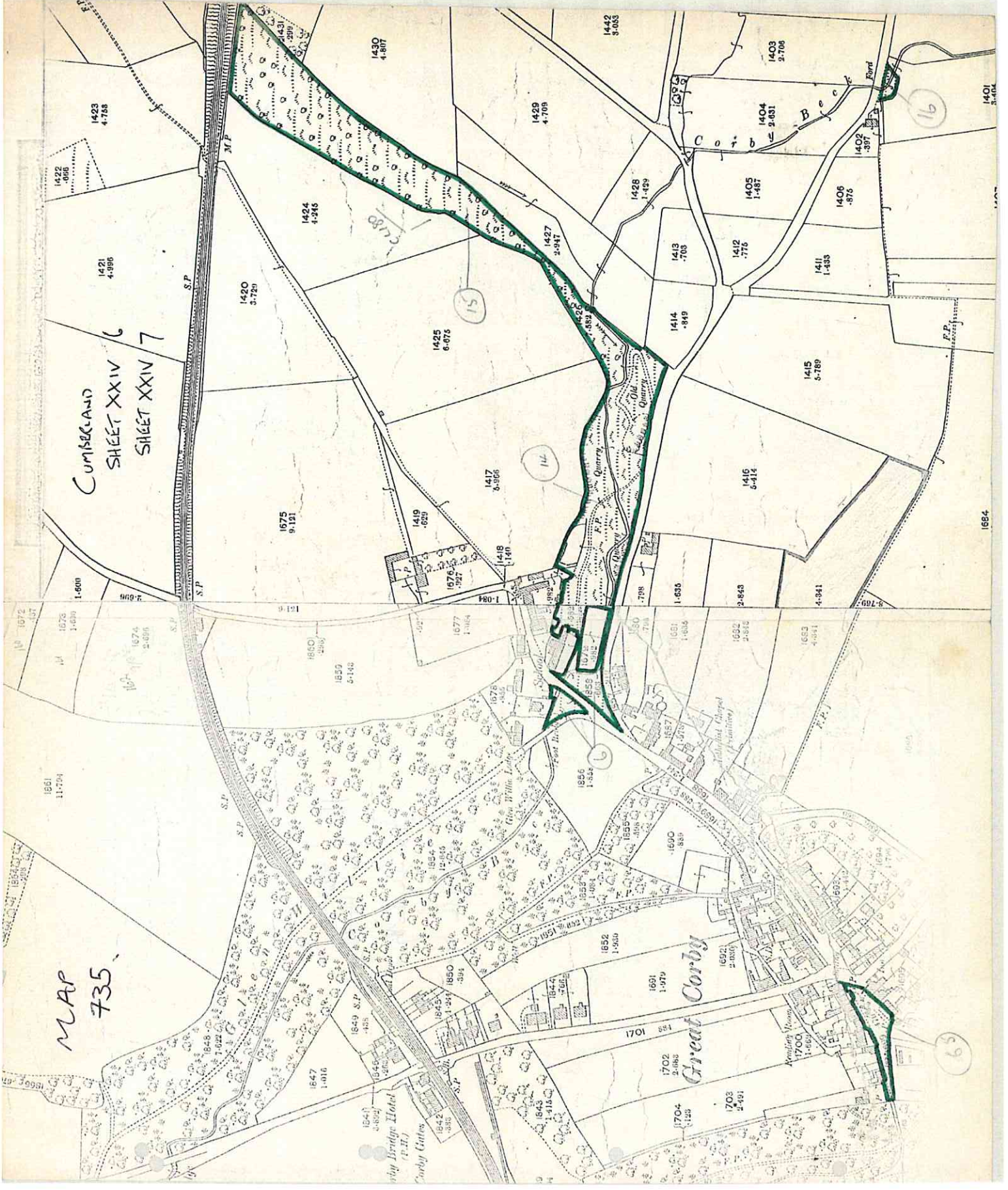
Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.

Section of map from application 735, with
the excluded area corresponding to the
Primary School playground shaded.





CUMBERLAND
SHEET XXIV (6)
SHEET XXIV 7

MAP
735

Great Corby

Corby Bridge Hotel
(P. H.)
Corby Gutter

Ampleforth Vicarage

St. John's Church

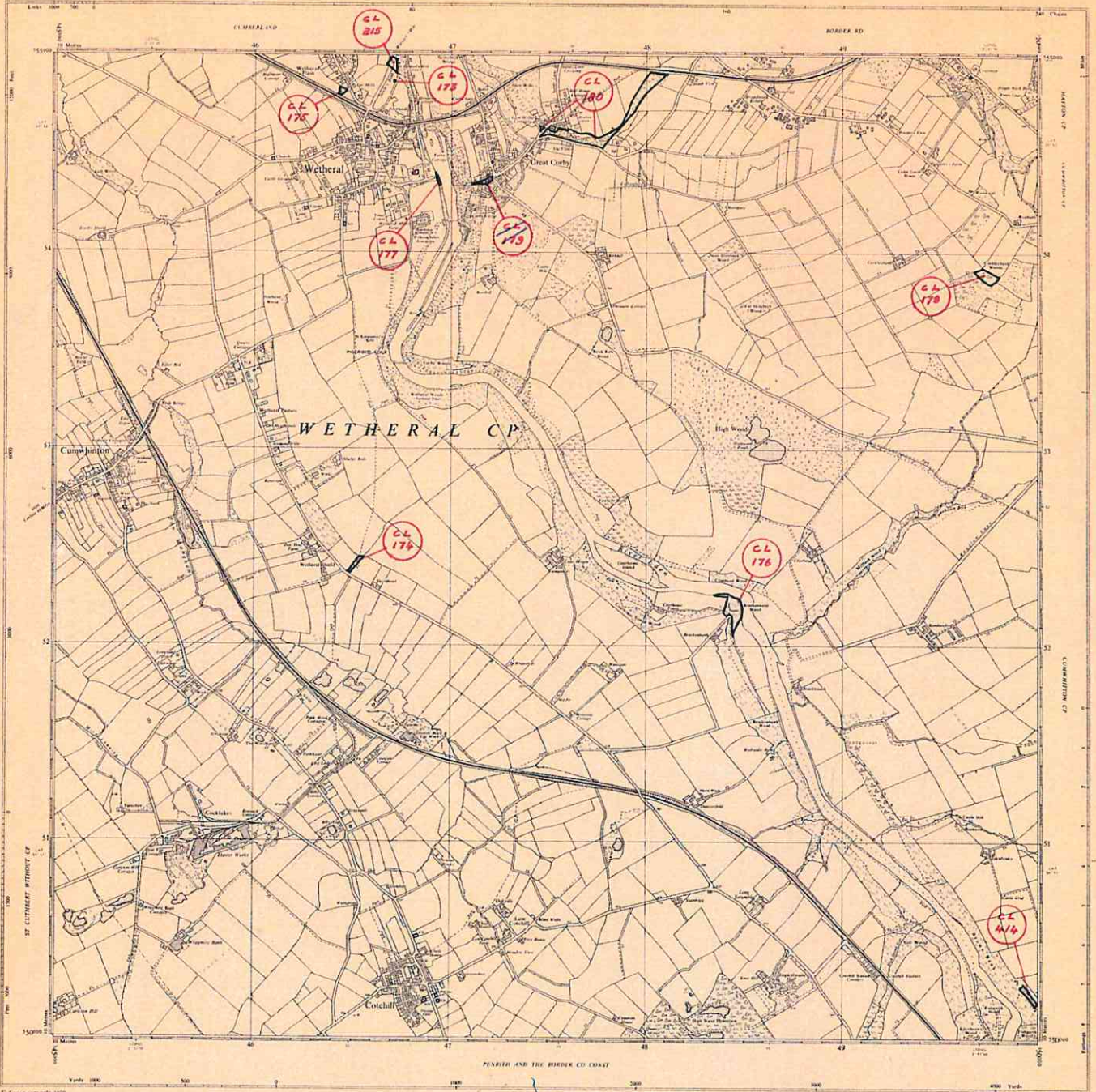
15

16

65

1684

1401



THE NATIONAL GRID
 EASTING AND NORTHING COORDINATES TO THE METRE

ABBREVIATIONS

Abbr.	Meaning
...	...

SYMBOLS

Symbol	Meaning
...	...

THE NATIONAL GRID
 EASTING AND NORTHING COORDINATES TO THE METRE

SYMBOLS

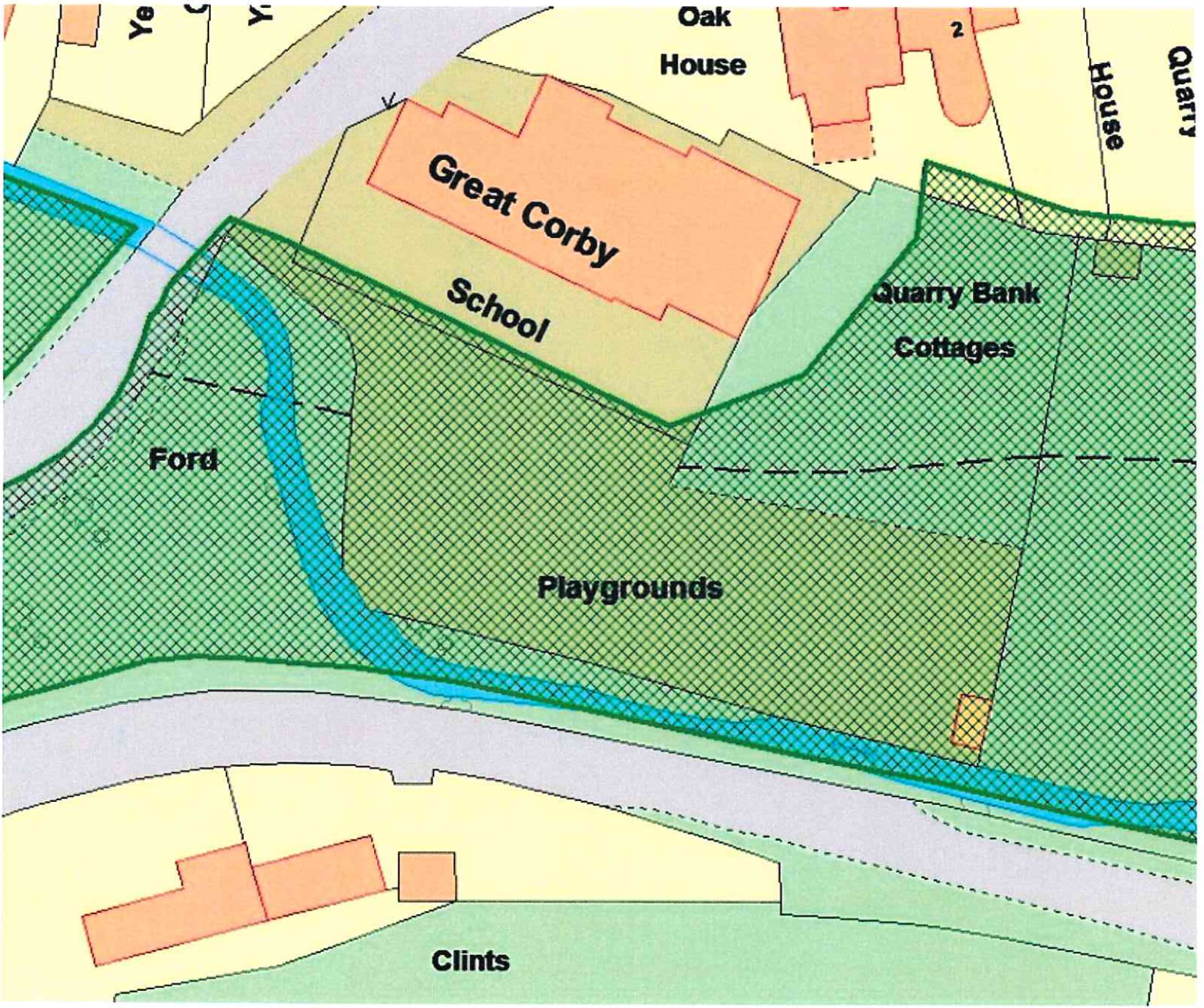
Symbol	Meaning
...	...

ABBREVIATIONS

Abbr.	Meaning
...	...

SYMBOLS

Symbol	Meaning
...	...



Commons Registration • Lady Gillford's House • Petheril Bank Road
Carlisle • Cumbria • CA1 3AJ
T: 01228 221028 • E: commons.registration@cumbria.gov.uk

Miss Anna Lightfoot
The Bothy
Chapel Place
Denton Holme Trading Estate
Carlisle
CA2 5DF

5th October 2020

Your reference: • Our reference: JW/CA10/50

BY EMAIL ONLY

Dear Miss Lightfoot

Form CA10 – Application to correct the register
CL180 – Quarry, Great Corby
Applicant: Kirsty Williamson

Thank you for your application made on behalf of Great Corby Primary School, received on 30th September 2020.

Your application has been allocated reference number **CA10/50**. Please quote this number in all future correspondence.

After review we feel like we require another plan before we can proceed. Could you please provide a plan which clearly indicates the areas of common which you feel were registered by mistake by the registration authority and should therefore be deregistered.

We do note the plans provided as part of your supporting evidence, but it is a requirement for the applicant to identify the exact areas of registered common land that they wish to deregister. I would suggest clearly outlining those areas in red (or similar). You can use any suitable map as the base for your plan.

Once a suitable plan has been received, we will issue the notice accordingly. Please note that we will only assess the application in detail following the notice period. Please also be aware that an application of this type can be accepted (or rejected) in whole or in part.

Yours sincerely



Jason Weatherill
Commons Officer

From: admin@northernconstruction.co.uk [REDACTED]
Sent: 06 October 2020 16:14
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: RE: Application to correct the commons register- Gt Corby School - CA10/50

Afternoon Jason,

Please find attached a map with the area we wish to be deregistered outlined. If this map is not suitable please let me know.

I ask for this whole area of land to be deregistered, that of which corresponds to the whole playground (55m spanning from the road on the left to the forest area on the right).

Kind Regards,
Anna



*The Bothy, Chapel Place,
Carlisle, Cumbria
CA2 5DF
Tel [REDACTED]*



Map navigation and utility controls:

- Scale bar: 0 to 100 meters
- Grid Ref: Grid Ref
- Expand: Expand
- Print: Print
- Help: Help

Workings

Grinton House

Great

Corby

Pav

Sch

Sch

Track

Path

Cottage

omes

From: Registration, Commons <Commons.Registration@cumbria.gov.uk>

Sent: 15 October 2020 12:44

To: [REDACTED]

Subject: FW: Application to correct the commons register- Gt Corby School - CA10/50

Afternoon Anna,

I've now had your application assessed in detail and I'm afraid that we cannot currently consider it to be duly made due to the quality of the plan submitted.

I'd invite you to look at [Regulation 19](#) of The Commons Regulations (England) 2014, which describes exactly what is required for the map to be classed as suitable. For ease I've copied the regulations below and added emphasise to the points that we'd ask you to address.

“ **19.**—(1) This regulation applies in relation to any requirement to describe land for the purposes of an application or proposal, except where another provision of these Regulations specifies the manner in which land is to be described in a particular case.

(2) The land must be described, except where paragraph (3) applies, by an Ordnance Map accompanying the application or proposal and referred to in it.

(3) Where the land is registered land, and the application relates to the whole of the land in a register unit, the land must be described by a reference to the number of that register unit.

(4) Where part of the land is registered land, that part of the land must be described by a reference to the number of any register unit which includes that part.

(5) In paragraphs (3) and (4) the references to “registered land” include land provisionally registered under the 1965 Act, but which registration was not subsequently confirmed, in which case the requirement under those paragraphs is to be met by describing such land by reference to the number under which it was provisionally registered.

(6) Any Ordnance Map accompanying an application or proposal must show the land to be described by means of distinctive colouring within an accurately identified boundary and must be—

(a) on a scale of not less than 1:10,560 (six inches to one mile), where the land to be described—

(i) consists wholly or predominantly of moorland;

(ii) is a neighbourhood or locality, which is being described for the purposes of an application under section 15 of the 2006 Act; or

(iii) is the land to which a right of common is attached; and

(b) on a scale of not less than 1:2,500 in all other cases. ”

The boundary line itself seems to be very thick and a bit too disjointed for our purposes. The map you provide will be used as the basis for our notice and it is important that the public can accurately see what land you are referring to. Whilst an application can be accepted in part, we would remind you that this application is to deregister the land that you believe to have been registered by

mistake by the registration authority (i.e. the difference in the land shown on the original application plan, compared to the land that was actually registered). In particular we'd question the fact that your red outline extends to the school building itself, which encompasses some land which we do not believe to be actually registered as common (see attachments). The red outline indicates the land that you believe was registered by mistake. It would seem illogical to issue a notice aiming to correct and deregister common land, some of which isn't actually registered as common land.

I look forward to receiving a revised plan so that we can class the application as being duly made.

Kind Regards,

Jason Weatherill
Commons Officer
Commons Registration Service
Environment and Community Services
Cumbria County Council
Lady Gillford's House
Petteril Bank Road
Carlisle
CA1 3AJ

E: commons.registration@cumbria.gov.uk

Please be aware that I work flexible hours, so whilst this is a convenient time for me to send this email to you – I do not expect a response from you outside your normal working hours.

From: [REDACTED]
Sent: 20 October 2020 14:27
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: RE: Application to correct the commons register- Gt Corby School - CA10/50

Hi Jason,

Hope you're well.

I have attached a revised outline using an Ordnance Survey Map. I have tried my best to match the lines up to that of CL180 so that only the area of the playground that is included in CL180 is requested to be deregistered. I have attached a photo and scanned copy as the scanner seemed to be of lower quality.

If this is wrong and I haven't understood the previous email correctly please let me know, or feel free to call on the number below.

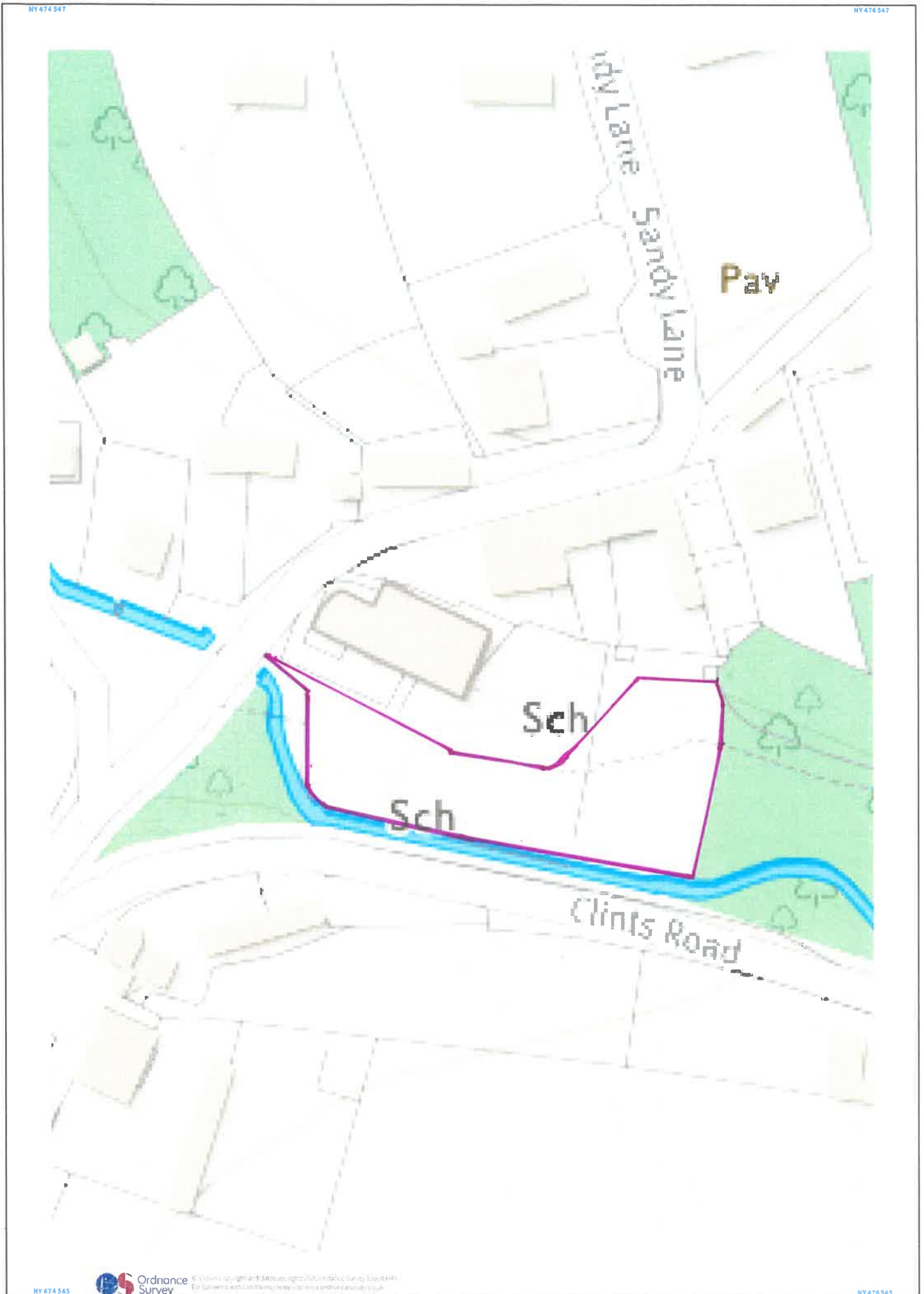
Kind Regards

Anna Lightfoot



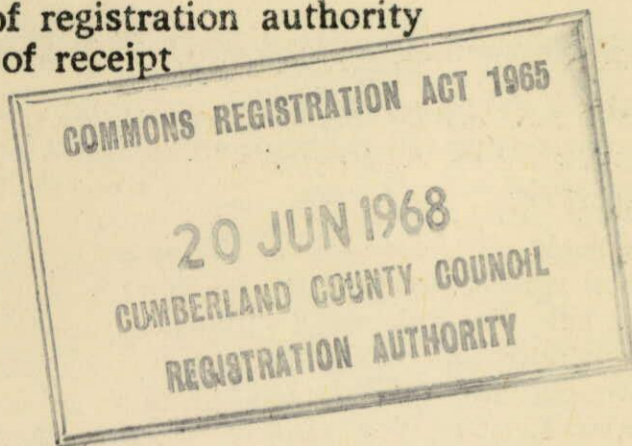
*The Bothy, Chapel Place,
Carlisle, Cumbria
CA2 5DF*





This section for official use only.

Official stamp of registration authority indicating date of receipt



Application No. 735.

Register Unit No(s):

CL
CL
CL

2490.

COMMONS REGISTRATION ACT 1965

Application for the registration of land as common land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority (see Note 1).

To the

Application is hereby made for the registration as common land of the land described below.

Part 1.

Name and address of the applicant.

(Give Christian names or forenames and surname or, in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

WETHERAL PARISH COUNCIL
c/o T.V. STEELE
GELT FILL
CASTLE CARROCK
CARLISLE

Part 2.

Name and address of solicitor, if any.

This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Part 3.

Particulars of the land to be registered, i.e. the land claimed to be common land.

(See Notes 2, 3 and 4).

Name by which usually known THE QUARRY

Locality GREAT CORBY.

OS SHEET XXIV 6 & 7.

Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.

Colour on plan herewith GREEN

Part 4.

(See Note 7.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

**The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.*

*Signature of applicant or of person on applicant's behalf.

J. Lewis Shute per Wetheral Parish Council

Date 25.5.68

(See Note 5)

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name.

I,
solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

²Strike out this paragraph if it does not apply.

³Insert capacity in which acting.

2. 'I am' to the applicant and am duly authorised by the applicant to make the foregoing application.

3. I have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.

⁴Strike out this paragraph if there is no plan.

⁵Insert "marking" as on plan (see Note 5).

4. 'The plan now produced and shown to me marked "' is the plan referred to in the application.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said
Thomas Skib
at
Brampton
in the of
this *18* day of *June* 19*68*

Before me,
Signature
Justice W. S. ...
Address
Binney Bank
Brampton
Qualification
Justice of the Peace

REMINDER TO OFFICER TAKING DECLARATION:
Please initial all alterations and mark any plan as an exhibit.

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land which is claimed to be common land. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "common land"

Common land is defined in the Commons Registration Act 1965 as—

(a) land subject to rights of common (as defined in the Act—see Note 3 below) whether those rights are exercisable at all times or only during limited periods;

(b) waste land of a manor not subject to rights of common.

It does not include a town or village green or any land forming part of a highway. (There is a separate form available for town or village greens, which are also registrable under the Act.) "Land" includes land covered with water, so that common land can, for instance, include ponds and lakes.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include cattlegates or beastgates (by whatever name known) and rights of sole or several vesture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory booklet "Common Land" available free from local authorities; the following extract is not an authoritative statement of the law, but is intended for general guidance only:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbarry); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common.'"

4. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 6), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 5).

Where the land has already been registered and comprises *the whole of the land* in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 6). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 3 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

5. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date)
 ✓19 before me,

.....
 (Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

6. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as common land, it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as a town or village green, registration as common land will take effect as an objection to the earlier registration as a town or village green, and the latter will take effect as an objection to the later registration as common land. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

7. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January, 1967 and ends on 30th June, 1968, and the second begins on 1st July, 1968 and ends on 2nd January, 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the land did not become registrable as common land until after 30th April, 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became common land.

8. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

(a) if the land is not already registered as common land, it will be provisionally registered as such, or

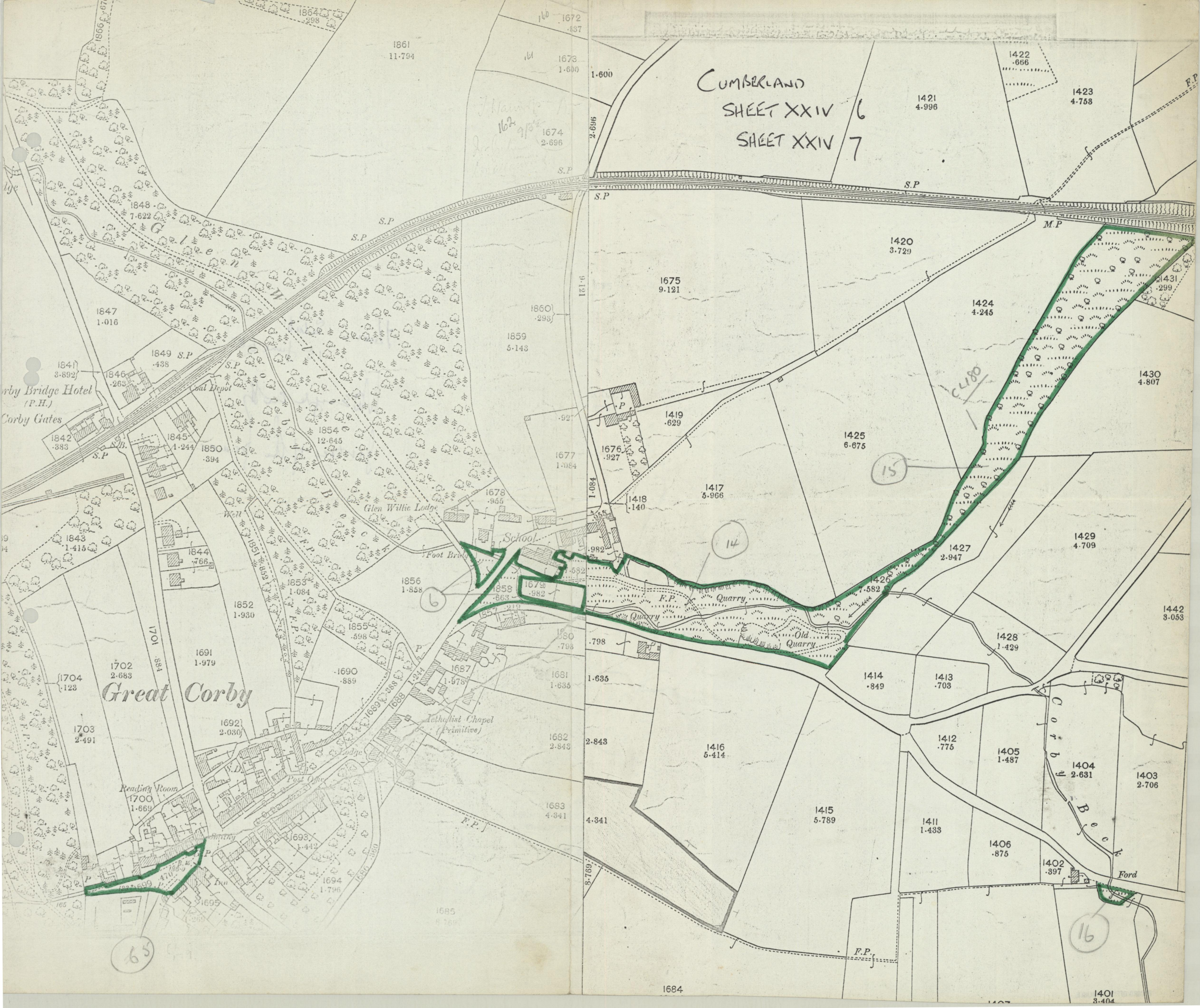
(b) if it is already registered as common land, the application will be noted on the register.

The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

9. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.

CUMBERLAND
SHEET XXIV 6
SHEET XXIV 7



SHIELD XXIV
SHIELD XXIV
UNRECORDED

Hawes - Slub
18 June 68

W. S. Wright
Justice of the Peace

RECORD OFFICE, CARLISLE,
COPYRIGHT RESERVED
DATE
REF. NO.

NOTE: This section contains the registration of the land comprised in this register unit.

Registration authority

CHIBBERLAND COURTYE COUNCIL

Register of

COMMON LAND

Register unit No. CL.180

Edition No. 1

See Overleaf for Notes

LAND SECTION—Sheet No. 57 NY 45 SE, Provisional edition published 1956.

No. and date of entry	Description of the land, reference to the register map, registration particulars etc.
1 8th Aug. 1959	<p>Land known as the Quarry, Great Corby, as marked with a green verge line inside the boundary on sheet No. 57 of the register map and distinguished by the number of this register unit. Registered pursuant to application No. 735 made on 20th June, 1968, by the Clerk to Wetheral Parish Council, Mr. T. V. Steele, Galt Mill, Castle Carrock, Carlisle. (Registration provisional ^{Final}) (3.0833HA)</p> <p>The registration on entry No 1 above being undisturbed became final on 1.5.72.</p>

13 JAN 1969

COMMONS REGISTRATION ACT 1965

Registration authority CUMBERIA COUNTY COUNCIL

Register of

COMMON LAND

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Register unit No. C.L. 180
Edition No. 1

See Overleaf for Notes

OWNERSHIP SECTION—Sheet No. 57 (NY 45 S3 Provisional Edition published 1956)

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
1 20th May, 1980	262/U/244 21st Feb., 1980	Under Section 8 (2) of the Commons Registration Act, 1965 - Mr. E. S. Bliss and Mr. D. J. Armstrong	The whole of the land.



JM

COMMONS REGISTRATION ACT 1965

Reference No. 262/U/244

In the Matter of The Quarry, Great Corby,
Wetheral, Cumbria.

DECISION

This reference relates to the question of the ownership of land known as The Quarry, Great Corby, Wetheral, being the land comprised in the Land Section of Register Unit No. CL.180 in the Register of Common Land maintained by the Cumbria 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 Mr R C Armstrong 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 Carlisle on 7 February 1980. At the hearing Mr T Hazard, Solicitor, appeared on behalf of Mr D W Armstrong and Mr E S Bliss, the trustees of the will of Margaret Amelia Armstrong deceased,

Margaret Amelia Armstrong, who died on 3 November 1971, was the executrix of Hannah Hetherington, who died on 25 November 1954. Hannah Hetherington and Margaret Amelia Armstrong, were appointed trustees of the Will of Robert Charles Hetherington by a deed of appointment dated 12 October 1933.

There were conveyed to Robert Charles Hetherington by an indenture made 19 July 1901 between (1) William Edward Tallents and Gerard Holmes Gore (2) Robert Charles Hetherington two parcels of land described as Low Close and Lowry Field or Comeley Foot and numbered 316 and 317 on the tithe map for the parish of Wetheral. There was no plan on the 1901 indenture, but the situation of tithe numbers 316 and 317 is identified on a plan attached to an indenture made 20 August 1863 between (1) John Bowman and John Blenkin-Sop (2) Henry Bowman. These two parcels are the land comprised in the Register Unit.

On this evidence I am satisfied that Mr D W Armstrong and Mr E S Bliss are the owners of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register them as the owner of the land under section 8 (2) 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.

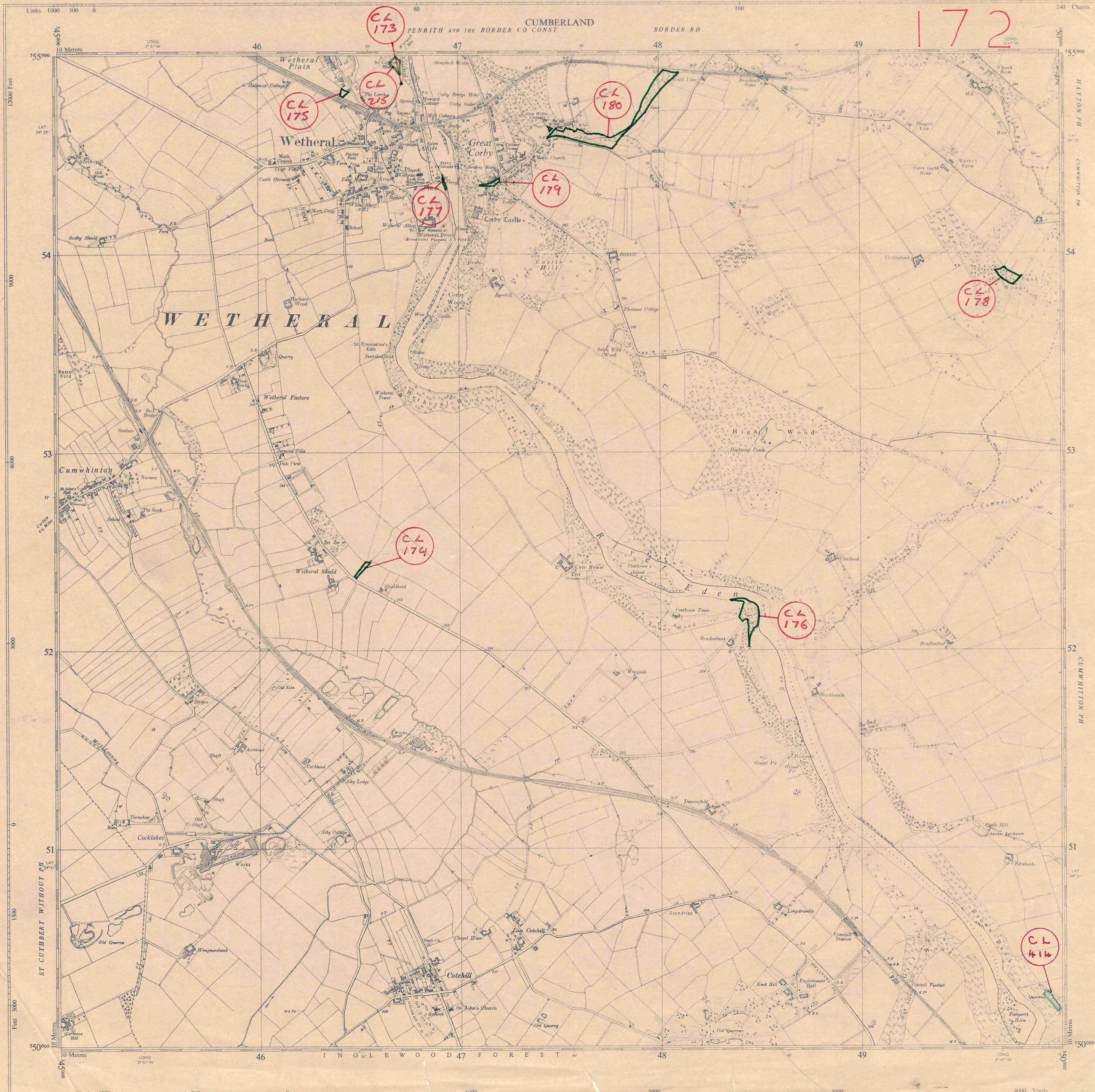
Dated this

24th

day of February 1980

[Signature]
Chief Commons Commissioner

172



WETHERAL

CUMBERLAND

CL 174

CL 176

CL 416

CL 177

CL 180

CL 178

CL 175

CL 173

CL 175

CL 173

CL 175

CL 177

CL 177

CL 177

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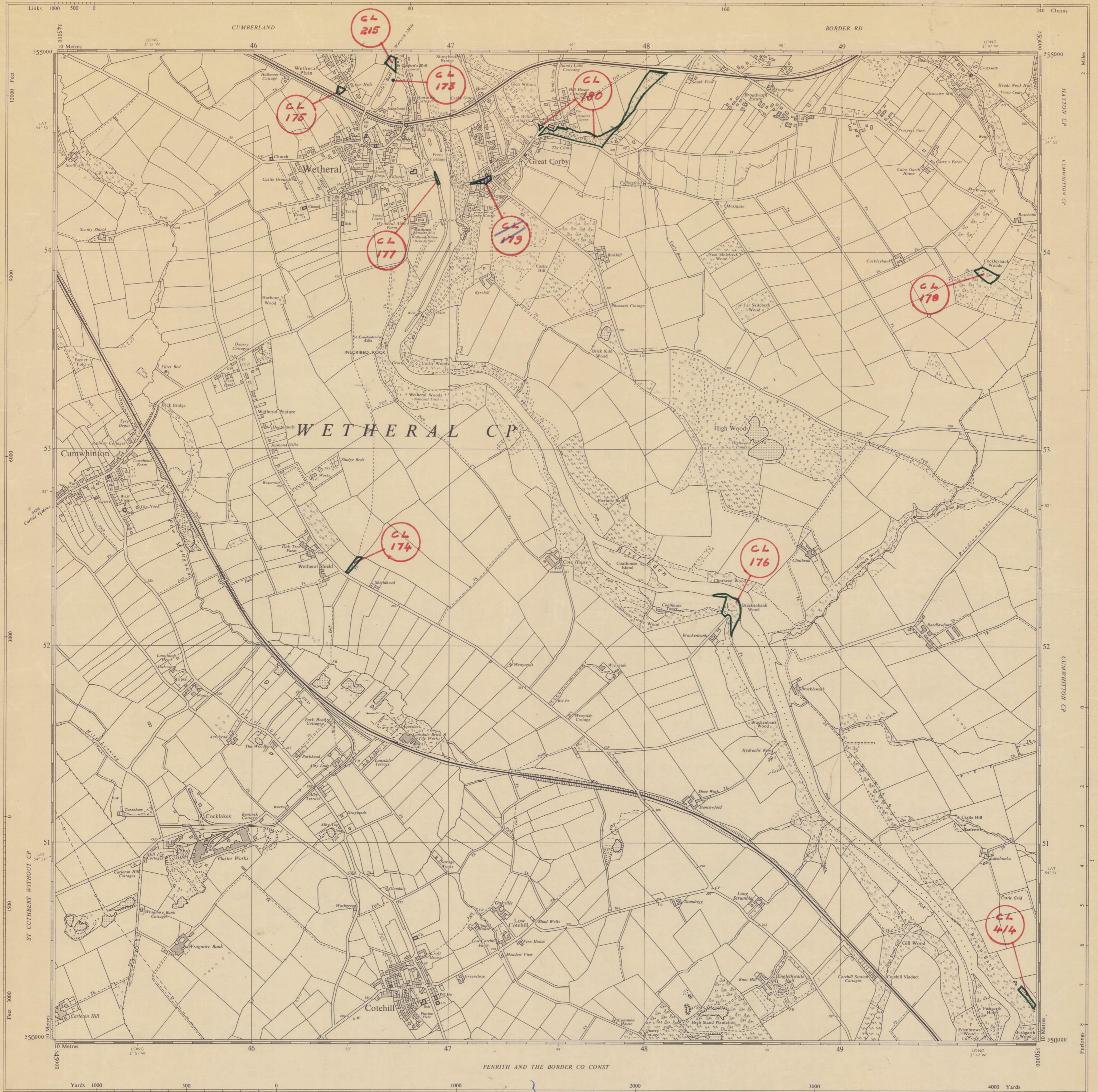
CL 177

CL 177

CL 177

CL 177

CL 177



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Made and published by the Director General of the Ordnance Survey, Southampton, 1970.

Abbreviations

Boundary Post or Stone.....BP, BS
 Church.....CH
 Fire Engine Station.....FE Sta
 Foot Bridge.....FB
 Fountain.....F
 Guide Post.....GP
 Mile Post.....MP
 Mile Stone.....MS
 Public Station.....PS
 Post Office.....PO
 Public Convenience.....PC
 Public House.....PH
 Signal Box.....SB
 Spring.....SP
 Telephone Call Box.....TCB
 Telephone Call Post.....TCP
 Well.....W

Boundaries

Administrative County, County Borough or County of City.....
 Municipal Borough, Urban or Rural District.....
 Civil Parish.....
 Borough, Barsh or County Constituency.....

Heights

Values are given in feet above Mean Sea Level or Newlyn.
 Contours are at 100 feet vertical interval.
 Surface heights determined by ground survey.....
 Bench Marks and their values are shown on Large Scale plans, and Bench Mark lists containing fuller and possibly later levelling information are obtainable from the Director General, Ordnance Survey.

INDEX TO ADDING SHEETS

NY 45 NW	NY 45 NE	NY 55 NW
NY 45 SW	NY 45 SE	NY 55 SW
NY 45 NN	NY 45 NE	NY 55 NN

THE NATIONAL GRID

TO GIVE A GRID REFERENCE CORRECT TO 100 METRES

EXAMPLE

Brackenbank

The Grid letters on this sheet are NY

EAST	NORTH
Take west edge of kilometre square in which point lies and read the large figures printed opposite this line on north or south margin. Estimate tenths Eastwards	Take south edge of kilometre square in which point lies and read the large figures printed opposite this line on east or west margin. Estimate tenths Northwards
48	52
3	0
Full 100 Metre Reference NY 48320	

The above Full Reference is unique. For many purposes the first grid letter can be omitted, giving a reference Y 48320 which recurs at intervals of 500 Kilometres. If both grid letters are omitted, the resulting reference 48320 recurs at intervals of 100 Kilometres. When the area covered is sufficiently restricted, as will usually be the case with maps on scales of one inch to one mile and larger, both the grid letters are normally omitted.

At the Eastern edge of this sheet True North is 0° 38' East of Grid North and at the Western edge 0° 42' East of Grid North. Magnetic North was about 8° West of Grid North in 1970 decreasing by about 1/2 in eight years.

1 square inch on this map represents 17,778 acres on the ground.

The representation on this map of a road, track, or path is no evidence of the existence of a right of way.

SURVEY DIAGRAM

1966	1966	1966	1966	1966
1966	1966	1966	1966	1966
1966	1966	1966	1966	1966
1966	1966	1966	1966	1966
1966	1966	1966	1966	1966

The figures shown are the dates of surveys of the plans from which this map has been compiled. Contours were not surveyed at these dates, but were taken from the previous Six Inch County Series. Boundaries revised to 1-12-69. Revised for significant changes from subsequent unpublished large scale surveys dated 1968.

Legend

Road.....
 Track.....
 Path.....
 Ministry of Transport Road Numbering.....
 Railway.....
 Cutting.....
 Embankment.....
 Multiple Track.....
 Standard Gauge.....
 Road Bridge.....
 Level Crossing.....
 Narrow Gauge.....
 Sliding Tramway or Mineral Line.....
 Roofed Building.....
 Glasshouse.....
 Sloping Masonry.....
 Trees, Coniferous.....
 Orchard.....
 Copper.....
 Scrub.....
 Bracken.....
 Heath.....
 Rough Grassland.....
 Reeds.....
 Marsh.....
 Saltings.....
 Lake, Loch or Pond.....
 Shingle.....
 Direction of flow of water.....
 Electricity Transmission Line.....
 Pylon.....
 Pole.....
 Triangulation Station.....
 Gravel Pit.....
 Sand Pit.....
 Overgrown Pit.....
 Quarry, Chalk or Clay Pit.....
 Relief or Slope Heap.....
 Boulders.....
 Dunes.....

Commons Registration • Lady Gillford's House • Petteril Bank Road
Carlisle • Cumbria • CA1 3AJ
T: 01228 221028 • E: commons.registration@cumbria.gov.uk

Miss Anna Lightfoot
Northern Construction & Security Ltd
The Bothy
Chapel Place
Denton Holme Trading Estate
Carlisle
CA2 5DF

15th December 2020

Your reference: • Our reference: JW/CA10/50

Dear Miss Lightfoot

Form CA10 – Application to correct the register
CL180 – Quarry, Great Corby
Applicant: Kirsty Williamson

Thank you once again for the above application. The application has been allocated reference number CA10/50; please quote this number in any future correspondence.

Please find enclosed Notice of Application issued under regulation 21 and Schedule 7 of the Commons Registration (England) Regulations 2014.

This notice has been placed on site, on our website and has been sent to interested parties.

A period will now commence where representations can be made. We will be in touch in due course.

Yours sincerely



Jason Weatherill
Commons Officer

Commons Act 2006 - Section 19 2(a)
NOTICE OF APPLICATION TO CORRECT THE REGISTER

Notice is hereby given that an application has been made by **Kirsty Williamson** ("the Applicant") to Cumbria County Council as Commons Registration Authority, under Section 19 (2) paragraph (a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register unit CL180 Quarry, Great Corby.

A summary of the effect of the application is as follows: CL180 Was provisionally registered as common land on 8th August 1969 under section 4 of the Commons Registration Act 1965, pursuant to an application made by Mr Steele, Clerk to Wetheral Parish Council, dated 20th June 1968 and numbered 735 ("the 1968 Application"). The provisional registration of the 1968 Application, being undisputed, became final on 1st August 1972.

The Applicant claims that the land coloured red on the accompanying plan ("the Application Land") was not included in the plan attached to the 1968 Application, and the registration authority therefore made a mistake in including the Application Land within the boundary of CL180 on the definitive legal map. The Applicant seeks by this application to remove the Application Land from register unit CL180 Quarry, Great Corby.

If the application is granted, in whole or in part, the registration authority will give effect to the determination by deregistering the Application Land, which will entail the addition of a registration amendment entry in register CL180 confirming deregistration of part, and the amendment or preparation of a fresh edition of the register map showing only the remaining land contained in unit number CL180 as registered common land and the Application Land marked as deregistered.

Any person wishing to make representations:

- must quote the Application No. **CA10/50**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds on which they are made; and
- must be sent to: The Commons Registration Service, Lady Gillford's House, Petteiril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: commons.registration@cumbria.gov.uk

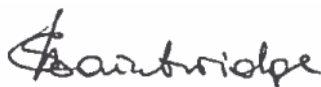
Any representations will not be treated as confidential. To determine the application it will be necessary for the Commons Registration Authority to disclose information received to others, which will include the applicant and may include other local authorities, Government Departments, public bodies, other organisations and members of the public (Data Protection Act 1998). Representations may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.

The period for making representations expires at **5pm on 5th February 2021**

Copies of the documents relating to this application are available for inspection at the Commons Registration Service at the above address, strictly by appointment only. Please contact the Commons Registration Team on (01228) 221028 to arrange an appointment. Copies of the documents can also be provided by email or post. Please contact the team at the above email address or telephone number to request copies.

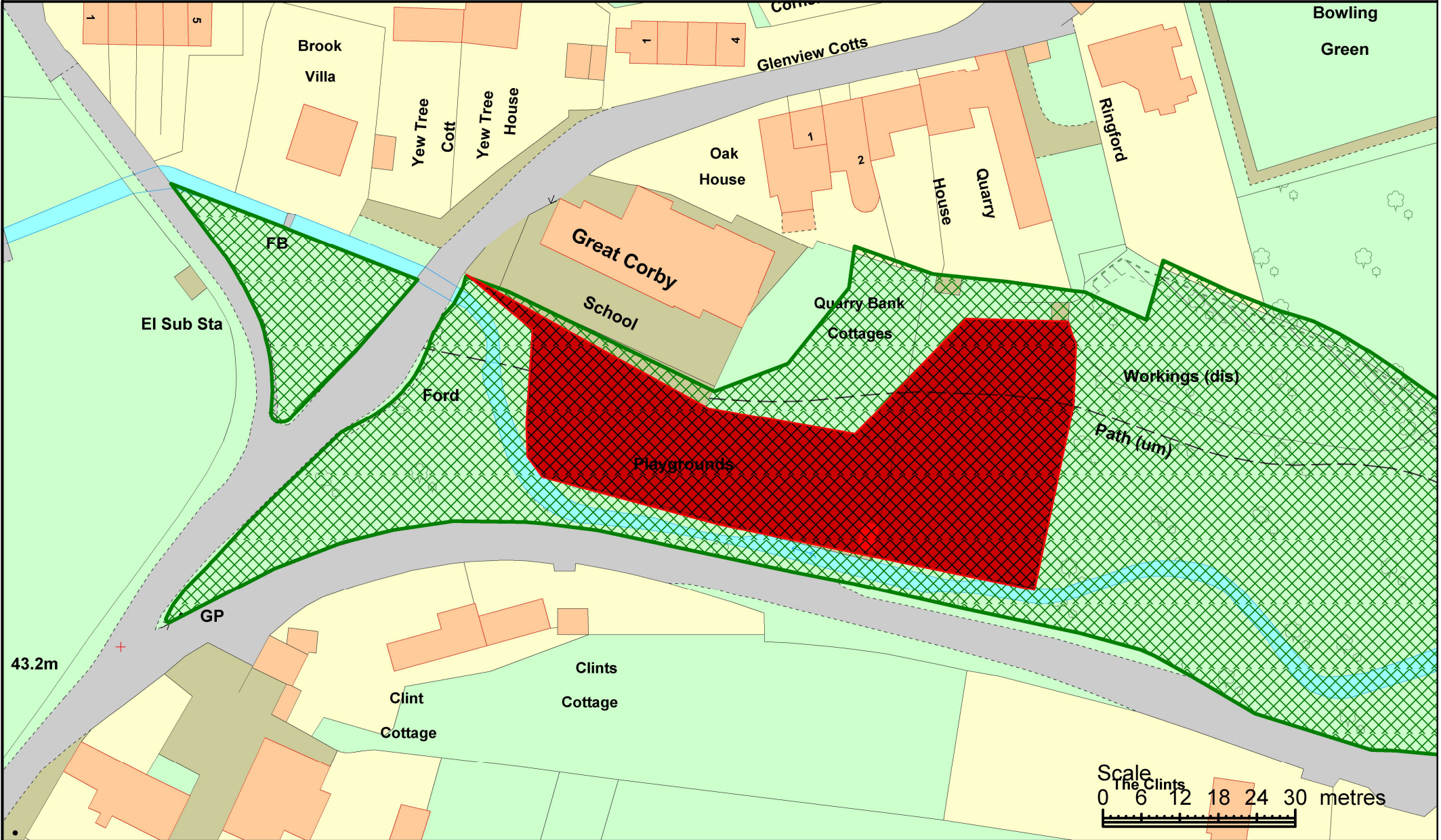
The Notice and accompanying plan can be viewed online by accessing Cumbria County Council's website <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>

Signed:



.....
Svetlana Bainbridge
Commons Registration Officer

Dated: 15 December 2020



[REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: LR search

Hi Jason

The SIM has actually come back now and I attach a copy of the same for your info – you will see that the area includes 4 titles numbers and also an area of unregistered land.

- CU148744 (freehold)
- CU212089 (freehold)
- CU263679 (freehold)
- CU264411 (leasehold)

I also attach all of the title registers and title plans for the above (bar the title plan for CU148744 as is explained below).

You will note that there is both freehold and leasehold interests over “Great Corby School” i.e. CU264411 (leasehold) and CU263679 (freehold). CU212089 is the area below Great Corby School and CU148744 covers the area to the far right. The plan for CU148744 is too large for instant download so I have included a screenshot from Map Search below in which you can see the area included in this title highlighted green. I can order the full size plan to be delivered to the office if you need it going forward but hopefully for now this should assist.

In respect of the area of unregistered land, this is the section in the middle which is unhighlighted red or green.



I hope this helps.

Let me know if you need anything else.

Kind regards

[REDACTED]

Lawyer | Legal and Democratic



Official copy of register of title

Title number CU148744

Edition date 09.04.2019

- This official copy shows the entries on the register of title on 13 JAN 2021 at 14:43:37.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Jan 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Durham Office.

A: Property Register

This register describes the land and estate comprised in the title.

CUMBRIA : CARLISLE

- 1 (15.09.1999) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Howard House Farm, Great Corby, Carlisle.
- 2 (15.09.1999) There are excepted from the registration of such part or parts of the land as were formerly copyhold the mines and minerals and rights excepted on the enfranchisement thereof.
- 3 (15.09.1999) Notice entered in pursuance of rule 254 of the Land Registration Rules 1925 on 15 September 1999 that the registered proprietor claims that the land has the benefit of a right to pass and repass over the land tinted brown on the filed plan at all times of the day and night with or without vehicles of any description and with or without animals of any kind for all purposes connected with the use of the property as agricultural land.
- 4 (15.09.1999) The land has the benefit of the following rights granted by a Deed dated 20 September 1977 made between (1) David Winston Armstrong and Eric Saywood Bliss (First Owners) (2) Lawrence Edwin Arthur Holt-Kentwell and Katherine Winifred Joan Holt-Kentwell (Second Owners) and (3) Halifax Building Society (the Society):-
 "The Second Owners as trustees grant and the Society as mortgagee confirms to the First Owners the rights set out in the Fifth Schedule to this deed but for the benefit only of the premises edged purple. The First Owners as owners of the premises edged purple jointly and severally covenant with the Second Owners for themselves and their successors in title that they will observe and perform the covenant set out in the Sixth Schedule to this deed
 THE FIFTH SCHEDULE
 New rights for the benefit of the premises edged purple (Field 5552) granted by Clause 8 (a) of this deed
 (a) The right within eighty years to lay and use sewage pipes water pipes gas pipes and electricity supply and telephone cables under the entrance road which is coloured green and also hatched black
 (b) The right to enter the entrance road which is coloured green and also hatched black with or without workmen and appliances after giving

A: Property Register continued

reasonable notice (except in emergency) in order to inspect, test, maintain repair and renew pipes and cables

THE SIXTH SCHEDULE

New covenant by the First Owners as owners of the premises edged purple (Field 5552) imposed by Clause 8 (b) of this deed

To cause as little damage as possible in exercising the rights set out in the Fifth Schedule and to make compensation for all damage so caused."

NOTE: Copy plan filed.

- 5 (15.09.1999) The land has the benefit of the following rights reserved by a Conveyance of Holly House Barn dated 21 September 1977 made between (1) David Winston Armstrong and Eric Saywood Bliss (Vendors) and (2) David Reeves Hodgson (Purchaser):-

"There is reserved out of this Conveyance in favour of the Vendors for the benefit of adjoining land Numbered 5552 on the Ordnance Survey Map National Grid Edition retained by them and any buildings to be erected thereon a right to lay sewerage, water, gas, electric and telephone services under the roadway coloured brown on the said plan within a period of 80 years from the date hereof with such materials as shall meet the requirements of the authorities concerned and laid in such courses and manner as the Purchaser or his successors in title shall agree and a right to use connect into test repair and inspect services laid under the roadway so that no unnecessary damage or disturbance shall be done to the roadway or to any building or erection on the adjoining land of the purchaser and that upon completion of the works the surface shall be restored to its present condition or as near thereto as shall be reasonably possible."

NOTE 1: Part of the field numbered 5552 referred to is part of the land in this title.

NOTE 2: Copy plan filed.

- 6 (15.09.1999) The land has the benefit of the following rights reserved by a Conveyance of the land tinted blue on the filed plan dated 28 June 1988 made between (1) Thomas Raymond Armstrong and Robert Charles Armstrong (Vendors) and (2) David Reeves Hodgson (Purchaser):-

"There is excepted and reserved out of this Conveyance in favour of the Vendors and their successors in title of their land adjoining the Property being numbered 5347 and 5552 part on the Ordnance Survey Map (National Grid Edition) (the Retained Land) and for the benefit of any buildings to be erected thereon:-

(a) a right to lay sewerage water gas electric and telephone services under that part of the Property as lies within 16 feet of the northern boundary within a period of eighty years from the date hereof with such materials as shall meet the requirements of the authorities concerned together with the right to use connect into test repair inspect and maintain and renew the same so that no unnecessary damage or disturbance shall be done to that part of the Property and so that upon completion the surface shall be restored by the persons carrying out such works to its present condition as open unsurfaced and unbuilt-upon land or as near thereto as shall be reasonably possible

(b) the right within eighty years to lay a water supply pipe under some part of the Property to connect into a water supply serving the adjoining property of the Purchaser known as The Manor (formerly Holly House) lying to the west and to draw water through the same to one or more field troughs in the Retained Land subject to the Vendors paying for all water charges levied by the North West Water Authority in respect thereof during such time as the Retained Land is so connected. The rights reserved under this sub-clause are additional to the rights reserved under the preceding sub-clause."

Title number CU148744

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (23.03.2016) PROPRIETOR: THE HONOURABLE CAROLINE PHILIPPA BRAID of [REDACTED], Church Lane, Conington, Peterborough PE7 [REDACTED] and THE HONOURABLE EDWARD GORDON SHANNON HAUGHEY of [REDACTED], Gillingham, Beccles NR34 [REDACTED].
- 2 (15.09.1999) RESTRICTION: No disposition by a sole proprietor of the land (not being a trust corporation) under which capital money arises is to be registered except under an order of the registrar or of the Court.
- 3 (15.09.1999) RESTRICTION: Except under an Order of the Registrar no transfer, lease, assent or other dealing of the land tinted pink on the filed plan by the proprietor of the land or their respective personal representatives is to be registered unless a certificate signed by the Vendors or their personal representatives has been produced to the Registrar certifying compliance in all respects with clause 7. of the Conveyance dated 18 June 1999 referred to in the Charges Register.
- 4 (23.03.2016) The value stated as at 23 March 2016 for the land in this title and in CU206999, CU278712, CU278715 and CU214456 was more than £1,500,000.
- 5 (23.03.2016) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (15.09.1999) The land is subject to the rights granted by a Deed of Grant dated 23 November 1907 made between (1) George Robert Lawson and (2) The Rural District Council of Carlisle.
NOTE: Copy filed.
- 2 (15.09.1999) The land is subject to the rights granted by a Deed of Grant dated 20 April 1982 made between (1) David Winston Armstrong and (2) British Gas Corporation.
The said Deed also contains restrictive covenants by the grantor.
NOTE: Copy filed.
- 3 (15.09.1999) The land is subject to the rights granted by a Deed dated 17 September 1993 made between (1) Thomas Raymond Armstrong and Robert Charles Armstrong and (2) Peter Stuart Wright and Kathleen Ann Wright.
NOTE: Copy filed.
- 4 (15.09.1999) A Conveyance of the land tinted pink on the filed plan dated 18 June 1999 made between (1) Thomas Raymond Armstrong and Robert Charles Armstrong and (2) Edward Enda Haughey and Mary Gordon Haughey contains provisions relating to the payment of additional moneys as mentioned in clause 7. therein.
NOTE:-Copy filed.
- 5 (29.10.2008) The land is subject to the rights granted by a Conveyance of Linton Bowling Club dated 31 December 1935 made between (1) Hannah Hetherington and Margaret Amelia Armstrong (2) William Linton and others and (3) William Linton and others.
NOTE: Copy filed under CU242437.
- 6 (02.09.2010) The land is subject to fishing rights granted by a Conveyance thereof dated 31 May 1969 made between (1) John Philip

Title number CU148744

C: Charges Register continued

Howard (2) Sir Ralph Henry Lawson And Others and (3) The Yorkshire Fly Fishers Club Limited.

NOTE:-Copy filed under CU255389.

- 7 (09.04.2019) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	09.04.2019 Edged blue	Land and weir on the east side of the River Eden, Great Corby	02.04.2019 From and including 15 June 2017 to and including 14 June 2042	CU314520

NOTE: The lease comprises also other land.

End of register



Official copy of register of title

Title number CU212089

Edition date 10.02.2012

- This official copy shows the entries on the register of title on 13 JAN 2021 at 14:40:48.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Jan 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Durham Office.

A: Property Register

This register describes the land and estate comprised in the title.

CUMBRIA : CARLISLE

- 1 (01.09.2005) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land at Great Corby School, Great Corby, Carlisle.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (01.09.2005) PROPRIETOR: CUMBRIA COUNTY COUNCIL of The Courts, English Street, Carlisle CA3 8LZ.

C: Charges Register

This register contains any charges and other matters that affect the land.

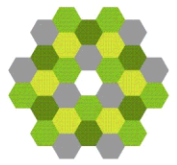
- 1 (10.02.2012) UNILATERAL NOTICE in respect of an Agreement for Lease dated 8 February 2012 made between (1) Cumbria County Council and (2) Great Corby School.
- 2 (10.02.2012) BENEFICIARY: Great Corby School of Great Corby, Carlisle, Cumbria CA4 8NE.

End of register

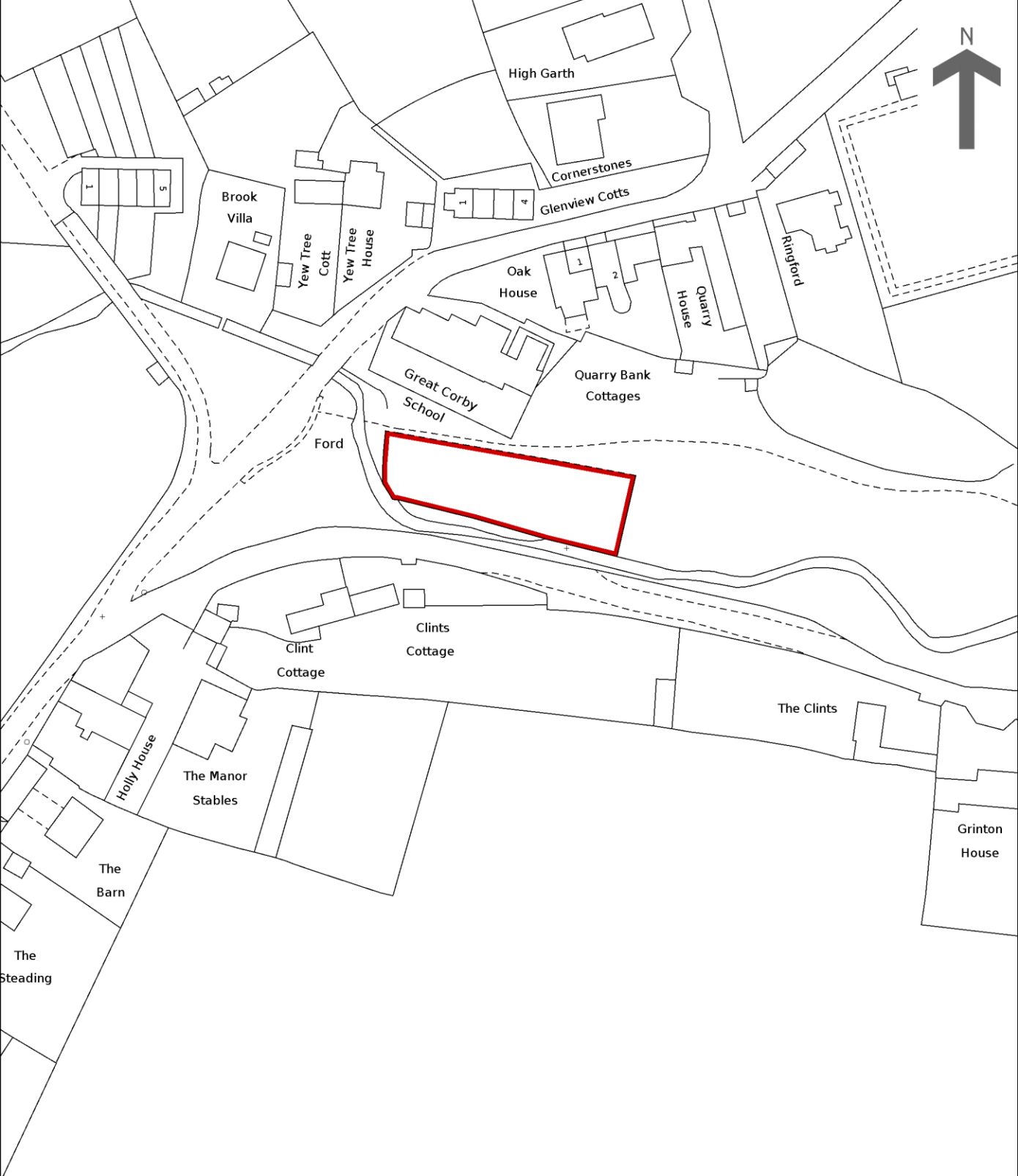
HM Land Registry

Official copy of title plan

Title number **CU212089**
Ordnance Survey map reference **NY4754NE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Cumbria : Carlisle**



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Official copy of register of title

Title number CU263679

Edition date 07.02.2012

- This official copy shows the entries on the register of title on 13 JAN 2021 at 14:41:29.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Jan 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Durham Office.

A: Property Register

This register describes the land and estate comprised in the title.

CUMBRIA : CARLISLE

- 1 (16.12.2011) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Great Corby School, Great Corby, Carlisle (CA4 8NE).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (16.12.2011) PROPRIETOR: THE OFFICIAL CUSTODIAN FOR CHARITIES on behalf of The Great Corby Education Foundation of Charities Commission Direct, P O Box 1227, Liverpool L69 3UG and care of Kelicksim, Low Allenwood, Heads Nook, Carlisle, Cumbria CA4 9AL.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (07.02.2012) The land is subject to the lease set out in the schedule of leases hereto.

Schedule of notices of leases

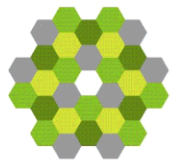
	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	07.02.2012	Great Corby School	01.02.2012 125 years from 1.2.2012	CU264411

Title number CU263679
End of register

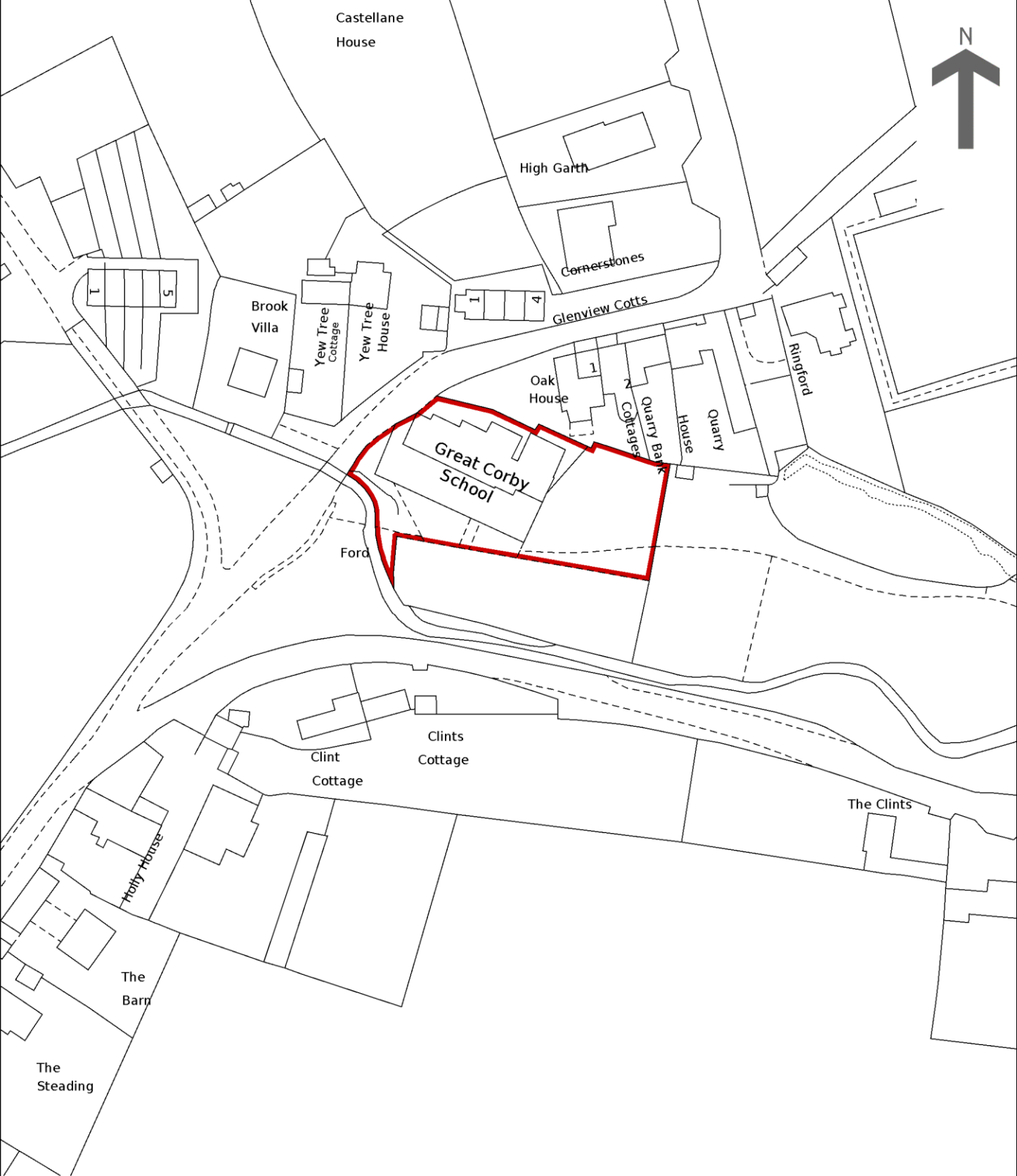
HM Land Registry

Official copy of title plan

Title number **CU263679**
Ordnance Survey map reference **NY4754NE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Cumbria : Carlisle**



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Official copy of register of title

Title number CU264411

Edition date 07.02.2012

- This official copy shows the entries on the register of title on 13 JAN 2021 at 14:42:11.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Jan 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Durham Office.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

CUMBRIA : CARLISLE

- 1 (07.02.2012) The Leasehold land shown edged with red on the plan of the above title filed at the Registry and being Great Corby School, Great Corby, Carlisle (CA4 8NE).
- 2 (07.02.2012) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:
Date : 1 February 2012
Term : 125 years from 1 February 2012
Parties : (1) The Trustees Of The Great Corby Educational Foundation
and The Official Custodian For Charities
(2) Great Corby School
- 3 (07.02.2012) The Lease prohibits or restricts alienation.
- 4 (07.02.2012) The landlord's title is registered.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (07.02.2012) PROPRIETOR: GREAT CORBY SCHOOL (Co. Regn. No. 07727695) of Great Corby School, Great Corby, Carlisle, Cumbria CA4 8NE.
- 2 (07.02.2012) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge not being a charge registered before the entry of this restriction is to be registered without a written consent signed by the Secretary of State for Education of Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

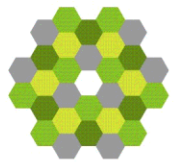
Title number CU264411

End of register

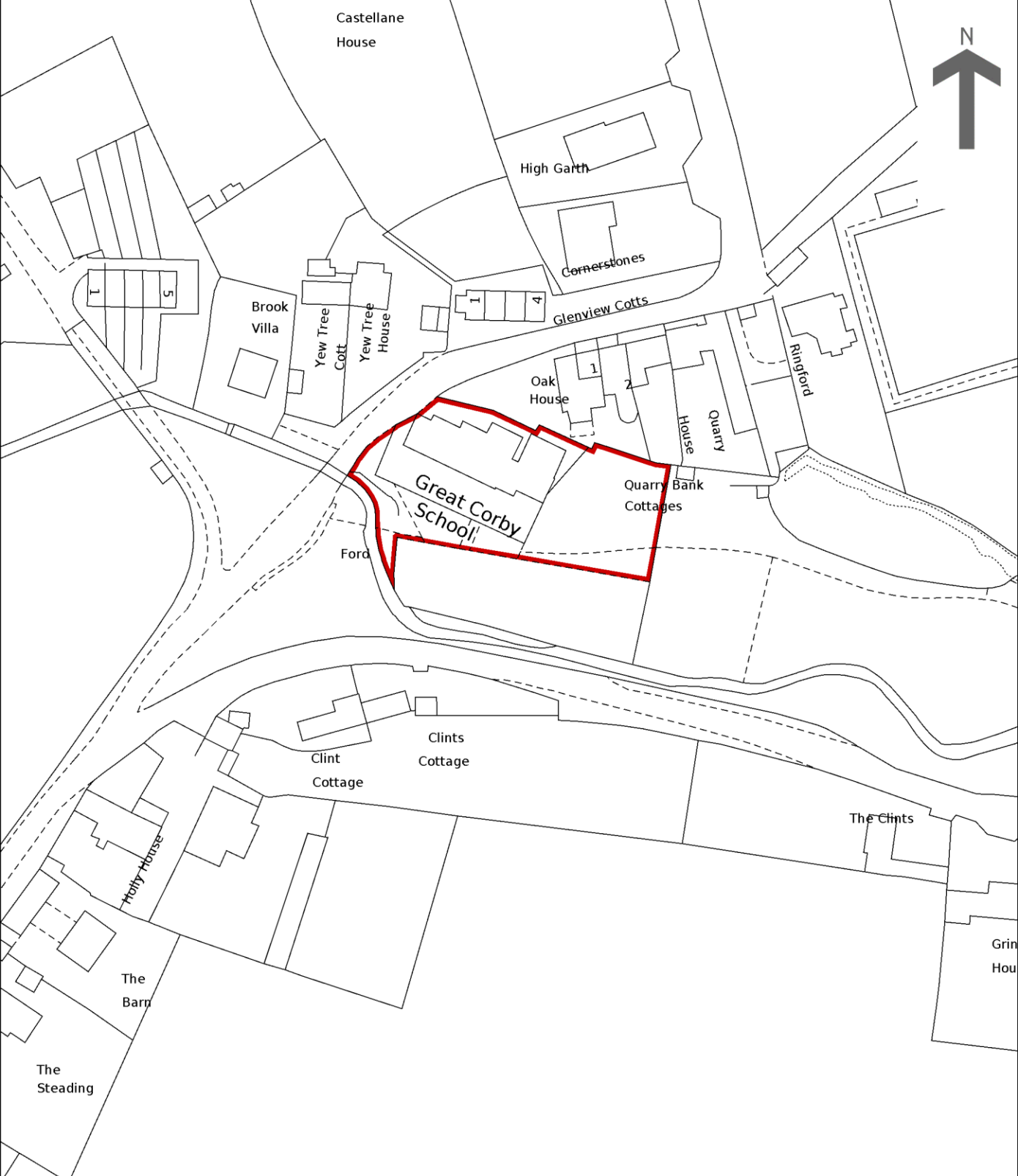
HM Land Registry

Official copy of title plan

Title number **CU264411**
Ordnance Survey map reference **NY4754NE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Cumbria : Carlisle**



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Commons Registration • Lady Gillford's House • Petteril Bank Road
Carlisle • Cumbria • CA1 3AJ
T: 01228 221028 • E: commons.registration@cumbria.gov.uk

Miss Anna Lightfoot
Northern Construction & Security Ltd
The Bothy
Chapel Place
Denton Holme Trading Estate
Carlisle
CA2 5DF

10th February 2021

Your reference: • Our reference: CA10/50

Dear Miss Lightfoot

Form CA10 – Application to correct the register
CL180 – Quarry, Great Corby
Applicant: Kirsty Williamson

Please find enclosed the Notice of Application for the above application which was made under Section 19(2)(a) of the Commons Act 2006.

This notice replaces the notice issued by Cumbria County Council on 15th December 2020.

Further owners of land directly affected by the application have been brought to the registration authority's attention. The notice, therefore, has been re-issued to allow for those owners to comment on the application.

Representations submitted during the first notice period will remain valid and need not be resubmitted.

All representations received will be forwarded to you upon the expiry of this notice period, and you will be given an opportunity to respond, should you wish to.

We will be in touch in due course.

Yours sincerely



Jason Weatherill
Commons Officer

Please note that this notice replaces the notice issued on 15 December 2020. All representations submitted in response to the original notice will be taken into account and need not be resubmitted to the registration authority.

Commons Act 2006 - Section 19 2(a) NOTICE OF APPLICATION TO CORRECT THE REGISTER

Notice is hereby given that an application has been made by **Kirsty Williamson** ("the Applicant") to Cumbria County Council as Commons Registration Authority, under Section 19 (2) paragraph (a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register unit CL180 Quarry, Great Corby.

A summary of the effect of the application is as follows: CL180 Was provisionally registered as common land on 8th August 1969 under section 4 of the Commons Registration Act 1965, pursuant to an application made by Mr Steele, Clerk to Wetheral Parish Council, dated 20th June 1968 and numbered 735 ("the 1968 Application"). The provisional registration of the 1968 Application, being undisputed, became final on 1st August 1972.

The Applicant claims that the land coloured red on the accompanying plan ("the Application Land") was not included in the plan attached to the 1968 Application, and the registration authority therefore made a mistake in including the Application Land within the boundary of CL180 on the definitive legal map. The Applicant seeks by this application to remove the Application Land from register unit CL180 Quarry, Great Corby.

If the application is granted, in whole or in part, the registration authority will give effect to the determination by deregistering the Application Land, which will entail the addition of a registration amendment entry in register CL180 confirming deregistration of part, and the amendment or preparation of a fresh edition of the register map showing only the remaining land contained in unit number CL180 as registered common land and the Application Land marked as deregistered.

Any person wishing to make representations:

- must quote the Application No. **CA10/50**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds on which they are made; and
- must be sent to: The Commons Registration Service, Lady Gillford's House, Petteiril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: commons.registration@cumbria.gov.uk

Any representations will not be treated as confidential. To determine the application it will be necessary for the Commons Registration Authority to disclose information received to others, which will include the applicant and may include other local authorities, Government Departments, public bodies, other organisations and members of the public (Data Protection Act 1998). Representations may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.

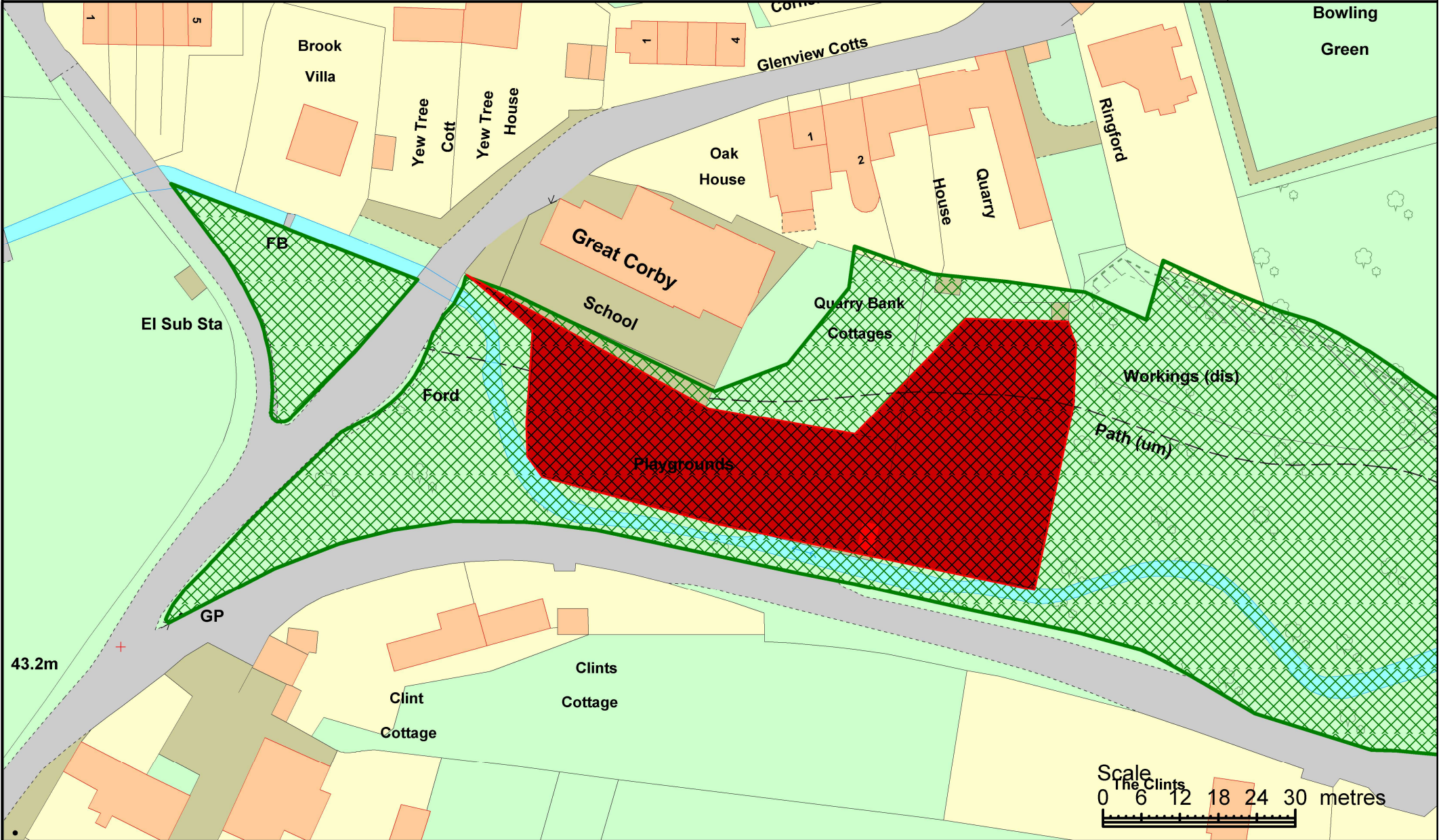
The period for making representations expires at **5pm on 25th March 2021**

Copies of the documents relating to this application are available for inspection at the Commons Registration Service at the above address, strictly by appointment only. Please contact the Commons Registration Team on (01228) 221028 to arrange an appointment. Copies of the documents can also be provided by email or post. Please contact the team at the above email address or telephone number to request copies.

The Notice and accompanying plan can be viewed online by accessing Cumbria County Council's website <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>

Signed: 
.....
Svetlana Bainbridge
Commons Registration Officer

Dated: 10 February 2021
.....



CA10/50



James Buis

To: Registration, Commons

Reply Reply All Forward ...

Mon 01/02/2021 14:16

Jason Louise

Follow up. Start by 01 February 2021. Due by 01 February 2021. You replied to this message on 01/02/2021 14:20.

Dear Louise Maving,

This email is relating to the objection of the planning application CA10/50

My name is James Buis

My postal address is:

My interest in the land is to continue to have access to the public right of way. The grounds which I am making this decision is, that I feel that the wooded area beyond the school grounds would be impossible to reach from an alternative footpath at certain times of the year given its steep descent. I also feel the area in front of the school is a safe traffic free area for children to learn skills in cycling, roller skating and scootering. All this would be lost if the right of way was closed.

My email address is:

Kind regards

James Buis

Application No CA10/50



Debbie Penrith

To: Registration, Commons

Reply

Reply All

Forward



Thu 14/01/2021 10:08

Jason Louise

i Follow up. Start by 14 January 2021. Due by 14 January 2021.
You replied to this message on 14/01/2021 10:26.

With regards to my your reply of 7 January herewith the my representations for APPLICATION NO. CA10/50, as requested by yourself:

Name, address, e mail and reason:

I have been a resident of Great Corby for many years and have a historical, physical exercise and right of way interest in the land affected by the above application.

State the grounds on which I make representation:

As a resident of Great Corby I cannot understand why the school's headmistress has to take our joy of a walking route and right of way away from us. In addition, it is the only area of woodland in the village and the 'coffin stone' used in bygone times are part of our heritage. This is the main access to this valuable village resource and it is our right to be able to appreciate the common.

Signed:

Debbie Penrith

From: Debbie Penrith <[redacted]>
Sent: 07 January 2021 09:55
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: common adjacent to Great Corby School
Importance: High

Morning,

I am most distressed to hear that the headmistress of Great Corby School has applied to deregister the common adjacent to the school, thereby closing all public access to it.

I object to this fully.

In a time like this when exercise is so very important we will be denied a right of way to the only area of woodland in the village and the 'coffin stone' used in bygone times. This is all part of our heritage and the headmistress wants it closed! Unbelievable.

Sincerely
 Mrs Debbie Penrith
 Great Corby resident

Hi Louise

Thank you for getting back to me so promptly.

Please note below.

I object to de registration of common land in Great Corby. Application number CA10/59.

Chris Mothersdale

I do not hold any interest in the land, other than been able to access it as it stands at the moment.

My objection is that this wooded area in Great Corby is an environment that should be kept for the benefit of the community. It is both educational and historic and serves as a place for physical and mental well being. The access from the road is steep and slippery which is not easily accessible by all. But for those who can access this, it gives a lovely walk through woodland.

Sent from my iPhone

> On 7 Jan 2021, at 10:20, Registration, Commons <Commons.Registration@cumbria.gov.uk> wrote:

>

> Dear Chris Mothersdale

>

> Thank you for your email.

>

> Please note the following:

>

> Any person wishing to make representations:

> * must quote the Application No. CA10/50

> * must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;

> * must be signed by the person making them;

> * must state the grounds on which they are made; and

> * must be sent to: The Commons Registration Service, Lady Gillford's House, Petteril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: commons.registration@cumbria.gov.uk

>

> In terms of signing in the current circumstances and if submitted by email, signing with your name will be sufficient.

>

> I look forward to hearing from you.

>

> Kind regards

>

> Louise Maving

>

> Louise Maving

> Commons Officer

> Commons Registration

> Economy and Infrastructure

> Lady Gillford's House

> Petteril Bank Road

> Carlisle

> CA1 3AJ

>

> Email: commons.registration@cumbria.gov.uk

> louise.maving@cumbria.gov.uk

>

> Please be aware that I work flexible hours, so whilst this is a convenient time for me to send this email to you - I do not expect a response from you outside your normal working hours.

>

>

>

> -----Original Message-----

> From: Chris Mothersdale <[REDACTED]>

> Sent: 07 January 2021 10:16

> To: Registration, Commons <Commons.Registration@cumbria.gov.uk>

> Subject: Common Land de registration Great Corby

>

> Hi

> I would like to register my objection to the de registration of common land adjacent to Great Corby Primary School.

>

> This woodland is a valuable asset to the village and I consider de registration an unfortunate and unnecessary step.

>


> Please register my objection.

>

> Chris Mothersdale

> [REDACTED]


> Great Corby

 nichola mcco [REDACTED]
 To: Registration, Commons
 Thu 07/01/2021 10:54

Jason Louise

Follow up. Completed on 07 January 2021.
 You replied to this message on 07/01/2021 11:45.


I am writing concerning CA10/50, the ground adjacent to Great Corby school. It is a ground used by lots of local people to enjoy walks children explore and play. Generations have used it. Mine in particular 5 Generations. The older or very young family members are unable to access via the road as it is so steep. Myself and all my family members belonging to [REDACTED] Grt corby [REDACTED] wish to strongly object to the access being closed from the school. Local people do not use during school hours, and anyone with any sense. Yours thankfully
 Mrs Nichola Mcco
 Mr Ian Nelson
 Miss Mollie Mcco
 Mr James Mcco
 Miss Sophie Nelson
 And my mother from [REDACTED] great corby ca48ne. Mrs Elaine Hodgson as she is unable to email.

 nichola mcco [REDACTED]
 To: Registration, Commons
 Wed 06/01/2021 18:05

Jason Louise

Follow up. Completed on 07 January 2021.
 You replied to this message on 07/01/2021 10:13.

I am writing to object for the application to close the access to the Common ground adjacent to Great Corby school. Myself, my children, and generations of my family before me have and do use this area. It is beautiful to walk through. Play in and enjoy. The access from the road is far too steep and dangerous for all ages to use. So I stress I feel extremely passionate about this. SO PLEASE DO NOT GRANT THIS TO BE CLOSED.
 Yours N.j.Mcco
 [REDACTED]
 Grt Corby
 Carlisle
 [REDACTED]

 ESJW14 [REDACTED]
 To: Registration, Commons
 Wed 06/01/2021 18:13

Jason Louise

Follow up. Completed on 07 January 2021.
 You replied to this message on 07/01/2021 10:14.

I am writing to object to the closure of the access to the common ground adjacent to Great Corby school
 Yours MR James McCoy

Fwd: Common land adjacent to Great Corby School



[Redacted]

Reply Reply All Forward ...

Thu 07/01/2021 15:45

Jason Louise

Follow up. Start by 07 January 2021. Due by 07 January 2021.
You replied to this message on 07/01/2021 15:56.

[Redacted]

Resubmitted now I have found reference: CA10/50; signature as attachment.

Dear Sir Madam

I understand that the headmistress of Great Corby School has applied to deregister the common land adjacent to Great Corby School.

I am writing to express my opposition to deregistration.

I live close by to the school and feel it would be unfortunate to lose this attractive though short route, particularly as, since moving to this area 30 years ago, some other local paths have been put out of bounds, damaged, or otherwise threatened.

There is no threat to the children of Great Corby school as they are supervised during breaks and during before and after school club and there are no difficulties of supervision given the nature of the playground area.

My own children benefitted greatly from access to this area and the woods behind during holidays, weekends and out-of-school hours. They were out of the house, closer to nature, meeting friends, using their imagination, and safer than if they had been playing in the road.

I hope you will reject this application.

Yours sincerely

Dr John Storr

[Redacted]

Great Corby

[Redacted]

The Common Land adjacent to Great Corby School



JoT

To Registration, Commons

Reply

Reply All

Forward



Sat 30/01/2021 09:21

Jason

Louise

i Follow up. Start by 01 February 2021. Due by 01 February 2021.
You replied to this message on 01/02/2021 09:20.

Dear Ms Maving,

Application No. **CA10/50**

I strenuously object to this Common Land being de-registered.

Anyone looking at an Ordnance Survey map of Great Corby would perhaps think it is well served with woodland areas but 98% of that woodland belongs to the Corby Castle Estate and has no public access.

Access, to the woodland area under the Commons Registration, especially to those less able is of vital importance. It is a small area but has a wealth of opportunities for people to study wildlife and indeed the history of this village.
As a photographer I find it is a wonderful resource.

For those with a disability or problem with mobility the route down from The Clints can be very difficult to navigate, it is steep and often slippery.
I am an active person and sometimes find I am bouncing from tree to tree on my way down the side of the gorge.

The footpath through the school grounds is not ideal but is necessary and can be managed by monitoring the gates at times when children are on breaks. It has been a footpath for years without any major problem.

In this time of Lockdown and restrictions being placed on everyone it is important that our open spaces are available to all.

Kind Regards
Joan Thirlaway

Joan Thirlaway

[REDACTED]
Great Corby
Carlisle

[REDACTED]

[REDACTED]

RE: CA10/50 Objection to an application to deregister common land adjacent to Grea...



Anne Summers [REDACTED]
To Registration, Commons

Reply

Reply All

Forward



Thu 07/01/2021 17:00

Jason Louise

My understanding is that the school has applied to permanently end the public access to the common land, including removing access to the school playground.

I think that the application is unreasonable for the following reasons:

1. The alternative access to the common is quite dangerous in that it is steep and slippery.
2. I have taken my three year old granddaughter to the common and have used the school yard out of school hours many times. Activities such as learning to ride a bike, just exploring in the woods away from a road are invaluable to my family and will be to other families in the future.
3. In a full year of about 7300 hours the children are active on the playground for about 1500 hours. Temporary locking of the gates for this 20% time seems a sensible compromise and works well?
4. It is good that the village has several residents who grew up here and have memories to pass on. Life does move on but effectively closing the common area seems extreme. The village has experience of areas such as the river bank at the Eden, or the lovely woods along Glenwilli being closed off in recent times and it just seems selfish and not community minded in a time when kindness to each other is so desperately needed.

Do not hesitate to contact me further on this matter.

Yours sincerely

Bob Summers
[REDACTED]
[REDACTED]

CA10 /50 the common adjacent to Great Corby school.



Valerie Turner [REDACTED]

To: Registration, Commons

Reply

Reply All

Forward



Thu 07/01/2021 18:51

Jason | Louise

 Follow up. Completed on 08 January 2021.
You replied to this message on 08/01/2021 09:16.

[REDACTED], Great Corby, [REDACTED].

I have lived in Great Corby for 38 years and as far as I am aware, the playground has always been part of the common with a right of access through into the woods beyond. During school times the gates are locked which is completely understandable, but there has been opportunity for access at weekends, evenings and in the school holidays. This has been a welcome resource for the village. It would be very sad for this to be lost. I therefore object to the proposed change. Valerie Turner.

CA10/50 The common adjacent to Great Corby School



nicholas bull [REDACTED]
To Registration, Commons
Cc [REDACTED]

 Reply

 Reply All

 Forward



Thu 07/01/2021 22:14

Sir/Madam,

It has been brought to my attention that the Headmistress of Great Corby School has applied to deregister the common adjacent to the school.

As myself and my family have lived on this village for the better part of 50 years and my Grandfather Mr. Betts, was instrumental in making the area a conservation area, I wish to object to this application. This has been a public right of way for countless years and should remain so for us and future generations to enjoy.

To take this away would be detrimental to the village residents and well as visitors to the village, as it is of historic importance having a coffin stone, of which there are only a few in the country, and an old quarry where people can see how sandstone was mined.

To do away with the right of way permanently seems absurd as schools are only open for approximately 190 days out of 365 and this is unreasonable. The gates of the school are locked during break times and teachers are visible when the pupils have their breaks outside, making it impossible to access the common unless the other entrance is used and one can only get as far as the gate to the common as this is also locked during break times. If this is for the safety of the children then there is a concern of much greater importance to consider. The amount of vehicles picking up and dropping off pupils at the start and end of the school day. It is akin to a circus and is a very present danger, not only to the pupils but also other road users, parents and residents.

As the playground in the school grounds is the only one for the village children that live in close proximity to use after hours, it does seem very wrong to deny them access to the few playground activities that are available.

As a former pupil of the school, I have great memories of playing in the common, and still enjoy walking my dog there. Many children and their parents enjoy the walk through the common especially on weekends and holidays to see the fauna and flora, as do many other people who visit the village. This is the last and only area of woodland in the village and we will be denied our right of way if this goes ahead.

I strongly urge you to object to the application.

Regards

N.P. Bull

[REDACTED]

Great Corby
Carlisle

[REDACTED]

Re: Application No. CA10/50



Chris Magas <[REDACTED]>
To: Registration, Commons



Fri 08/01/2021 19:28

Dear Madam

I wish to register my objection to the application by the headmistress and governors of Great Corby School to deregister the common next to Great Corby School.

This land is used regularly by myself and my family as residents of Great Corby.

We have never accessed the school to the land during school hours at all. I don't know anyone that even would. I cannot think of any risk to the children as the gates are locked during school hours anyway. During the pandemic when we have been encouraged to stay close to home this has been one of my regular walks and my son loves to explore the woods and the beck. We have spent many a happy afternoon paddling in the beck and climbing trees, and to have this taken away is very upsetting and would be a huge loss to the residents of the village.

It is a valuable village resource that needs that particular access route as the other alternative would not be accessible for people with very young children, prams or disabilities as it's a steep walk down an uneven path worse when the weather is bad.

Please I urge you not to allow this application to go through as we already have limited woodland walks in the village.

Thank you for your help.

Yours sincerely
Christine Magas

My details are as follows:
Mrs Christine Magas

[REDACTED]
Great Corby
Carlisle

[REDACTED]

Great corby school



andreananson [REDACTED]
To Registration, Commons



Reply



Reply All



Forward



Fri 08/01/2021 10:30

Dear sir/madam

I'm writing to you, regarding a letter I received of a neighbour who has is facts wrong about the application. This person always as something to complain about in the Village.

Application no CA10/50

I'm Andrea Nanson [REDACTED] Cottages great corby c [REDACTED]

The school is only wanting to stop access during school times which is 8am-6pm Mon-Friday, which i back 100%.

I have a son in that school I don't want strangers, dog walkers been able to have access to the school playground during school time,for the safety of my own child plus other children and staff. If a child was to go missing or bit by a dog the parents would go mad at the school over the safety of there child. Plus some dog walkers don't pick up the dog mess!!!

My son has attended that school since he was 3yr old and I have no complaints about the school,staff and safety of the children they are looked after 100% even through all this hard time with covid.

I know 100% Miss Williamson does not mind children going to use the school grounds on nights,weekends and holidays to play and access the woodland.

Its maybe an idea the council could do something with the steps,of the top road which would make to safer for people during these times for people to access.

I hope you take this notice of this email.

Yours sincerely

A I Nanson

Mark Magas, My postal address is as follows.

[REDACTED]
Great Corby,
Carlisle,
Cumbria,

[REDACTED],
[REDACTED]

8th January 2021

Dear Commons Registration Service,

RE: The common adjacent to Great Corby School. Application No. **CA10/50**

I register my objection to this application to The Commons Registration Service. My objection is as a resident of the village and user of the local environment for recreation, exercise and pleasure. I register this objection on the following grounds...

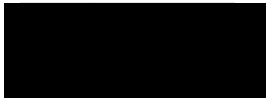
One of the members of the local community has brought it to the attention of the residents of Great Corby that the headmistress of Great Corby School has applied to deregister the common adjacent to the school, thereby closing all public access to it. In doing so taking advantage of a mistake that was made on the initial registration of the common by the parish council. This mistake was subsequently rectified by the parish council and confirms our right to enjoy unrestricted access to the common via the road by the school. I am led to believe that it is inferred in the application to correct the register, that public access over the area and the safety of children playing at break times are incompatible and that children's safety is at risk. This has been resolved for some years by the temporary locking of gates during playtimes and providing supervision which gives an amenable solution to the perceived risk. However, the school now wish to permanently end this public access to the common at all times and to all people, including the right of children to use the playground in the evenings.

If the application is successful then we who have enjoyed access for generations to what is now the only area of woodland in the village, will be denied our right of way. There is another route onto the remaining common from the top road but it is a steep bank and in winter and on wet days it is dangerous and slippery to the point of being virtually impassable and would also create a one way in and out by removing the through route. I have a child in the village who enjoys

playing in the beck and climbing trees, and it is a pity that the main access to this valuable village resource is even being considered for removal or hindrance.

There is also a 'coffin stone' used in bygone times to rest the coffin carried from the farms up the valley to the church. Right to access this ancient curiosity will be removed permanently.

Yours Sincerely,



Mark Magas

CA10/50



Elizabeth Burke [REDACTED]
 To Registration, Commons

Reply

Reply All

Forward



Fri 08/01/2021 21:51

Dear Sir or Madam,

Great Corby School and the adjacent Common Land

I am writing about the proposed application by Great Corby School to deregister the common adjacent to the school.

I am writing to object to this proposal.

I understand the perceived risk to children but it is entirely ameliorated by current arrangements where the access gates either side are locked during the school day and by supervision at breaks.

There is simply no need to remove a long established and historic piece of common land from the village which provides the access link to the adjacent woodland. There is another access to the woodland but it is down a steep and often muddy path and it is not a path most adults feel safe to use especially in winter or when it is raining.

The school is an old Victorian building not suited to a modern and successful school which has far from adequate outside space.

The solution is for the Governors to work with the LEA to find a site upon which a brand new up to date school can be built for the village, suitable for the expanding roll; and, to provide a better working environment for staff and a better learning environment for pupils. A new building would be cheaper to run, be built to modern standards and environmentally friendly which alas cannot be said for Victorian buildings.

Perhaps the village playing fields should be considered as a site for a new school which would enable the construction of up to date adequate premises with a large flat safely fenced in playground plus a sports pitch use at weekends and after school.

The existing school premises could be sold to fund much of the new build or a developer encouraged to build the new school in exchange for the old building which could perhaps be converted into suitable additional housing for the village, which has a very limited supply.

But annexing the common land is not a solution; a new school on a new site would work better for the staff, the pupils, the parents and the village.

Yours faithfully

E B Burke

Elizabeth Burke
 [REDACTED]

Sandy Lane
 Great Corby
 [REDACTED]

Application Number CA10/50



Chris Stevens [REDACTED]
To Registration, Commons



Mon 11/01/2021 10:51

Good morning,

I would like to register an objection to the above application to deregister the common adjacent to Great Corby School.

As it stands, there is access by all to this common both via a path from the school playground and also from the other end of this path onto the road above the school. The access from the road above the school is virtually impassable as it is a steep muddy slope that is often too slippery to walk on. Whilst this could be remedied by adequate landscaping work at a cost, closure of access from the school end of the path would prevent a path running through this area of natural and historic interest, leaving only a single entrance/exit along the steep route from, and then back to, the road.

I object to any proposal to end a through path via the school playground, however I completely understand the need to control the safety and security of children at the school. I therefore propose that, instead of completely closing off access along the path from the school, a formal arrangement is put in place that allows access to the path from the school only outside school hours and that public access is denied during school hours (Including the additional time required for After School Club and other activities). Whilst reducing public access, this arrangement would allow continued use and enjoyment of the common by residents in the area at other times and, personally, I would be happy to continue to enjoy walking this path on a more restricted basis.

I would be grateful for confirmation of receipt of the above, thank you.

Best regards

[REDACTED]
Chris Stevens

[REDACTED], Great Corby, Carlisle [REDACTED]

Application Ref: CA10/50



Penelope Lawson <[REDACTED]>
To: Registration, Commons

Reply Reply All Forward ...

Mon 11/01/2021 12:19

Dear Louise

Thank you for your email regarding Great Corby Common.

Very recently a member of my family who lives in Great Corby advised that the headmistress of Corby School has applied to deregister this common.

I do understand what this will achieve nor why such a move is deemed necessary. For many, many years families have enjoyed this space, a place where children can be children; exploring, climbing trees, bird watching and hopefully seeing some woodland creatures, generally having fun. What other woodland is now accessible in Great Corby?

In the late 70's early 80's I lived in Quarry Bank close to the common and enjoyed many a walk in there myself. My father was born in Great Corby and attended the village school. Whilst I no longer live there, some of my family do and it truly saddens me to think the common will not be accessible, the common is part of the village, a valuable community asset, such areas are really special and rare these days not to mention the little bit of history held within and therefore should be treasured.

Please do not deprive the village of this wonderful woodland

Kind Regards

Penny Lawson
[REDACTED]

Upperby
Carlisle
[REDACTED]

From: Sandra Downer
Sent: 16 January 2021 12:21
To: Phil Downer
Subject: great corby common

Sandra and phil downer
[REDACTED]

Great corby
Carlisle
[REDACTED]

Application no CA10/50

To whom it may concern

We are totally against closure of our village common.
The only woodland area left for us to roam.

I do not have a problem with locking the gates during school time, but surely children in the village are entitled to use the common (which has wonderful wildlife) as I have done for over sixty years.

Yours sincerely
Sandra and phil downer

[REDACTED]

Sent from [Mail](#) for Windows 10
[REDACTED]

Application CA10/50



Gill Bruce

To: Registration, Commons

Jason

Louise



Reply



Reply All



Forward



Mon 11/01/2021 15:28

Dear Ms Maving

Re Application CA10/50

Thank you for the copies of the above application.

My interest regarding this application, is as a village resident who has lived here for over 20 years now and walked through the common. My son attended Great Corby School, and we walked / explored this common regularly.

As far as I can ascertain from the documentation forwarded, the headmistress is claiming a mistake was made in the original application back in 1969 when the land was registered as a common.

Rather weak, unfounded, particularly since it was then confirmed and registered as such some 3 years later...so not rushed through without the knowledge and agreement of interested parties.

I reiterate **my dismay and that I strongly object at the need to deny villagers access to this lovely diverse woodland/quarry area**, without proof that there are actual serious safeguarding issues: surely a paperwork exercise with no back up evidence provided so far. Primary age children require playground supervision at all times, so an adult will be present to ensure that the present agreed procedure of locking the public access gate is undertaken. I would expect the Head mistress to use more actual proof of safeguarding issues rather than claiming a mistake made over 40 years ago to progress this application. The only other access to this land is up the road and is a steep descent down a frequently muddy slippery bank, only acceptable to ascend making a circular walk.

I would expect that more pertinent evidence of serious safeguarding issues should be submitted by the Headmistress before any decision is made to de register this common land and deny public/villagers access.

I look forward to hearing that this application has been dropped, or if the opportunity to discuss this further arises I will attend any virtual meeting.

Yours sincerely

Mrs Gillian Bruce

Great Corby

From: Gill Bruce <[redacted]>

Sent: 10 January 2021 10:46

To: Registration, Commons <Commons.Registration@cumbria.gov.uk>

Subject: Common adjacent to Great Corby School

Dear Sir/ Madam

RE Potential De registration of the Common adjacent to Great Corby School

Mr P Armstrong has brought this situation to our attention.

As a local whose son attended Great Corby school back in the 1990's, I am somewhat shocked that closure of this delightful piece of woodland/ quarry is being sought after by the Head of the School and I **strongly object to her application to do so.**

Children and adults alike have enjoyed walking through this wooded valley passing the quarry areaDads building dens as children and passing on stories and the desire to build them to their children. It is a little gem of an area within the village, the level access route should not be barred from residents. The only other access from the upper road is via a very steep bank, which due to Cumbrian weather is often muddy and slippery. A perfectly acceptable uphill exit, but a slippery downhill one.

Whilst I appreciate the need to protect primary school children from a perceived stranger threat, I understand that this has already been achieved by locking the access gate via the playground during school playtimes. Has the Head mistress recorded events that have put children's safety at risk ? what documented proof is there that it is necessary to close public access and deny villagers of this common land.

I would appreciate further information on the progress of this application and the evidence that the Headmistress is using to deny the route to the public. I am more than happy to attend any meeting to discuss this issue.

Kind Regards

Gill Bruce

[REDACTED]

Great Corby

[REDACTED]

Sent from [Mail](#) for Windows 10

Re Application CA10/50



Susanna Donovan [REDACTED]
To: Registration, Commons

Reply Reply All Forward

Tue 12/01/2021 08:52

Jason Louise

Follow up. Completed on 12 January 2021.
You replied to this message on 12/01/2021 09:04.
We removed extra line breaks from this message.

Dear Louise,

I would like to register my opposition to the proposed application CA10/50 to correct the register. Our family have lived in Great Corby for over thirty years now and our three children have had the privilege to go to the little village school in their primary years. During all this time I have not been made aware of any risk or injury experienced by any child or children in having the right of way to the commons going through the school yard.

As you know the gates are kept closed during school hours and the children are supervised when playing out by an adult or two. Therefore the perceived risk to the children is pretty much non-existent. The playground has often been used outside school hours by the little children of the village to learn to ride or play safely. It is my belief that the right of way remain open for access to the common just as it has always been in the interest of the village people for recreational purposes.

My address is [REDACTED] Great Corby, Carlisle, Cumbria. [REDACTED] Thank you.

Kind Regards
Susanna Donovan



Mrs PD Jenkins

Wetheral

7th January 2021

Dear Sirs

Re: Great Corby Common Application ref CA10/50

I wish to object to the deregistration application relating to the common. I have no legal interest in the land or any adjacent.

A significant part of my childhood was spent at the school and playing on the common. I regard access to the school play area as vital to its enjoyment as I would be unable to use the path at the top end to show my grandchildren my childhood playground.

Please add my name to the the list of those in Wetheral and Great Corby who do not wish to see the common diminished or access to it hindered.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Mrs Diane Jenkins

CA10/50 Great Corby School



andrew donovan <[REDACTED]>
To: Registration, Commons

[Reply](#)[Reply All](#)[Forward](#)

Tue 12/01/2021 16:24



Follow up. Completed on 12 January 2021.
You replied to this message on 12/01/2021 16:26.

Dear Ms Bainbridge

I understand that an application has been made to deregister the common next to Great Corby Primary School. As a resident of Great Corby whose children attended the village school I would oppose this application on the grounds that deregistration would effectively close the footpath and block public access to the common from Sandy Lane.

I was a governor at Great Corby School in the 1990's and cannot recall access to the common causing any difficulties then. If it has become a Safeguarding matter in more recent times then I could understand the reason for the application but as far as I am aware there is no public access during school hours.

Many thanks

Kind regards

Dr Andrew Donovan

[REDACTED]

Great Corby

[REDACTED]



Mr D Jenkins

Plains Road
Wetheral

8th January, 2021

Dear Sirs

Re: The Common at Great Corby School. Ref: CA10/50.

I would like to register an objection to the loss of the common at Great Corby.

As as a child I spent time with my family in the village and enjoyed being taken down to play in the beck and on the common.

Living in Wetheral I still feel that it is good to be able to show my children where I played and may wish to take my son onto the common.

My only interest is in preserving the common for its own sake and for the village to continue to have free access to both ends. I have no other motive.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Mr David Jenkins



NG Jenkins

Warwick on Eden

08/01/2021

Dear Mr Wetherill

Regarding: Common at Great Corby School. Application no: CA10/50.

I hereby confirm my objection to the de-registration of a large part of the common adjacent to the school. I have no interest but the desire to maintain public access.

My grandparents lived in Gt Corby and as a child I was shown and enjoyed the common. I walk my dog now to Gt Corby and wish to have unrestricted access to this lovely and valuable woodland.

Please do not allow this application to succeed.

Yours Sincerely

Graham Jenkins



Frances and Kenneth Prudham

Great Corby

10/01/2021

Dear Sirs

Re: Great Corby Common. Application ref: CA10/50.

We have been made aware of the above application and wish to register an objection.

We have lived in the village for over 50 years and throughout the years used the common for recreation and for the enjoyment of our children who now, in adulthood, still use it.

I, Frances, have volunteered at the school and totally understand the need for the children's safety at break times, however, I feel that the gate being locked and the children being supervised meets the need adequately.

We understand that the headmistress has indicated that she would not lock the gates after school but once the right of way through is lost this would be at the discretion of the successor.

The top path down onto the common is not very safe and part of the pleasure we get is being able to walk all the way through the common.

We have no interest in the common other than to continue to use it as a resident of the village.

Yours faithfully

[Redacted signature]

[Redacted signature]

Mrs Frances Prudham and Mr Kenneth Prudham

CA10/50



Helen Hinvest [REDACTED]
To Registration, Commons

[Reply](#)[Reply All](#)[Forward](#)

Wed 13/01/2021 14:41

I wish to register an objection to the Notice of Application to Correct the Register, under Application No. CA10/50.

My name is Helen Hinvest, [REDACTED], Great Corby [REDACTED] and I can confirm that I have no interest in the land affected by the Application. The grounds on which I am making this objection are that this is common land, the only area of common land remaining in the village, and is an area of heritage woodland. This common land has been used by local children for many years for the enjoyment of the wilderness area, and for the enrichment of their knowledge of the natural environment. If the land is de-registered there is the possibility that access to this common land would be lost to the current, and subsequent, generations of village children.

I acknowledge that there is access to the common land from the road, but this is a steep - and at times dangerous - footpath, not accessible to wheelchairs or pushchairs. The de-registration of this area of common land would potentially close access to the school playground to local children at evenings and in school holidays, when I know they enjoy using the playground at these times, particularly for learning to ride their bikes, and ball games.

I would urge the Registration Service to consider refusing the Application.

Yours sincerely

Helen Hinvest

From: Kenneth Brooks <[REDACTED]>
Sent: 14 January 2021 13:39
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Great Corby School Playground (C.R.O.W. land) Application Ref CA10/50

FAO Louise Maving

Commons Officer

Commons Registration Service

Dear Louise

Application Ref CA10/50

Great Corby School Playground (C.R.O.W. Land)

We write with regard to an application **Ref CA10/50** to deregister the C.R.O.W. land comprising Great Corby Primary School play ground and wish to record our objection to such an application.

Our objection; that deregistration of this land will prevent public access to land which is currently publicly available.

Our Interest ; We have regularly enjoyed free access to this land over the past 36 years , whilst respecting the informal controls applied by the school management team regarding access during school hours.

Our Postal Address

Kenny and Lorraine Brooks

[REDACTED]

Great Corby

[REDACTED]

Email ; [REDACTED]

Additional information; additional details are noted in our earlier email attached below.

Yours faithfully

Kenneth Brooks Lorraine Brooks

Kenny and Lorraine Brooks

From: Kenneth Brooks <[REDACTED]>
Sent: 14 January 2021 11:58
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Great Corby School Playground (C.R.O.W. land)

Dear Sir

Great Corby School Playground (C.R.O.W. Land)

We write with regard to an alleged application to deregister the C.R.O.W. land comprising Great Corby Primary School play ground and wish to record our objection to such an application.

The land, we would advise, has a dual function providing both the outside space for school children during school times and an important recreation area for parents and their children outside of school hours. By way of example our children learned to ride their bikes in safety in this place and our grandchildren are now enjoying this same safe space to develop their cycling skills (all outside school hours).

We understand the safety of our school children is paramount to the school management team however deregistering this designated land leading to a potential exclusion of public access is not considered to be an acceptable solution.

May we suggest that it would be good, as an alternative way forward, if your specialist staff could perhaps advise the school team over the options available to them regarding appropriate ways this parcel of land may be managed for the overall enjoyment of the whole community.

Yours faithfully

Kenny and Lorraine Brooks

[REDACTED]

Great Corby

[REDACTED]

(Great Corby residents for 36 years)



Wetheral
Carlisle
Cumbria

Tel: [REDACTED]
27th January 2021

The Commons Registration Service
Lady Gliffords House
Petteril Bank Road
Carlisle
Cumbria
CA1 3AJ

Dear Sir

REF: CA10/50

Born in Great Corby village and having resided in the Parish of Wetheral for the last 76 years, I wish to register my concerns regarding the above application. I am also a Trustee of Great Corby Educational Foundation and must emphasise that my concerns are personal and not necessarily those of the Trust.

I am aware that parties likely to be impacted by the proposal have not been notified these being the residents of Great Corby Village and surrounds, the landowners of the area of the Common to be de-registered and the landowner of the adjoining part of the Common (Corby Castle Estate).

To my knowledge there are currently three landowners on this tract of the Common. After de-registration they may have different priorities for their land some of which may impact on the common upstream. I pose the question can an employee of a tenant challenge the validity of the Commons Register on their behalf?

With regard to the Public footpath, the land between the edge of the paved playground and the school garden wall is Common Land and the footpath runs on this strip of land parallel to the school garden wall and not across the playground.

The loss of the Common to the village community cannot be underestimated, it is a safe secluded space which has been valued and much loved by generations of villagers.

Clearly some compromise must be reached to meet the needs of the school with regard to Health and Safety litigation (which I fully appreciate).

To attempt to de-register the Common is much too draconian a measure to reach a solution.

I do not support this application to de-register the Common.

Yours sincerely

[REDACTED]

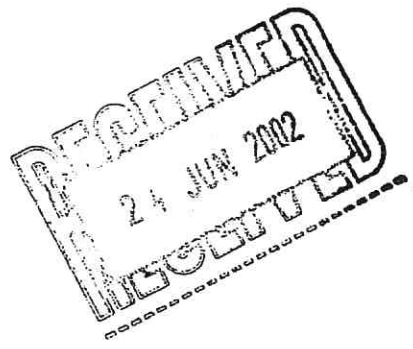
36



COUNTY COUNCIL

Community Economy and Environment

Citadel Chambers, Carlisle
Cumbria CA3 8SG
Fax: 01228 606755
Telephone: 01228 606168
anne.wallace@cumbriacc.gov.uk



Your ref:
Our ref: AW/DH

19 June 2002

Ms Gillian Kartach
Clerk to Wetheral Parish Council
Council Office
Primrose Hill
Wetheral
CARLISLE
CA4 8HD

Dear Ms Kartach

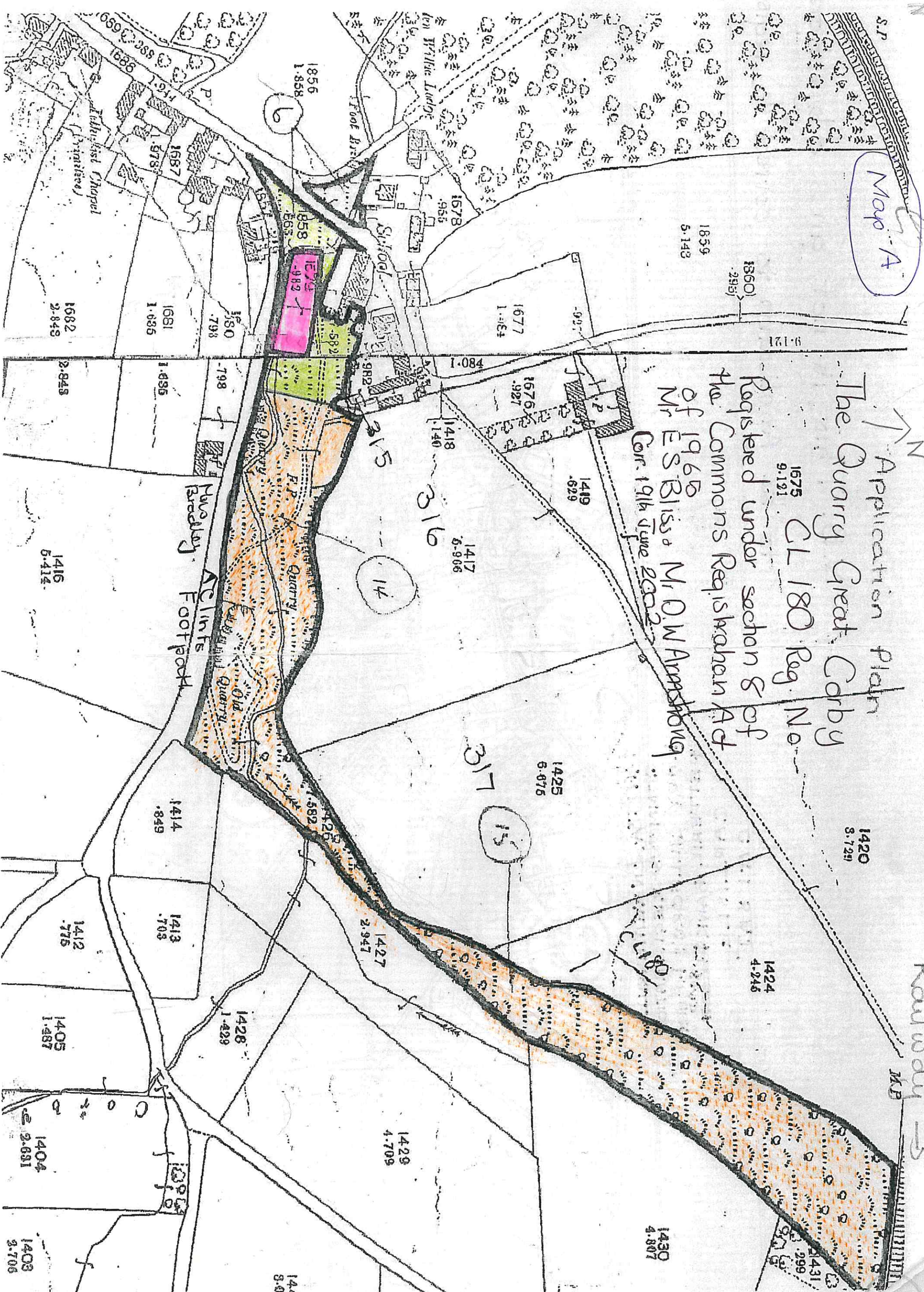
COMMONS REGISTER

Further to your recent letter and our telephone conversation in respect of the registrations of various pieces of land in Wetheral parish, I can confirm the following details according to the Commons Register Records.

Common Land	Registration Unit No	Ownership Section
Wetheral Sand pit	CL 173	Protected under Section 9 of the Commons Registration Act of 1965
Wetheral Shield	CL 174	Church Commissioners for England 1 Millbank, London SW1
Glencrake Quarry & Wood	CL 176	Church Commissioners for England 1 Millbank, London SW1
Riverside, Wetheral Village	CL 177	Church Commissioners for England 1 Millbank, London SW1
Cockley Bank Common	CL 178	Protected under Section 9 of the Commons Registration Act of 1965
The Quarry, Gt Corby	CL 180	Registered under Section 8 of the Commons Registration Act of 1965 Mr E S Bliss and Mr D W Armstrong
Black Moss Pool	CL 182	Protected under Section 9 of the Commons Registration Act of 1976
Public Watering Place Warwick bridge	CL 183	Church Commissioners for England 1 Millbank, London SW1
Clints, Gt Corby	CL 179	This is not registered Common Land



Map A



Application plan
 The Quarry Great Cobly
 Registered under section 8 of
 the Commons Registration Act
 of 1965
 Mr ES Bliss, M.O.W Amersham
 Cor. 19th June 2002

MR JASON WEATHERILL
COMMONS REGISTRATION
LADY GILFORD'S HOUSE
PETTERIL BANK ~~ROAD~~
CARLISLE
CA1 8AJ

N.B. This is not an objection
to the Application to correct the register

TEL / [REDACTED]
MOBILE [REDACTED]

[REDACTED]

Wetheral,
Carlisle.

CA4 [REDACTED]

Jan. 18th 2021.

Dear Jason,

Thank you for copies of the application to Correct the Commons register ref: CA 10/50.

I cannot comment on any detail of the original registration, as that would rest with the Armstrong family.

I have however enclosed two maps and some notes (without bias) which might clarify how ownership of areas of the common have evolved over time.

I must emphasise that the information I have provided is

for your reference to, ensure all parties who are likely to be impacted by the ^{proposed} process are made aware of the application.

If I can help or if I have not made any of the detail clear enough (it is a bit convoluted in places) please do not hesitate to get in touch

Regards





Map A.

Map to Show extent of the Common at Great Corby known as the Quarry Reg under section 8 of the Commons Registration Act of 1965 Mr E. S. Bliss, Mr D. W. Armstrong (C/L 180)

At this point The Armstrong family owned the whole of the common edged black except for the school, buildings the master's house ^{or garden} and so much of the playgrounds as belonged to the Trustees. (Conveyance dated April 15th 1914)


The location of the playgrounds has always presented a problem particularly ^{when} registration ^{was} required in 2012 when the School converted to Academy status.

Recent History.


Mr RC, Mr T.R. Armstrong sold part of the Common (coloured  on the map) when the farm land which they owned was sold on 20th May 1999 but retained the lower reaches of the common (coloured  on the map) The Armstrong family still "own" this area of the common (unregistered) When the school converted to an Academy part of the retained area see map B was registered in error in favour of Great Corby Education Foundation by Burnett's solicitors (Efforts are being made to rectify this)

There is significant encroachment on this area of the Common by the residents of Oak house (adj dwelling)

Map A Cont.


The Area coloured  on the map was registered ^{in 2005} in favour of CCC in a "spate" ^{of} registrations of playgrounds. The Trustees were not aware of this registration until they sought to register the playground when the school converted to an Academy in 2012.

The Trust requested to have sight of the evidence which was used ^{to support} the registration but were informed it had been destroyed. Reg: (2005) CCC 212089.


The area coloured  on Map A was purchased by Corby Castle at the farm sale in 1999. Reg. CU 148 744

Armstrong land unregistered - Owned by the Armstrong family, registered as common land ^{by them} but not registered with the Land Registry

Summary

 Owned by Mr RC, Mr TR Armstrong
*unregistered - part registered in error
in favour of Gr. Corby Ed. Foundation

 Corby Castle Estates: CU 148 744

 CCC 212089 (2005)

Map B



Validity of Application?

Map B.

Land Registry No: CU 263679

The land edged red is currently in the ownership of the Official Custodian for Charities on behalf of the Great Corby Educational Foundation.

The land was registered in 2011/12 when the school converted to Academy status and was leased to Great Corby School by Great Corby Educational Foundation. The current occupiers of the above are the tenants of the property.

The Applicant Miss Kirsty Williamson is the Headteacher of Great Corby School and is also of course the tenant.

Exact date of registration 12th Jan 2012.

I OBJECT TO THE
HEADMSTRESSES APPLICATION
TO DEREGISTER THE
COMMON ADJACENT TO
GREAT CORBY SCHOOL.
THERE IS NO NEED FOR IT.

MY NAME: - DOROTHY DOWNER.
16 THE BELFRIES,
GREAT CORBY, CARMISLE, CHESHIRE.

[REDACTED]
Heads Nook
Brampton
Cumbria
[REDACTED]

20th January 2021

The Commons Registration Service
Lady Glifford's House
Petteril Bank Road
Carlisle
Cumbria
CA1 3AJ

Dear Sirs

Reference CA10/50

As a previous Trustee of The Great Corby Educational Foundation and having resided in the old school catchment area for Great Corby School for over 70 years I would like to register my concerns regarding this application.

I query the legality of the Head Mistress of the school applying for this amendment, as the school academy are tenants not the owners of the land in question. Can you confirm that all the land owners have been approached and given their full approval to this application, I find it hard to believe that is the case knowing the history of the Common.

In the application it is stated that the public footpath goes across the playground, if the old records are referred to they show that the footpath does not go onto the playground but runs along a strip of land between the playground and the wall of the garden at the school, this section of land is owned by the Armstrong Family. The school have made it very difficult for this footpath to be used as they have a padlock on the gates beside the school. I do realise that the safety of the children may be of a concern but believe a compromise should be reach to allow the footpath to be used.

In 2017 Mr Mark Lambert, Green Space Manager, Carlisle City Council visited the site and informed The Trustees of Great Corby Educational Foundation that the fences that had been erected on the common land would have to be removed, as had already been the case relating to the fencing erected by Corby Castle Estate.

A final point I would like to make is that the school have erected a building along with other structures on sections of the registered common land even after the Trustees of the The Great Corby Educational Foundation advised them that this was not allowed on Common Land.

I would be obliged if copies of any Representations to this case are emailed to my email address

[REDACTED]
Thanking you

Yours sincerely

[REDACTED]
Violet Warwick [Mrs]

[REDACTED]
GREAT CORBY
CARLISLE
[REDACTED]

Louise Maving
Commons Office
Commons Registration
Economy and Infrastructure
Lady Guildford House
Petteril Bank Road
CARLISLE
CA1 3AJ

BY EMAIL – louise.maving@cumbria.gov.uk

24 January 2021

Dear Sir

Great Corby Common – CA10/50

I refer to the application relating to the Common Land Register Unit CL180 Quarry Great Corby.

I am a resident in the village and have lived at this address for the last 12 years.

Throughout that time, I have on many occasions used the common land adjacent to Great Corby School. I have crossed this on many occasions, with and without my dog and understand that many other villagers have done so for many years without interference.

I am firmly of the view that this right is a legitimate one and that the application to correct/deregister the right is an incorrect one and should therefore be rejected. Access to this valuable village resource would be hindered significantly where this application to be successful.

Yours faithfully

[REDACTED]
TRACY STEVENSON

From: [REDACTED]
Sent: 25 January 2021 13:05
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: FW: Reference APPLICATION NUBER :- CA10/50
Importance: High

Mrs Karen Tait,

[REDACTED]
Great Corby,
Carlisle,
Cumbria,

[REDACTED]
[REDACTED]

Ref:-CA10/50

25/01/2021

I am writing to you to state my opposition to the deregistering of Great Corby common/ land adjacent to Great Corby school.

As a born and bred villager for over 50 years I feel the common is a village asset and to deny the right of people to walk freely through on a public footpath is unthinkable especially in the current climate.

Obviously, the safety of the children is paramount, however surely the locking of the gates and several members of staff outside on duty is sufficient to guarantee this.

I also believe the school is using this tactic of deregistration to enable them to use the land freely to site future permeant structures.

Yours faithfully,
Karen Tait

Portland Building | Cooper Way | Kingstown
Carlisle | CA3 0JG

Telephone 01228 522215
Fax 01228 515442 DX 63010 Carlisle
Email info@bendlesscarlisle.co.uk
Web www.bendlessolicitors.co.uk
(no emails or fax numbers for service)

Your ref:

Our ref:



FIRST CLASS
Louise Maving
Commons Office
Commons Registration
Economy and Infrastructure
Lady Guildford House
Petteril Bank Road
CARLISLE
CA1 3AJ

Email – louise.maving@cumbria.gov.uk

26 January 2021

Dear Madam

Mr A J Stevenson – [REDACTED] Great Corby Carlisle
Application Number C10/50

We have been instructed by the above named who has lived in Great Corby village for the last 17 years. We write on his behalf to object to the application that has been made by Kirsty Williamson.

We believe that this application is ill-considered for two reasons:

1. Firstly, that the register is correct and that the villagers are fully entitled to gain access over the area and to the common land. We believe the registration is correct and therefore should be maintained.
2. We would also point out, rather fundamentally, that this access area notwithstanding the registration, has been used for more than 20 years and therefore there would be a right by prescription to cross this land in any event. Indeed, we would point out that the school actually lock the gate at certain times which, technically, is illegal and such locks could be removed by anyone using the access should they see fit.

We therefore should be grateful if you would acknowledge receipt of this letter and confirm to us that this application will now be rejected.

Yours faithfully

[REDACTED]
BENDLES LLP

From: Teresa Gallagher <[REDACTED]>
Sent: 27 January 2021 11:32
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Fwd: Great Corby Common CA10/50.

----- Forwarded message -----

From: Teresa Gallagher <[REDACTED]>
Date: Wed, 27 Jan 2021, 10:32
Subject: Great Corby Common
To: <commons.registration@cumbria.gov.uk>

Dear Sir, I am writing to object to proposals to block access to the common at Great Corby. I have lived in the village for 25years and enjoy regularly walking through the common. My 3 children attended Great corby school and spent many a happy hour playing in the woods and stream. This is a very valuable resource for the whole community to enjoy which should not be denied.

May I suggest routing the footpath along the very edge of the playground instead? It would require 300m of railings and putting a gate in the wall at the side of the schools bicycle store.

Yours faithfully,
Teresa Gallagher,
[REDACTED]
Great Corby.

Mrs Anita M. Armstrong

[REDACTED]
Great Corby

Carlisle CA4 [REDACTED]

Date 20.01.2021



Reference Application No. CA10/50

Application to deregister Common Land Register Unit CL180, Quarry, Great Corby.

Firstly, I must declare an interest. I do not have a financial interest as such, but my husband Mr T.R. Armstrong and my brother-in-law Mr R.C. Armstrong are the owners of part of the common land coloured red on the accompanying plan. They retained a part of the common land, known as The Quarry Great Corby, when they sold the rest of the land in May 1999 to the late Lord Ballyedmond, so that it could still be enjoyed by the villagers of Great Corby (and the public in general.)

I wish however to object on the following grounds; that this application would effectively remove the public right to access common land from the lower village end, access which has been there from, if not 'time immemorial', at least from the time of the first Ordnance Survey map and marked as such by the footpath on subsequent maps.

I personally have used this access on a regular basis for over 45 years.

Access down to the Quarry/Common from the Clints end is very steep and becomes extremely dangerous in wet or icy weather and it is not practicable for any one with limited mobility to descend the footpath in the best of weather conditions.

Consequently, if this application is allowed to go ahead and this section of the Common is deregistered, public right of access to the Common from the lower end will be removed, as seems to be the intention of the Applicant. It would also effectively remove access for the public to enjoy the Common *as a whole*, which has been enjoyed by many for hundreds of years.

Signed [REDACTED]

From: Anita Armstrong <[REDACTED]>
Sent: 29 January 2021 13:10
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Your ref CA10/50

FAO Jason Wetherill

Hello

Further to our conversation today regarding owners of the common land in question.

They are :- Mr R. C. Armstrong, [REDACTED] Great Corby, Carlisle CA4 [REDACTED],

Mr. T.R. Armstrong, [REDACTED] Great Corby, Carlisle CA4 [REDACTED]

Edward Haughey and Lord Balleyedmond' s daughter Caroline (I can not recall her married name)

The Great Corby Education Trust, I understand, own the school building and garden

The county council own, or have registered to them I believe, the tarmacked playground (but not the section between the playground and the school (which has been covered with a loose pseudo tarmac surface).

I confirm that I am objecting to the application as someone who has used the common for recreational purposes for over 45 years and do not want access to the common as a whole restricted as it may well be should the land be deregistered.

I am not on the deeds to the land which was 'conveyed' in 1984 to T.R. and RC Armstrong by the executors of Mrs M. A Armstrong but did feel I had to declare an interest.

I have sent some documentation as to ownership by post today and as I said in my covering letter could provide more once I have some more copier ink.

Anita Armstrong (Mrs.)



Great Gatsby

Castles

CA4

Your Ref CA10/50

Dear Mr Weatherill

With reference to our conversation today I enclose some documentation

Unfortunately I have run out of copier ink so I can't include anything else at the moment.

I also have the map which accompanied the 1980 'Decision' in the matter of the quarry which you have the photo copy of. I could copy that once I have copier ink.

I have included :- A marked pages 1, 2

The registration of the land made by my late mother in law Mrs M.A. Armstrong's executors E Bliss & DW Armstrong.

B) the plan attached to the Statutory

Declaration made by my brother in law RC Armstrong in 1993. as to his & his brother's ownership of the land. The declaration is 3 pages (double sided) but I could copy it once I do have ink!

I hope this sheds more light on the situation

Yours sincerely

COMMONS REGISTRATION ACT 1965

Register of COMMON LAND

OWNERSHIP SECTION—Sheet No. 57 (NY 45 SE Provisional Edition published 1956)

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority GUMERIA COUNTY COUNCIL

Register unit No. C.L. 180
Edition No. 1

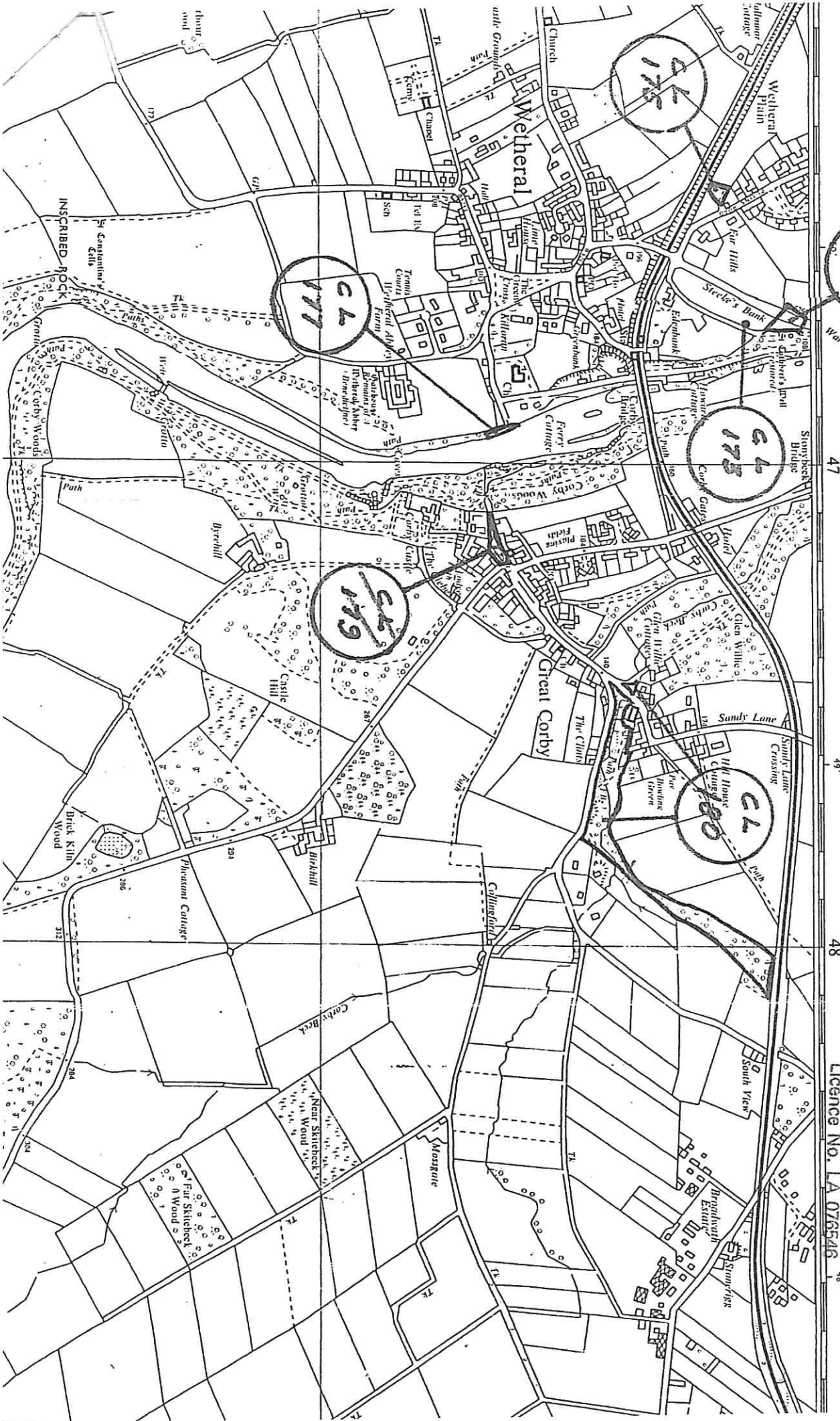
See Overleaf for Notes

A
①

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
1 20th May, 1980	262/U/244 21st Feb., 1980	Under Section 8 (2) of the Commons Registration Act, 1965 - Mr. E. S. Bliss and Mr. D. W. Armstrong	The whole of the land.

Scale 1:10,560 or 6 Inches to 1 Mile

A 2



AND

CL
215

Warwick Mile

47

49'

48

Based upon the Ordnance Survey Map
with the permission of the
Controller of H.M. Stationery Office
Crown Copyright reserved.
Licence No. LA 076546

160

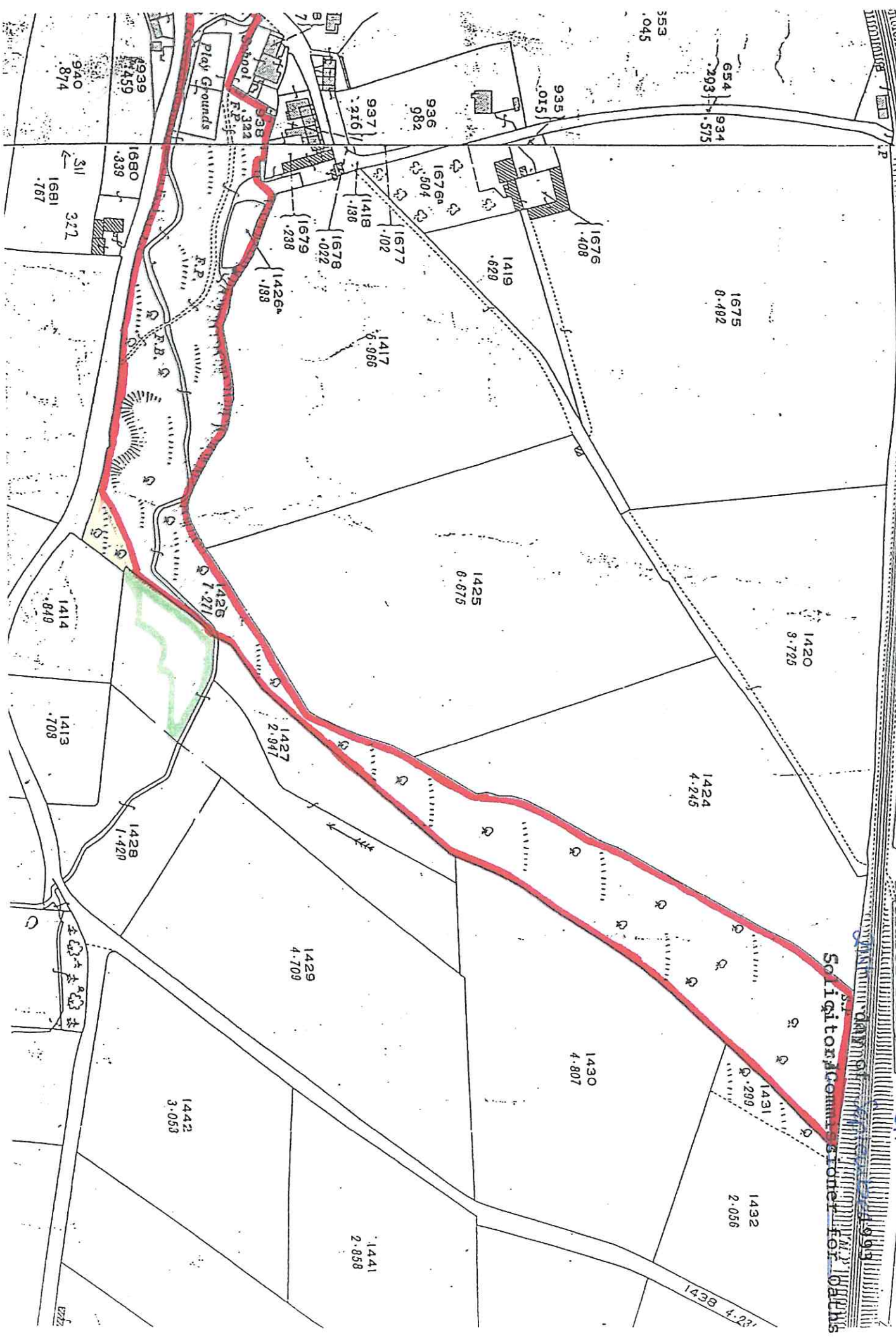
801

(B)

This is the exhibit marked "R.C.A.1" referred to in the Statutory Declaration of Robert Charles Armstrong.

Declared before me

G.M. Williams



Notice of Application to Correct The Register
Application No CA10/50

On behalf of the Trustees of Great Corby Education Foundation
Susan Wilson

[REDACTED]

[REDACTED]

Scotby

Carlisle

CA4 [REDACTED]

[REDACTED]

We cannot support removing the application land from the
Common Land register.

There are a number of reasons for this :

- The common land status is respected and valued by the community.
- Removing common land status affects route ways and access to adjacent land.
- Great Corby Education Trust leases the land upon which the school stands and as such is a custodian of it, preserving its status now and for the future.
- The trust is fully cognisant of the safe guarding issues associated with this leasehold situation but believed measures were in place to ensure the safety of the pupils during school sessions.
- We believe that any measures to de register the land would be detrimental to the general life of the community by taking away what has been a valuable recreational /leisure resource.

From: Susan Wilson [REDACTED]
Sent: 28 January 2021 14:02
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Re: CA10/50

Hi Jason ,
The Gt Corby Education Trust is the owner of the land and I am making it on their behalf as owner.
The Trust leases the land to the school for a Peppercorn rent .
Thank you for the map and your help ,
Susan

Sent from my iPhone

On 28 Jan 2021, at 13:23, Registration, Commons <Commons.Registration@cumbria.gov.uk> wrote:

Hi Susan.

Thank you. I look forward to your response.

Kind Regards,

Jason Weatherill
Commons Officer
Commons Registration Service
Environment and Community Services
Cumbria County Council
Lady Gillford's House
Petteril Bank Road
Carlisle
CA1 3AJ

E: commons.registration@cumbria.gov.uk

Please be aware that I work flexible hours, so whilst this is a convenient time for me to send this email to you – I do not expect a response from you outside your normal working hours.

From: Susan Wilson <[REDACTED]>
Sent: 28 January 2021 12:17
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Re: CA10/50

Hi Jason,
Thank you very much will be back in touch as soon as possible . I'll make some enquiries .
Susan

Sent from my iPhone

On 28 Jan 2021, at 12:04, Registration, Commons <Commons.Registration@cumbria.gov.uk> wrote:

Hi Susan,

Thank you for your representations on behalf of the Trustees of Great Corby Education Foundation. Please accept this email as confirmation of receipt.

You state in your attached letter that: *“Great Corby Education Trust leases the land upon which the school stands and as such is a custodian of it”*. A search conducted with the Land Registry appears to show that *“The Great Corby Education Foundation of Charities Commission Direct”* is actually the owner of much of the land, who then lease that land to the school. I attach the relevant title and plan.

Can you confirm if you are making your representations as, or on behalf of, an owner of the land?

Jason.

Ps: I have also received your voicemail, but unfortunately I do not have a contact number to ring you back on.

Kind Regards,

Jason Weatherill
Commons Officer
Commons Registration Service
Environment and Community Services
Cumbria County Council
Lady Gillford's House
Petteril Bank Road
Carlisle
CA1 3AJ

E: commons.registration@cumbria.gov.uk

Please be aware that I work flexible hours, so whilst this is a convenient time for me to send this email to you – I do not expect a response from you outside your normal working hours.

From: Susan Wilson [REDACTED]
Sent: 28 January 2021 11:35
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: CA10/50

Hi Jason
Can you let me know if this arrives

Mr P Armstrong

Great Corby

CA4

28/01/2021

Dear Mr Wetherill

Re: Great Corby Common Application ref CA10/50

Further to our conversation a couple of weeks ago.

I wish to object strongly to the application to deregister part of the common. I believe my cousin may be part owner of some of the common but have not discussed this with him as he is ailing and I am writing on my own behalf as a resident of the village.

I am 59 and have, since childhood, enjoyed playing on the common and wish to continue enjoying the facility.

I appreciate the need for the security of the school children (I attended myself) and understand the evolving need for tighter child safeguarding requirements as the world changes. However, I think this is adequately assured by locking the gates during school time and ensuring 3 staff are supervising, as is current practice. I understand the latest Ofsted inspection rated the school's safeguarding as satisfactory.

If safety is such a big issue then why do the school consider it safe to bring large groups walking through the village to regularly spend hours in summer on the playing field at the other end of the village. The field has seven open and unmanned access points. Many residents walk into the field to watch and enjoy the event. This, you would think, would pose a much greater risk yet is obviously considered safe. Clearly much greater interaction with the community occurs here than would at the common.

I understand that there may be ulterior motives behind the application. Several members of staff have told me of the headmistress' desire to build an 'outside classroom' on part of the common. As this is common knowledge is it not duplicitous not to mention it on the application. Though it may explain why such a large area of common is sought to be de-registered.

Several villagers, parents and staff have told me that they will not object as the headmistress has promised not to lock the gates outside school hours. However, they don't seem to accept that this promise could be rekindled on a whim or should any vandalism occur.

We must not lose any more rights in the village.

The common is the only area of woodland left in the village where the children (or we adults) can access trees or the beck without trespass. The loss of part of the common and its main access route would be a blow to any older parents/grandparents who may use pushchairs or wheelchairs as it is the only accessible route. In winter or damp conditions the top path from the road is unusable even to the able bodied.

There used to be a clear route/footpath through the area used by the school, however, successive head teachers have obstructed this with equipment and fencing making it impossible to walk straight through without weaving around into areas previously unnecessary. In short, the school have made the situation worse for themselves.

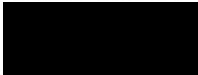
It may be a minor point but I believe that public access should be maintained to the coffin stone which is within the area proposed to be de-registered. This clearly confirms the ancient and valuable right of way.

I would welcome the opportunity to meet on site should this be possible to explain the situation more clearly.

Yours Sincerely

A large black rectangular redaction box covering the signature area.

Mr P~~N~~ Armstrong

A black rectangular redaction box covering contact information.

From: Linda Armstrong [REDACTED] >
 Sent: 28 January 2021 13:22
 To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
 Subject: RE the common adjacent to Great Corby school

Mr and Mrs P Armstrong

[REDACTED]
 Great Corby

CA4 [REDACTED] Application number CA10/50

I am a member of the Great Corby school foundation trust .The reason I am on the trust is the same reason I strongly oppose this application.I feel and care for all children especially local ones.

Here are some of our views and thoughts regarding the application.

My wife and I both retired have lived in the village all our lives,we attended the school as did our three children.We all still play there along with our seven grandchildren.We feel it is a bit ironic that a teacher rural or otherwise could come up with a plan so detrimental to the happiness and well-being of the children she is employed to care for.

There should be no health and safety issues with mobile phones,security cameras and many grownups to supervise break times ,the children have never been safer.

The area around the beautiful grade two listed school building has become an eyesore recently with many believing the academy is fast outgrowing the site.

Villagers are only at the school a very short time they deserve the right to enjoy the long established footpath and common land before during and long after their time there.

Moves like this could seriously damage precious long-standing relationship the village has with its school.Heads and local governors of the past would never have dreamt of such divisive action.

In this day and age with everyone keen to get children off Xbox's and screens and out of the house getting more exercise and fresh air for healthy bodies and minds this application makes no sense whatsoever.

The castle recently had to move fences from the upper common and as owners this application could effect their rights of access,with this in mind and the disputed ownership of the land involved the upset to the peace and harmony all the expense,trouble and legal ramifications we believe this can of worms should be let loose on the common/dropped.

In our sixty seven years in Great Corby we have lost four similar adventure areas the common is the only one left understandably village elders are incensed.

This area protected by its common land status is a natural playground with hillocks,banks,cliffs,trees,stream,waterfall ,pond and level ground it could be the best in the county with activity's only limited by one's imagination.we must not forget the wildlife and flora and fauna peace and tranquillity that can also be enjoyed on the common.

On several occasions I have found the gates chained and padlocked on evenings weekends and holiday times this is infuriating and very disrespectful to the public that wish to use this area .

Due to Covid this country will have serious financial problems places to enjoy for free will be more precious than ever.

Regards Peter and Linda Armstrong

From: Linda Armstrong <[REDACTED]>
Sent: 28 January 2021 13:33
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: My email I have just sent

Just want to clarify that I Peter Armstrong am a member of the Great Corby school foundation trust and not my wife Linda Armstrong. Sorry for mistake I never use the iPad. Regards Peter Armstrong

From: Linda Armstrong <[REDACTED]>
Sent: 28 January 2021 16:52
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Regarding your email

Dear Jason

I would like to clarify my name is Peter Armstrong not Paul as you stated on your last email, easy mistake. I believe the trust's objection has already been sent via Susan Wilson of the trust.

Please note that this was mine and my wife Linda's personal objection to the de registration of the land in question.

Kind Regards
Peter and Linda Armstrong

[REDACTED]
GREAT CORBY
CARLISLE
CA4 [REDACTED]

28 January 2021

Dear Sirs

Application to correct the register - Ref: CA10/50. CL180 Quarry, Great Corby.

I wish to object to the above application to deregister part of the common land known as The Quarry, Great Corby.

The application seeks to deregister land occupied by Great Corby Primary School due to the playground currently being on common land.

The school has co-existed with the common land since it was built, with villagers enjoying a right of access over the land for generations. Any perceived safeguarding issues have been addressed by ensuring proper supervision is in place. Three generations of my family have attended the school and I am not aware of any incident causing harm to the children as a result of the area being common land.

The application seeks to adjust the register back to the original application, ref 735. The area shown on the proposed map submitted by the applicant does not reflect the rectangular area claimed to have been excluded in the original application.

At the time of the original application the playground consisted of a tarmac rectangular play ground. Between the playground and the wall which retains the immediate school grounds was a strip of grass which provided access to the common. In recent years the school has encroached onto this access area by putting down a further tarmac area with picnic tables, laying an artificial surface and installing permanent play equipment.

The school has recently erected a shed with adjoining fencing at the end of this area. The adjoining fencing has completely obstructed the main access route into the common making it necessary to walk onto the tarmac playground to get round this structure and access the common.

The map put forward with the application encompasses a much larger area than that originally claimed to have been excluded. It covers the original grassed access area, a large area behind the tarmac playground, fenced off by the school and not currently in use, plus the original tarmac playground. The area shaded pink in the applicant's supporting documents relates to the original tarmac playground and not the adjacent areas which provide access to the common. The shaded area is within the outer boundary of the common which would indicate that this area was also part of the common and the current entry recognises this.

If the application is successful this would prevent access to the common from the road adjacent to the school. It would also prevent exit from the footpath which approaches the school from Broadwath Road. Local children would no longer be able to enjoy the tarmac area outside of school hours nor safe and convenient access to the common.

The common land is an important part of local history to the village, providing immense enjoyment and access to a natural wooded area. It is important that this access is kept open so current and future generations can continue to enjoy it. It is these areas, so many of which have already been lost, that make villages like Great Corby unique.

Yours faithfully

[REDACTED]
Louise Cuthbert



Commons Act 2006

Application CA10/50

Representation by David and Pauline (Polly) Dixon

Introduction

1. Our postal address is [REDACTED], Great Corby, Carlisle CA4 [REDACTED]. Our email addresses are: [REDACTED]. Having moved to the village during 2020 we are committed to support the environment and the well-being of all residents.
2. We live about 300 metres from the land in question, and since moving here have walked across the school playground into the woods along Corby Beck several times, much enjoying the area.
3. We have tried joining the road above the woods but find the path too steep, and thus would be unable to access the woods were the route across the school grounds to be closed to the public.
4. We have no pecuniary involvement in any land in this area beyond our home at [REDACTED] and the adjacent [REDACTED].

Grounds of Representation

1. The papers provided in connection with this application include several maps, in particular one labelled "MAP 735" and "Cumberland SHEET XXIV 6 and SHEET XXIV 7", and another labelled "57" based on OS 6 inches to 1 mile map, sheet NY45SE. Both have areas edged in green, apparently indicating Common Land. On neither map are these markings dated.
2. The "Notice of Application" states that application 735 became final on 1st August 1972. We understand that the map marked 57 accompanies the current registration, having superseded (as stated in note 5) the earlier map 735.
3. There is a statement in note 5 that on map 57 "it is hard(er) to tell if the playground is excluded". We do not agree: although small-scale, it is quite clear that there is a route from the road to the rest of the Common Land within the area outlined green.
4. The basis for the application stated in Note 4 is that it is designed to "correct a mistake made by the commons registration authority". On the contrary, it appears that map 57 was submitted and accepted by the authority to correct a mistake on map 735.
5. It follows that, if there is no mistake in the current registration, the application must fail.

Purpose of application

1. Although irrelevant if the above argument is accepted, the reason for the application is given (in note 5 again) as "the public are able to walk through the playground, causing a major safeguarding issue". No evidence is given to support this statement, and we find it surprising, given that an Ofsted report of October 2018 (viewable through the school website) says that "safeguarding is effective".
2. The existing registration has been in place for 48 years without, so far as we know, having been challenged during that time. So, what has changed?
3. We have heard that local people rarely try to walk through the playground while the schoolchildren are using it, and indeed that no objection is made to the gates being locked during school hours. We willingly accept this restriction.
4. A school which takes pride in being part of the local community should not seek to prevent public access to the woodland area. This has long been enjoyed by local residents at weekends, during school holidays and indeed on summer evenings.
5. If the school continue to think there is a problem, and tell us what it is, we (and no doubt others) would be happy to participate in discussing with them the best way forward. There will be ways to resolve it without blocking public access.

[REDACTED] [REDACTED]
 David and Polly Dixon, 28 January 2021

From: Karen Mclellan <[REDACTED]>
Sent: 31 January 2021 11:14
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: CA10/50

I wish to object to this application.

Karen Mclellan

[REDACTED]

Great Corby

Carlisle

CA4 [REDACTED]

I have no interest in the land.

I do not believe that it is right to remove public access to this land. It is used by many for walking, children for playing out of school hours and is a beautiful wood which all can enjoy. The other access to the wood is very steep and not suitable for many who may wish to enter the wood.

The village do not have public access to any other area of woodland.

I appreciate that the school wish to safeguard their pupils but by locking the gates during school hours and putting up a notice to this effect this is easily done without the village losing the right to enjoy the wood the rest of the time.

Karen Mclellan

From: Christopher.Pendlenton <[REDACTED]>
Sent: 31 January 2021 19:44
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Cc: Anne Pendlenton <[REDACTED]>
Subject: THE COMMON ADJACENT TO GREAT CORBY SCHOOL

Your reference CA10/50

I wish to object strongly to the proposal to seal off the public right of way through the schoolyard to the Clints Quarry. In practice this is normally locked off during school playtime hours which is presumably an infringement but one which I can understand, but to permanently close it is extreme and unwarranted. Children in the playground are always supervised anyway and the sort of folk who use the path are occasional walkers not of the risk profile that should be of concern. I myself use this route often as one of the exercise options that are of growing importance to our wellbeing and this is quite the most enticing and characterful routes in the vicinity throughout the seasons.

Yours sincerely

Chris and Anne Pendlenton,

[REDACTED]
Great Corby
CA4 [REDACTED]
Tel [REDACTED]

Great Corby
Carlisle
CA4

Representation in respect of Application CA10/50

I am writing to raise concerns over the application to deregister the land occupied by the Primary School playground.

I have lived in the village for over 20 years and I am the Chair of The Village Hall Association. When we came to the village the woods at the back of our house were accessible and the children played in them building dens, climbing trees and catching frogspawn. These woods are now fenced off with a single track through. The track down the side of Glenwilly Cottages, which was apparently the original road to the village, provided another woodland walk leading to the road by the river but this is now gated at both ends. You could also access the riverbank through the gate leading to Ferry Cottage and in the summer the children played there. This too is now fenced with a single track leading down to the river and no access to the riverbank. Prior to our arrival the woods between the playing field and the river were also open, again now fenced off. The woods on the common land adjacent to the school are now the only bit of woodland that is accessible to the village. It is a lovely spot with snowdrops and bluebells and a little beck running through, a favourite walk for young and old. The other access via the public footpath is steep and often slippery

To my knowledge everybody respects the fact that they should not walk through the playground during school hours and any who do not should be challenged. The safety of our children is paramount. I think there would be overwhelming support for locking the gates during the school day. The school is very much a part of our community. The children often come to our village Coffee Mornings to tell us their news or entertain us and members of the village volunteer in school. During lockdown a team of residents have worked hard to clear the bank outside

the school gates, they have restored the old pump and planted bulbs to make the entrance an attractive place for the children and villagers alike.

To refuse access through the playground would effectively make all the common land inaccessible. Over the years much of it seems to have been absorbed into gardens and there is no path beyond the little footbridge.

The playground itself is seen as a part of the community; parents often take their children there at weekends and during school holidays. Many little ones have learnt to ride a bike or scooter there. Because it is seen as part of our community people care about it and teach their children to respect it.

In these testing times we do not need for an issue like this to divide us

Helen Dodd

From: Martin Armstrong <[REDACTED]>
Sent: 01 February 2021 20:50
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: FAO Mr Jason Weatherill, Re CA10/50 Great Corby Common

Dear Mr Weatherill

I am writing to register my objection to the application to deregister the common adjacent to Great Corby school.

I have no financial interest in the common or any nearby property.

Although i no longer reside in Great Corby, it is the Village i grew up in and is where most of my family still live. I enjoy taking my children and nephews for walks in the area, to enjoy it as i did. I believe this area needs to be protected from development, and protection given to the right of way that exists across it, for the benefit of the current and future generations of villagers. The village has already lost so much access to woodland and other wild areas over the last 20years.

I understand the concerns of the school, but i believe the current system they have of locking the gates during school hours to be completely adequate.

I trust you will give this your consideration when making your decision.

Yours Sincerely

Martin Armstrong

[REDACTED]
[REDACTED]
Isle of Islay
PA42 [REDACTED]

From: DON SMITH <[REDACTED]>
Sent: 02 February 2021 10:11
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Fwd: CA10/50 Great Corby Common Land

The Commons Registration Service.

Please find attached my letter of objection to the application to deregister a piece of common land adjacent to Great Corby School.

I also attach to help explain my comments;

1. Drawing no. CA10/50-CL180 marked up.
2. Photograph 0734 marked with areas of common land taken by others and the line of the footpath.
3. Photograph 0736 showing the footpath blocked by fencing and benches.
4. Photograph 0733 marked with a red line to show the line of the footpath.

Best Regards
Don Smith.

[REDACTED]

Mr Donald Smith



Heads Nook,
Brampton,
Cumbria.



27/01/2021

To, Commons Registration Authority.
Reference application no. CA 10/50

Dear Sir/ Madam.

I'm writing to lodge my objection to the proposed deregistering of an area of common land in the village of Great Corby.

The common land referred to is adjacent to Great Corby School.

Firstly a brief explanation of who I am and why I am objecting to the deregistering of the common.

I was born in 1951 in Glenwillie Cottages, which are situated approximately 150 meters from the common land.

I lived here, and was a pupil at Great Corby School, until the age of eleven, when my family moved to another property on Sandy Lane, approximately 200 meters away from the common, where I remained here until I was in my twenties,

I now live in the small hamlet of Burnrigg, which lies at the north end of Sandy Lane, approximately three quarters of a mile from the common.

To my siblings, my childhood friends and I, Great Corby was a village of two halves.

"Up the village" and "down the village"

Up the village, or the west side, was well served with amenities for children. It boasted a full size football pitch, swings and a banana slide.

While "down the village," or the east side, had only the common as a play area. This remains the status quo today.

As a child "The common" was firstly an area where I could play, run around with my siblings and other children, play hide and seek, learn to climb trees and cliff faces, get wet feet in Corby beck and generally have an idyllic country childhood, playing in a safe environment away from traffic.

As children the common was the "go to" area for meeting with friends.

As I grew older this play area became an educational centre where I learned about birds, animals, insects, fish and flora.

Over the passing years, and to the present time, I have quite often included the common in my daily walk to enjoy the wildlife.

On some occasions my access has been barred by a locked gate thereby preventing my right to enjoy the common and the wildlife it supports.

I now find that Ms Kirsty Williamson is applying to have part of the common, including the public footpath, deregistered, which I presume means she can close the area off for public access.

Therefore, my interest in this application is to request that the common remains common land, accessible from both Sandy Lane and the Clints Road, and that the footpath remains open with free access for all.

It is very disappointing that over recent year's people new to the village have tried to lay claim to parts of, or all of the common land.

Ms Williamson or others have already sited tables and benches on the footpath. This action has forced walkers to divert from the footpath and walk on the school playground.

I also note that others who own properties on Quarry Bank have extended the boundaries of their properties well out onto the common land.

The land these property owners have taken, was a prime wildlife area, which was home to mice, voles, and all manner of insects, and was a larder for birds and mammals, and where brambles, wild grasses and wildflowers grew.

I also note that Great Corby School has erected timber buildings on the common land and erected fencing and timber walkway across the footpath.

This prevents me exercising my rights to have free unimpeded access on the common land, without walking on the school playground. Which is something I have enjoyed for the last 69 years.

I therefore object to the application by Ms Williamson to have the common deregistered, on the grounds that, at least in my lifetime, the area in dispute, shown on drawing no. CA10/50-CL180 Quarry Great Corby, has always been common land. It is Great Corby's heritage and should remain as a place of enjoyment and a benefit to all.

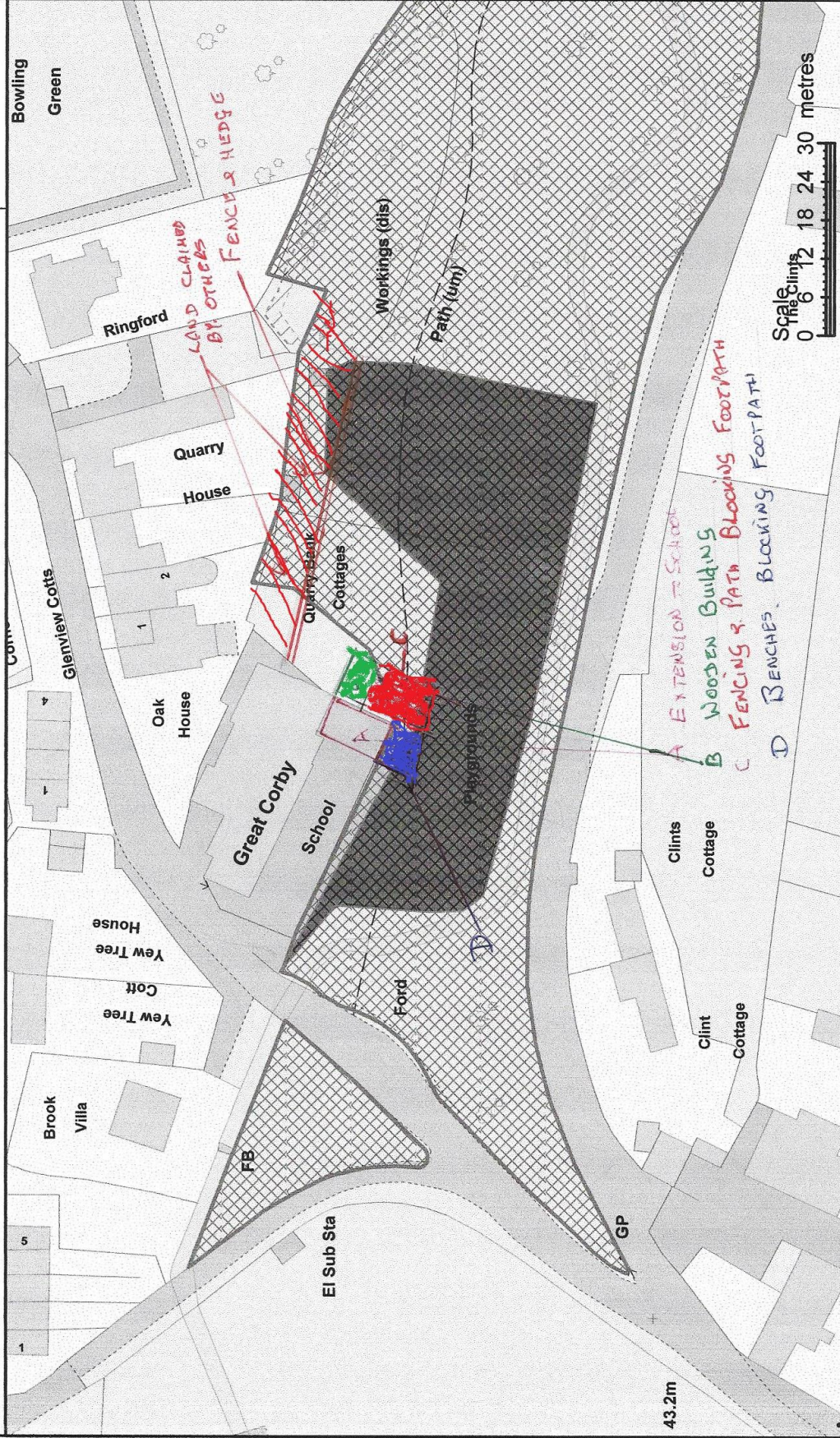
I would also like to see the fencing and gates, apparently erected without consent removed to allow me and others access to the common.

Yours Faithfully
Don Smith

A black rectangular redaction box covering the signature area.

CA10/50 - CL180 Quarry, Great Corby

Application to correct the register of common land







From: [REDACTED]
Sent: 02 February 2021 12:13
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: FAO Mr Jason Weatherill, Re CA10/50 Great Corby Common

Dear Mr Weatherill

I am writing to register my objection to the application to deregister the common adjacent to Great Corby school.

I have no financial interest in the common or any nearby property.

Although i no longer reside in Great Corby, it is the Village i grew up in and is where most of my family still live. I enjoy taking my children and nephews for walks in the area, to enjoy it as i did. I believe this area needs to be protected from development, and protection given to the right of way that exists across it, for the benefit of the current and future generations of villagers. The village has already lost so much access to woodland and other wild areas over the last 20years.

I understand the concerns of the school, but i believe the current system they have of locking the gates during school hours to be completely adequate.

I trust you will give this your consideration when making your decision.

Your sincerely
Gareth Melvin

[REDACTED]
The Sands
Brampton
Cumbria
CA8 [REDACTED]

From: Graeme Williamson <[REDACTED]>
Sent: 02 February 2021 14:34
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Ref: CA10/50

[REDACTED]
Gelt Road
Brampton
CA8 [REDACTED]

To whom this may concern, I'm writing to appose the closing of the Common.
I as a child spent many happy times there with my friends and family exploring playing in the beck, on our lunch break the dinner ladies would take us on an adventure to see the "Dragon".
Now as an adult my three boys visit there grandparents in Great Corby and have the same fun on weekends and in the school holidays.
The village isn't what it used to be like for children, there for it would be a great shame if this last little bit of woodland was taken away!
Especially as it is so important for children to get out of the house for their mental and physical health in the twenty first century!
Sent from my iPad. Yours Sincerely Rachel Williamson

The Commons Registration Service

Guildford House

Carlisle. CA1 3AJ.

3rd February 2021.

REF: Application No: CA10/50.

Please be aware I wish to register my objection to the application to deregister the Common adjacent to Great Corby School.

I am an active member of the Great Corby Village Association and have lived in the village all my life just over 50 years having attended Great Corby Primary School as a child.

As I'm sure you are aware safe outdoor activity space is a premium this day and age. I spent many hours at weekends and in evenings during my childhood playing within the common and on the school yard as have my own children.

I see this area as a vital part of the community to enable young children of the village to have safe spaces to play out of school hours where parents know their children are safe.

I personally can see no valid reason why the school should want to shut off access to this area of the village as at present they share use of the village playing field and facilities.

These public playing areas are at present a premium to everyone and can see no benefits or justification in removing access to them. I would hope that all these common areas remain easily accessible to all for another 50 years at least.

Andrew Little

██████████

Great Corby

Carlisle. CA4 ██████

From: Mark Waugh <[REDACTED]>
Sent: 03 February 2021 19:16
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Great Corby Common application ref CA10/50

Dear Mr Weatherill

I have been made aware of the above application and wish to register my objection to the proposal to deregister any part of the common.

I have recently moved to the village from Manchester City centre and one of the pleasures of living here is the ability to get out and explore the countryside around the village. The common was brought to my attention and several of my walks have started and ended at this point. I understand the difficulty that many would experience in accessing the common from the top path.

My concern would be that if the common is de registered the school could at any point in the future, for any reason, deny me and the village access to this great amenity through the playground.

Can you please consider the strength of feeling that there is in this community about the proposal when considering the application.

Yours sincerely

Mark Waugh

[REDACTED]
Great Corby
Carlisle
CA4 [REDACTED]

From: Ann Graham <[REDACTED]>
Sent: 04 February 2021 14:19
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: CA10/50

Dear Sirs

I wish to add my support to the request by Great Corby School to enclose the playground during school hours by removing the common land title from the playground.

This seems an essential requirement to protect the children attending the school.

Yours Sincerely

Ann Graham

[REDACTED], Great Corby

From: neil little <[REDACTED]>
Sent: 04 February 2021 21:03
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Ref: Application No: CA10/50

Ref: Application No: CA10/50

Please be aware I wish to register my objection to deregister the Common adjacent to Great Corby School.

I have grown up in the area and have lived in Great Corby since birth.

When I was a child this common was an area where I spent many hours playing. It is a unique safe area for children to play in, which is rare these days.

I am unsure as to why the school would want to close this area off to the public.

I hope that this area will remain open to the public in the future.

Yours faithfully

Neil Little

[REDACTED]
Great Corby

From: Karen Little <[REDACTED]>
Sent: 04 February 2021 21:17
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Ref: Application No. CA10/50

Ref: Application No. CA10/50

I wish to register my objection to the above application to deregister the common adjacent to Great Corby School.

I have lived in the lovely village of Great Corby for 26 years and very much appreciate the freedom to walk on a variety of public footpaths and bridleways. Village facilities should be shared and enjoyed by all. My children have grown up in the village and enjoyed playing in the safe outdoor spaces. It is a shame the school would want to shut off access to the common, denying our right of way through this woodland area when they are able to share use of the village playing field and facilities.

Karen Little

[REDACTED]

Great Corby

Carlisle

CA4 [REDACTED]

From: Linda Welsh <[REDACTED]>

Sent: 04 February 2021 21:22

To: Registration, Commons <Commons.Registration@cumbria.gov.uk>

Subject: application CA10/50 deregistration of the common next to Great Corby School

To whom it may concern,

I have concerns over the above application. Whilst I understand the schools desire to increase the security of the children, I am not sure the deregistration of the common land would necessarily make significant difference to the security that the school currently have, ie the access gate to the playground has been locked during school hours for many years. However, it would be a real loss if the playground became inaccessible outside school hours. I understand the school have suggested gates would be on a timer to be open from 6pm to 8am in the morning and at weekends. This arrangement sounds acceptable in principle, but relies on the good will of the school (and functioning timers). I am assuming there is nothing to stop this arrangement in the future if it became private property, as it would be at the discretion of the school.

The playground is the only safe, flat tarmacked area in the village and as such has been a great location for many generations to play games, learn to cycle etc. If access was denied, it would also mean the wooded common land at the side of the playground could not be explored safely as the only other entrance is very steep and often slippy, which is unsuitable for many.

If the school feel the current situation cannot be maintained (of locking gates), then is it possible to put a clause in, to assure future generations, that access will always be permitted outside school hours?

Regards

Linda Aspinall

[REDACTED]

Great Corby

Carlisle

CA4 [REDACTED]

From: John Winder [REDACTED]
Sent: 05 February 2021 18:38
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Re: Application objection

Dear Louise.

Thank you for your reply. I have amended the representation to meet the criteria you sent me.
Thanks for your guidance with this.

Kind regards,
John Winder

To whom it may concern,

We are emailing to formally declare my objection to the application to deregister the common adjacent to Great Corby School. **Application No. CA10/50**

It will already be known that this common has long been used by village residents for, amongst other things, access to the woodland right of way beyond. I would be interested to know if there is evidence that this access has ever presented any risk to the children of the school: I am unaware of any incidents.

With this in mind I find the attempt to deregister this common land at best irrational. The timing, during a pandemic which has raised the issue of poor access to open space, is unfortunate and I hope the wider impacts will be weighed against any perceived benefits.

Yours faithfully

John, Janice and Emily Winder

[REDACTED], Great Corby, CA4 [REDACTED]

From: Andrew Curtis [REDACTED]
Sent: 05 February 2021 08:40
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Common land adjacent to Great Corby School (CA4)

Dear Sir
Application no:CA10/50
Interest as local resident

My attention was drawn to this application

I am aware of past local controversy over aces and status of this area of common land . On examining the map issued I am concerned that the eastern red boundary goes outside the current school wall . I wish the school well but I can see no justification for this .

Yours sincerely
Andrew Curtis

[REDACTED]
Great Corby ,
Carlisle ,
Cumbria
CA4 [REDACTED]

From: Hugh Craddock <[REDACTED]>
Sent: 05 February 2021 09:03
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: CA10/50: Land at Great Corby primary school (CL180)

Dear commons registration team

The society is responding to notice of application under s.19 of the Commons Act 2006 to deregister land at Great Corby Primary School, part of CL180. CL180 is registered as The Quarry, but part of it is also known as The Clints (see below), together with the Pinfold. The society has no legal interest in the application land.

The society objects to this application being granted as it stands, but does not object to part of the land being deregistered.

In principle, we agree that there is a discrepancy between the land identified for provisional registration in application no.735 (made, we understand from the register entry, by Wetheral Parish Council), and the land which provisionally was registered and became finally registered. We note here that we have not been given a copy of the application apart from the application map. Nor is the application map endorsed, as it ought to be, as an exhibit attached to the parish council's application.

The application map excludes roughly a rectangle of land to the south of the school, corresponding to two enclosed parcels of land historically identified on twentieth century large scale maps. To that extent, we acknowledge that what was drawn on the provisional register map does not correspond with the application map, and is eligible for correction under s.19(2)(a).

However, we do not know, because we have not been informed, whether any other person applied provisionally to register land comprised in register unit CL.180. The application form implies that there was a further application, described as 'application 57' (see q.5), but we think this is a misunderstanding and refers instead to the first edition provisional register map sheet 57. If a further application were made which included the (present) application land, such land would have been required to be included in the provisional registration, and no mistake would have been made by the commons registration authority.

If the parish council's application were the only application leading to the provisional registration, the two following issues arise.

First, the extent of the land excluded in the parish council's application (*i.e.* the two enclosed parcels of land) does not correspond with the present application land. In particular, land to the northwest and to the northeast of the two enclosed parcels of land are ineligible. We enclose a modified version of the application plan which identifies, in approximate terms, the land (edged in black) which appears to be eligible. The council should rely on its own analysis of the detailed parameters.

Second, s.19(5) comes into play in determining the application under s.19, viz:

'A mistake in a register may not be corrected under this section if the authority considers that, by reason of reliance reasonably placed on the register by any person or for any other reason, it would in all the circumstances be unfair to do so.'

In considering the effect of s.19(5), we think it helpful to have regard to the scheme of regulation and management under Part I of the Commons Act 1899 made by Carlisle Rural District Council on 13 September 1915 and confirmed by the Board of Agriculture and Fisheries on 29 October 1915 (copy enclosed). The scheme includes '...the COMMON known as The Clints at GREAT CORBY, PINFOLD at GREAT CORBY...'. The extent of the land comprised in the scheme is contained in a plan, of which an extract, showing The Clints, is attached with this objection.

It will be noted that this plan accords with the parish council's application for provisional registration, and that the land outside the two enclosed parcels of land, which is registered common land, is also comprised in the scheme land. Therefore, subject to assurance on the concluding points in this email, we see no reason why the two enclosed parcels of the land should not be deregistered consequent on this application, because deregistration would align with the position identified in the 1915 scheme.

The effect of the scheme is to vest the regulation and management of the land, not in the owner, but in the successor to Carlisle Rural District Council, being Carlisle City Council. Thus the new fencing on this land, seen [here](#), appears to be unlawful, and contrary to the duty on the council under art.4 of the scheme, 'to maintain the commons free from all encroachments', and not to 'permit any trespass on or partial or other enclosure of any part thereof'. We note that the applicant, at q.5 of the application form, states that: 'the public are able to walk through the playground': this is incorrect, insofar as the playground is comprised in the two enclosed parcels of land excluded from the scheme, and insofar as the land is likely to be excepted land under Part I of the Countryside and Rights of Way Act 2000. However, in relation to the land which is enclosed by new fences, referred to above, and which is both scheme land and registered common land, it seems the effect of the fencing is unlawfully to deny the public right of access.

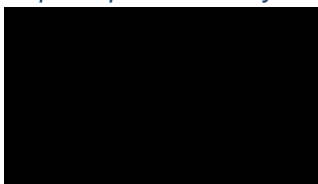
We seek confirmation:

- that the map enclosed with the application marked 'map 735' is indeed the map exhibited to the application made by Wetheral parish council;
- that no other person applied provisionally to register land contained in register unit CL180;
- that the revised application plan (which is drawn on a poor quality map) was taken into account in preparing the plan attached to notice of the application, and that the latter correctly represents the land sought to be deregistered under this application.

regards

Hugh

*Hugh Craddock
Case Officer
Open Spaces Society*



*Please note that I work mornings only
(Registered in England and Wales, limited company number 7846516
Registered charity number 1144840)*

Support our Lockdown Spaces Appeal
*and help fund our work to protect local
open spaces which we need now more than ever*

Picture linked to above showing fencing:



Commons Act 1899

REGULATION

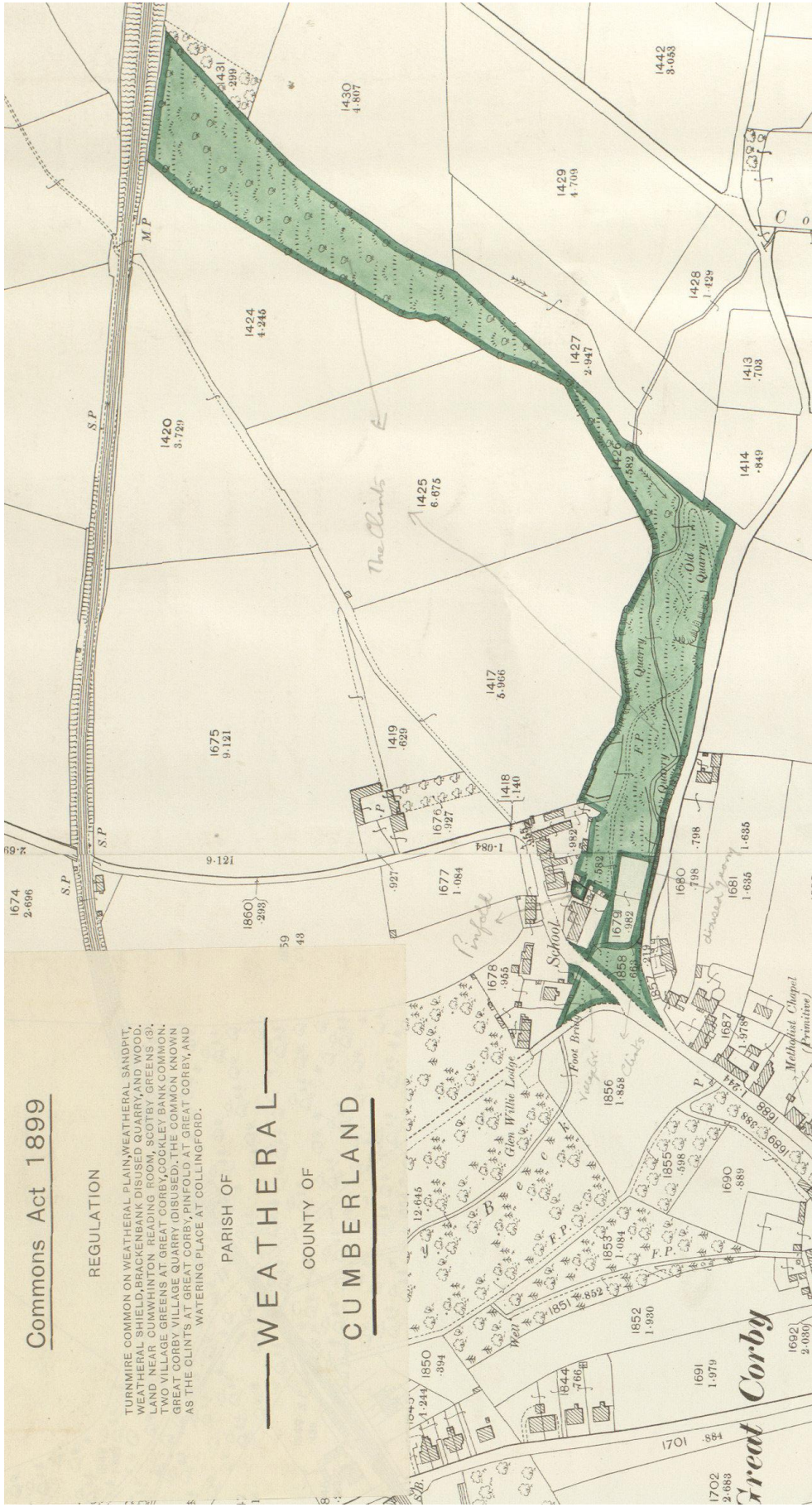
TURNMIRE COMMON ON WEATHERAL PLAIN, WEATHERAL SANDPIT, WEATHERAL SHIELD, BRACKENBANK DISUSED QUARRY, AND WOOD, LAND NEAR CUMWHINTON READING ROOM, SCOTBY GREENS (3), TWO VILLAGE GREENS AT GREAT CORBY, COCKLEY BANK COMMON, GREAT CORBY VILLAGE QUARRY (DISUSED), THE GREAT CORBY AND GREAT CORBY FIELDS, FINEGATE, AT GREAT CORBY, AND WATERING PLACE AT COLLINGFORD.

PARISH OF

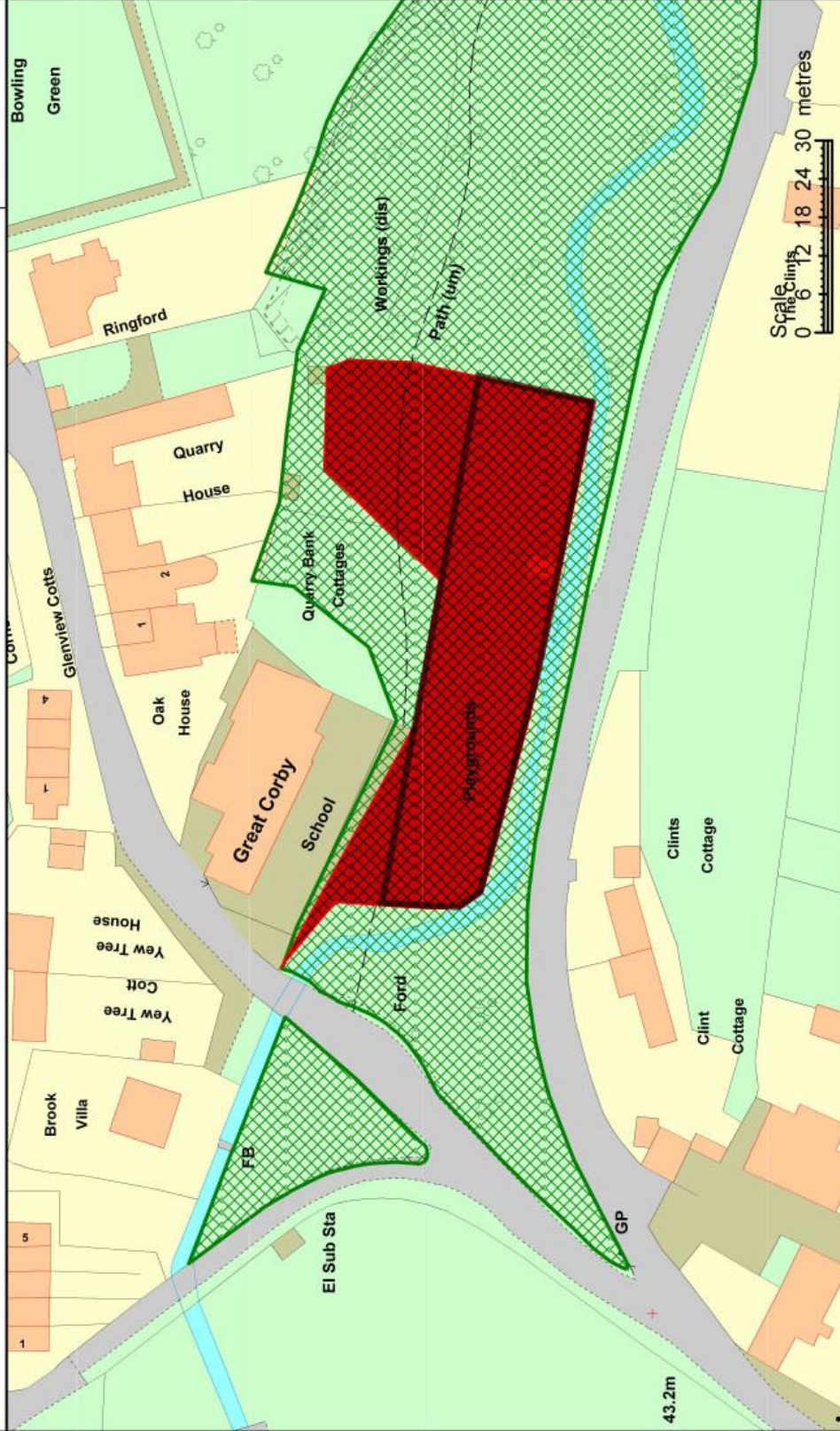
WEATHERAL

COUNTY OF

CUMBERLAND



CA10/50 - CL180 Quarry, Great Corby
Application to correct the register of common land



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LO/N 1101
Map 47/1



The Rural District Council of Carlisle

COMMONS ACT, 1899.

Scheme for the Regulation of Commons in the PARISH OF WETHERAL.

- | | |
|--|--|
| Description of commons and management by District Council. | 1. The Pieces of Land, with the Ponds, Paths, and Roads thereon, commonly known as TURNMIRE COMMON on WETHERAL PLAIN, WETHERAL SANDPIT, WETHERAL SHIELD, BRACKENBANK DISUSED QUARRY, and WOOD adjoining the River Eden, LAND near Cumwhinton Reading Room, SCOTBY GREENS (3), Two VILLAGE GREENS at GREAT CORBY, COCKLEY BANK COMMON, GREAT CORBY VILLAGE QUARRY (Disused), the COMMON known as the CLINTS at GREAT CORBY, PINFOLD at GREAT CORBY, and WATERING PLACE at COLLINGFORD, respectively, situate in the Parish of Wetheral, in the County of Cumberland, and hereinafter referred to as the "Commons," as the same are delineated in Plans deposited at the Office of the Rural District Council of Carlisle, hereinafter called "the Council," and thereon coloured Green, being Commons within the meaning of the Commons Act, 1899, shall henceforth be regulated by this Scheme, and the Management thereof shall be vested in the Council. |
| Appointment of officers. | 2. The powers of the Council generally as to appointing or employing Officers and Servants, and paying them under the general Acts applicable to the Council, shall apply to all such persons as in the judgment of the Council may be necessary and proper for the preservation of order on, and the enforcement of bye-laws with respect to the commons and otherwise for the purposes of this scheme, and the Council may make rules for regulating the duties and conduct of the several officers and servants so appointed and employed, and may alter such rules as occasion may require. |
| Protection and improvement of commons. | 3. The Council may execute any works of drainage, raising, levelling, or fencing, or other works, for the protection and improvement of the commons, and shall preserve the turf, shrubs, trees, plants, and grass thereon, and for this purpose may for short periods enclose by fences such portions as may require rest to revive the same, and may plant trees and shrubs for shelter or ornament, and may place seats upon and light the commons, and otherwise improve the commons, as places for exercise or recreation, but the Council shall do nothing that may otherwise vary or alter the natural features or aspect of the commons, or interfere with free access to every part thereof, and shall not erect upon the commons any shelter, pavilion, or other building without the previous consent of the persons entitled to the soil of the commons. |
| Against encroachments. | 4. The Council shall maintain the commons free from all encroachments, and shall not permit any trespass on or partial or other enclosure of any part thereof. |
| Public right of access and recreation. | 5. The inhabitants of the district and neighbourhood shall have a right of free access to every part of the commons, and a privilege of playing games and of enjoying other species of recreation thereon, subject to any bye-laws made by the Council under this scheme. |
| Maintenance and construction of paths and roads. | 6. The Council shall have power to repair and maintain the existing paths and roads on the commons, and to set out, make, and maintain such new paths and roads on the commons as appear to the Council to be necessary or expedient, and to take any proceedings necessary for the stopping or diversion of any highway over the commons. |
| Fencing of quarries, etc. | 7. The Council may for the prevention of accidents fence any quarry, pit, pond, or other like place on the commons. |
| Games, etc. | 8. The Council may set apart for games any portion or portions of the commons as they may consider expedient, and may form cricket grounds, and may allow the same to be temporarily enclosed with an open fence so as to prevent cattle and horses straying thereon, but such grounds shall not be laid out so near to any dwelling-house as to create a nuisance or be an annoyance to the inhabitants thereof. |

Bye-laws.

9. The Council may, for the prevention of nuisances and the preservation of order on the commons, and subject to the provisions of Section 10 of the Commons Act, 1899, make, revoke, and alter bye-laws for any of the following purposes, viz.:-

- a. For prohibiting the deposit on the commons, or in any pond thereon, of road-sand, materials for repair of roads, dung, rubbish, wood, or other matter.
- b. For prohibiting any person without lawful authority from digging, cutting, or taking turf, sods, gravel, sand, clay, or other substance on or from the commons, and from cutting, felling, or injuring any gorse, heather, timber, or other tree, shrub, brushwood, or other plant growing on the commons.
- c. For regulating the place and mode of digging and taking turf, sods, gravel, sand, clay, or other substance, and cutting, felling, and taking trees or underwood on or from the commons in exercise of any right of common or other right over the commons.
- d. For prohibiting the injury, defacement, or removal of seats, fences, notice boards, or other things put up or maintained by the Council on the commons.
- e. For prohibiting or regulating the posting or painting of bills, placards, advertisements, or notices on trees or fences or notice boards on the commons.
- f. For prohibiting any person without lawful authority from bird-catching, setting traps or nets, or liming trees, or laying snares for birds, or other animals, taking birds' eggs or nests, and shooting or chasing game or other animals on the commons.
- g. For prohibiting or regulating the drawing without lawful authority upon the commons of any carriage, cart, caravan, truck, or other vehicle, and the erecting or permitting to remain on the commons without the consent of the Council or other lawful authority any building, shed, tent, fence, post, railing, or other structure, whether used in connection with the playing of games or not, and for authorising an officer of the Council to remove from the commons any vehicle drawn upon the commons, and any structure erected thereon in contravention of any such bye-law.
- h. For prohibiting (except in the case of a fair lawfully held) or regulating the placing on the commons of any photographic cart, or of any show, exhibition, swing, roundabout, or other like thing, and for authorising an officer of the Council to remove from the commons anything placed upon the commons in contravention of any such bye-law.
- i. For prohibiting or regulating the lighting of any fire on the commons.
- k. For prohibiting or regulating the firing or discharge of firearms or throwing or discharge of missiles on the commons.
- l. For regulating games to be played and other means of recreation to be exercised on the commons, and assemblages of persons thereon.
- m. For regulating the use of any portion of the commons temporarily enclosed or set apart under this scheme for any purpose.
- n. For prohibiting or regulating horses being exercised or broken in without lawful authority by grooms or others on the commons.
- o. For prohibiting any person without lawful authority from turning out or permitting to remain on the commons any cattle, sheep, or other animals, and for authorising an officer of the Council to remove from the commons any cattle, sheep, or other animal being upon the commons in contravention of any such bye-law.
- p. Generally for prohibiting or regulating any act or thing tending to injury or disfigurement of the commons, or to interference with the use thereof, by the public for the purposes of exercise and recreation.
- q. For authorising an officer of the Council, after due warning, to remove or exclude from the commons, any person who within his view commits, or whom he reasonably suspects of committing, an offence against any bye-law made under this scheme, or against the Vagrancy Act, 1824.

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7. For prohibiting the hindrance or obstruction of an officer of the Council in the exercise of his powers or duties under this scheme or under any bye-laws made thereunder.

Publication of bye-laws on commons

10. All bye-laws made under this scheme shall be published on notice boards placed on such parts of the commons (not less than fifteen), as to the Council may appear desirable.

Saving of rights, etc., of the owner of the soil and of commoners and as to highways

11. Nothing in this scheme or any bye-law made thereunder shall prejudice or affect any right of the person entitled as lord of the manor or otherwise to the soil of the commons, or of any person claiming under him, which is lawfully exerciseable in, over, under, or on the soil or surface of the commons, in connection with game, or with mines, minerals, or other substrata, or otherwise; or prejudice or affect any rights of the commoners in or over the commons, or the lawful use of any highway or thoroughfare on the commons, or affect any power or obligation to repair any such highway or thoroughfare.

Copies of scheme

12. Printed copies of this scheme shall at all times be sold at the office of the Council to all persons desiring to buy the same at a price not exceeding sixpence each.

The Common Seal of the Rural District Council of Carlisle, in the County of Cumberland, was hereunto affixed at a Meeting of the said Council, held on the *Thirteenth* day of *September* 1915, in the presence of



Jhn Robinson Chairman.

A. Alderson Toft Clerk

Approved by Order of the Board of Agriculture and Fisheries the 29th day of October, 1915.

L.S.

(Signed) SYDNEY OLIVIER, Secretary.

Application to Correct the Register

Application CA 10/50

from: Vivienne Evans

██████████
Great Corby
Carlisle
CA4 ██████████

email: ██████████

I have no personal interest in the land affected by this application.

Dear Sir

I wish to give my support in respect of this application to deregister the land on which the school playground stands.

Grounds for representation

I am aware that a letter has been circulated throughout the village of Great Corby and the wider area, including on social media, which gives a personal view and I believe, erroneous, details about what is proposed by the school. It states that the school wishes to close permanently all public access across the playground at all times, thus restricting access to the land beyond. This is not so. I understand that the restriction sought is for the duration of the school day only when pupils are on the premises, and safeguarding issues are paramount. I also understand that many residents have expressed concerns based on this information currently circulating.

While I have no wish to deny the historical access to any right of way, as a concerned member of the public and now retired teacher, previously specialising in working with vulnerable and at risk pupils and students, including looked-after young people who had been victims of abuse, I must voice my concerns.

The safety of children must come first. Those who seek to do harm must not be given access to any place where there is such potential to do so, this cannot be overstated. Children must be as safe in their playground as they are in the school building, along with their teachers and staff members. This cannot be so if members of the public have unfettered access to any part of that building or playground. That this information is widely accessible on social media does not ensure the safety of those we should be protecting and has identified the school as being a vulnerable location to any person with undesirable interest in young children.

Everyone assumes that incidents don't happen in their own back yard, however many will recall the tragedy that happened in Dunblane when sixteen children and one teacher were killed and fifteen others injured, on 13th March 1996. That was a quiet village school, not so far away, too.

By deregistering the land, access is still available to the woodland area, known as Quarry Woods, that is common land, via the well recognised and well used pathway from Clints Lane. I understand that the school is proposing that any person wishing to cross the children's playground would still be able to do so at any time when the school is closed and all pupils are absent. That

seems to me to be an entirely fair and reasonable solution, which is exactly what the proposal seems to be seeking.

Yours faithfully

Vivienne Evans

05/02/2021

From: Christian Dymond <[REDACTED]>
Sent: 05 February 2021 16:44
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Application No. CA10/50

Application No. CA10/50

Dear Sir/Madam,

Regarding the above application to have the land on which Great Corby School's playground deregistered as common land.

We understand the need to ensure safety during school hours but we feel it is very important that outside of those hours - during the week, during the weekend and in the holidays - people have ready access to the school playground and the footpath into the woods. Generations of children have used this large and safe flat area outside of school hours and it would be a terrible shame if it was denied them in the future.

Head teachers and teachers can change and may have different views in years to come, so we would hope that a clause could be written into the 'permissions to deregister', maintaining this valuable asset outside of school hours in future years.

Yours sincerely,

C and C Dymond
[REDACTED]
Great Corby.*

* I forgot to add my address to the previous email

[REDACTED]
Great Corby
Carlisle
CA4 [REDACTED]



Dear Sir or Madam:

Re: Application CA 10/50

As a resident of the village for nearly 30 years I wish to make a representation with regard to the above. I regularly use the right of way across the land in question and beyond when walking in the village for recreational purposes. I fully understand the need for access to be denied when the school is in session to meet the safeguarding needs of the children and staff looking after them. Outside that time there should be access for the benefit of those who live in the village and those from outside who use the right of way. It is my understanding that if the land is deregistered than the right of way could be withdrawn potentially completely. To prevent this happening the area in question should remain as common land but with the necessary restrictions regarding access in school time. I hope my views will be taken into account with regard to this.

Yours faithfully

[REDACTED]

John Billett

[REDACTED]

GREAT CORBY
CA4 822
1-2-21



Dear Sir, or Madam:

I have heard that the Head of Great Corby School is trying to purchase the Common land by the school. In my opinion, this should NOT happen. I have lived in Great Corby for over 50 years. My children were born here and went to Great Corby school. Like so many great Corby children they enjoyed playing on the Common, climbing trees, making dens, playing on the stream, picking wild flowers - berries and sliding down the bank when it was frothy, or what is now the last piece of common in Great Corby. Please stop this plan and leave the Common alone to be enjoyed by future generations of Great Corby children.

Yours sincerely,
[Redacted]

P.S. Sorry about the card!

Application CA10/50: common land register unit CL180 Quarry, Great Corby

Representation by Mr Sam Dixon, [REDACTED], Great Corby, Carlisle, CA4 [REDACTED]

Email: [REDACTED]



Dear Sir / Madam,

I moved to Great Corby in 2015 with my wife and two children. We live at the opposite end of the village from the common land in question. I regularly walk with my family across the school playground (outside school hours) to access the woods along Corby Beck. We do use the alternative access from the road but this is steep and slippery when wet. We have no formal or legal interest in the affected land.

Representations:

1. The common land registration appears to have been in place for 48 years. What has changed to require it to be challenged now? This is not explained.
2. The representative on the application form is listed as "Miss Anna Lightfoot of Northern Construction & Security Ltd". Does this suggest an intention to undertake building work on the playground / common land after the application is resolved? If so, this should be clearly stated as the reason for the application.
3. The reason for the application is given in note 5 as "the public are able to walk through the playground, causing a major safeguarding issue". No evidence is given to support this safeguarding issue. The most recent Ofsted report for the school (October 2018) says that "safeguarding is effective" with no reference to the now claimed risk from the public walking through the playground.
4. I know from experience that the school playground gates are kept locked during school hours. I believe this is appropriate and acceptable and have no objection to it. I have seen no cases of the public trying to walk through during school hours.
5. I feel strongly that the village school which apparently takes pride in being part of the local community should not try to prevent public access to the woodland area outside their operating hours. It is a popular walk enjoyed by villagers at weekends and during school holidays.
6. I note that a footpath is marked passing right across the common land and over Corby Beck beside the school playground to access the road. What is being proposed to protect the access rights afforded by this footpath?

I look forward to hearing from you.

Kind regards,

[REDACTED]

Mr Sam Dixon

15th February 2021

To: The Commons Officer
 The Commons Registration Service
 Lady Gillford's House
 Petterill Bank Road
 Carlisle CA1 3AJ
 27th February 2021
 Reference CA10/50



From: Mr R.C. Armstrong

Great Corby

Carlisle

Cumbria CA4

Dear Sir

I wish to object to the above application (CA10/50)

For three generations my family has owned The Quarry at Great Corby, registered as Unit No. CL180 under the Commons Registration Act of 1965. To avoid confusion The Quarry is also known locally as 'Fenton Quarry' or the 'Common'.

My sister-in-law Mrs Anita Armstrong has already submitted a statutory declaration made by me, Robert Charles Armstrong, on 21st September 1993, along with additional documentation which confirms our ownership of the Common Land relating to Application CA10/50. I am enclosing a copy of the adapted plan to confirm that the land hatched in red is the land my brother and I still own. As my sister-in-law explained, it is difficult to mark out accurately the area we own between the school garden wall and the original playground as the ground has been covered over with rubberised matting. This once grassed area was also our access for farm vehicles, through the ford, to the rest of our land on the Common

In May 1999, at our farm sale, Corby Castle Estate purchased the upper area of the Common and my brother and I retained the land from that boundary down to the road edge. As this area includes the entrance to the Common via public footpath or ford, our intention in doing this was to ensure that the village community would always have access to this much valued recreational space, which has been enjoyed for generations.

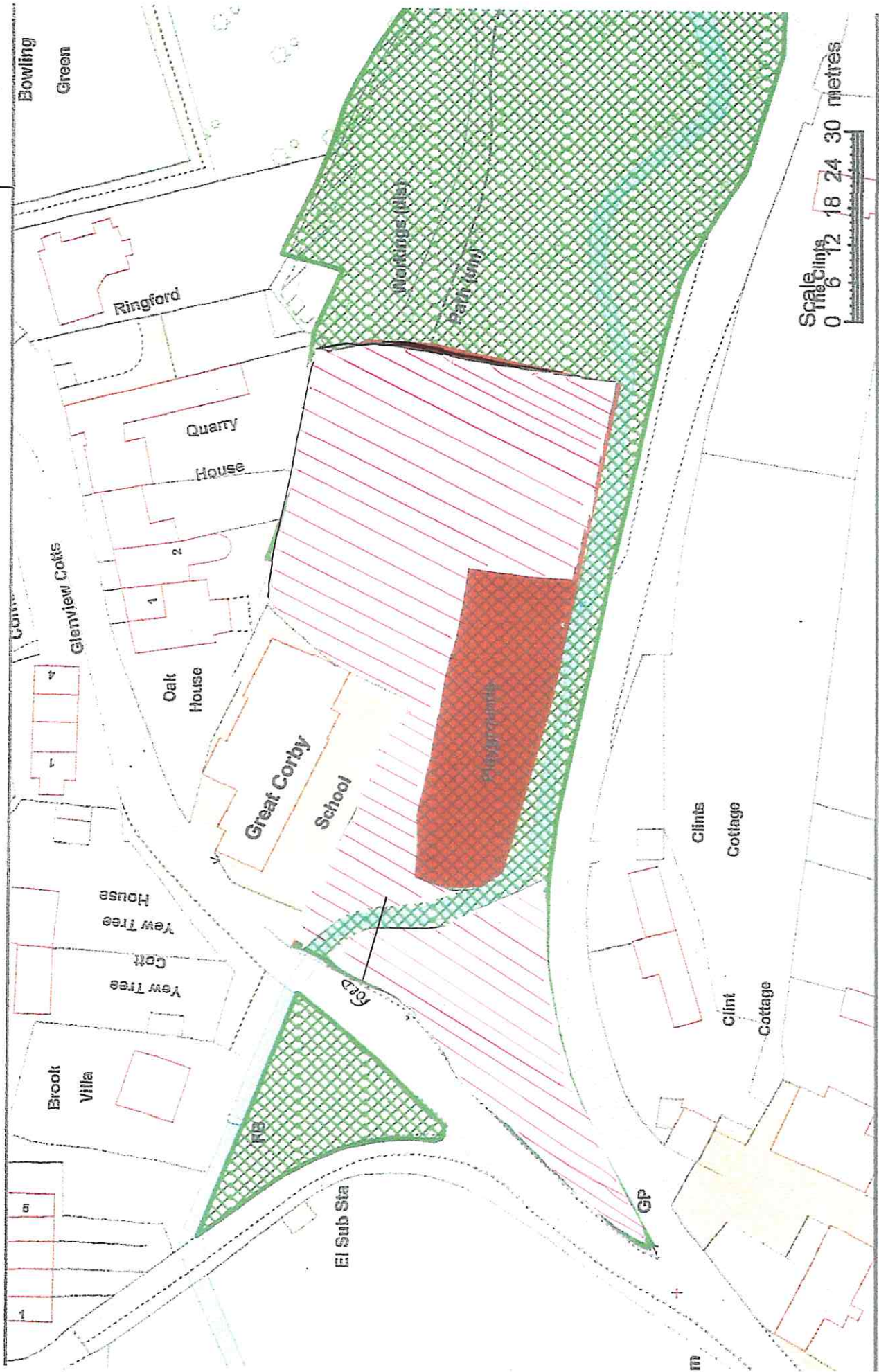
Part of this section of the Common is currently registered as Land Registry Unit CU263679. This was registered in error in favour of Great Corby Educational Foundation (the Trust), by their solicitor, and leased to the school when it converted to Academy status in 2012. From the evidence we have presented it is quite clear that this section of the Common belongs to my brother and I, and this error will need to be corrected. In the meantime, I would expect the Trust to support my wishes for the land to retain its status as Common land. A substantial wooden building has been erected, adjacent to the school wall, on Common land and without our permission. I would not expect any further encroachment by the school, in the form of a temporary or permanent structure, to be allowed on Common land and would hope for the Commons Commission support in this.

If this area of Common land is de-registered it would restrict our access to our *own* land and access for the other major landowners, the late Lord Ballyedmond's son and daughter. It would also restrict *public* access via a *public* footpath.

Yours faithfully

Robert Charles Armstrong

Application to correct the register of common land



██████████
 Broadwath Road
 Great Corby
 Cumbria
 CA4 ██████████

7 March, 2021

Jason Weatherill
 Commons Officer
 Commons Registration Service
 Environment and Community Services
 Cumbria County Council
 Lady Gillford's House
 Petteril Bank Road
 Carlisle
 CA1 3AJ

Objection to application number CA 10/50

Dear Mr Weatherill,

This is a summary of what I argue more carefully below:

- (a) There is a large piece of Common Land ('The Quarry') that everyone accepts has been common land for well beyond living memory.
- (b) There is documentary and multiple living testimonies to this.
- (c) What is now the school playground was until recently (c1970) a part of that larger piece of Common Land.
- (d) If the 'playground' land at any time ceased to be 'Common Land' there would be documentary evidence of this. Miss Williamson has failed to refer to this or produce it.
- (e) Mr Steele, in registering the land in 1968, did not make clear that the 'playground' plot of land was excluded from the application, even though he knew that such an indication was required under The Act.
- (f) Miss Williamson is now seeking to de-register a larger piece of Common Land than the rectangle marked on Mr Steele's 1968 application but has not explained why an expanded piece of land should now be included if an earlier error was made in the past.
- (g) Miss Williamson says that there is a 'Safeguarding issue, but this is irrelevant for several reasons.

I have also pointed out that the school may not legally own the land, and even if it does, it appears to have contravened laws by excluding access and building a number of structures on the land, most recently on Friday 29 January 2021.

The Objection

My wife and I own the house and garden that runs beside Corby Beck, so our property shares a boundary with the Common Land referred to. However, this border is about 300 metres from the school grounds and the land at issue. Our only interest in the land enclosed by the school fence is that we occasionally use it as a safer walking route to our home rather than going via the road which has no pavement nor effective street lighting.

We wish to object to the proposal to remove the whole of the school grounds from the Common Land register. We wish the following to be taken into consideration:

1. Miss Williamson in making her application gives no arguments to support her claim. She asserts that public access to the land creates a 'major safeguarding issue' but gives no evidence to support this assertion.

2. Miss Williamson does not contest that the rest of this land is Common Land. It is a large piece of land about 1km. In length, comprising several acres. It is significantly larger than any other tract of common land in the neighbourhood.
3. That the larger part of this land is common land seems undeniable given that:
 - ◆ There is documentary evidence that the land was used at least as far back as the 19th century as common pasture (and is referred to in the Commons Commissioner's original decision regarding the ownership of the common, reference number 262/U/244)
 - ◆ There are physical signs on the ground that indicate that it was used before living memory by members of the local community for a variety of purposes (including a quarry for building materials, a communal rubbish dump etc)
 - ◆ A large number of local residents, born in the village, some of whom are in their nineties claim that the land was used for a variety of leisure pursuits, including the taking of fish, till relatively recently, from Corby Beck
4. Miss Williamson implies that at the registration of the land in 1968 the plan submitted was intended to include the larger area marked in green but to exclude from within it a smaller (roughly rectangular) area also marked in green which roughly corresponds to the current tarmacked area of the school playground (but which was not tarmacked then). However, the application from Mr Steele on behalf of Wetheral Parish Council includes official guidance for making such applications ('Notes'). This guidance makes it clear that the land has to be clearly demarcated and indicates how this may be done. If Mr Steel intended to exclude the rectangular strip (currently the school playground) he should have indicated this: either on the plan (say by shading in or writing to that effect (eg. 'excluded') on the plan; or by a written description 'the school grounds'. Mr Steel is spoken of as being a careful, organised man. It is unlikely that, if he intended to exclude a small parcel of land from the larger area, that he would not have done so in accordance with the 'Notes' which he included in his application.
5. If Miss Williamson is correct in asserting, that the playground land in question is no longer included in the area of Common Land that completely surrounds it, this would mean that the land had at some time ceased to be part of the larger area of Common Land to which it must have once belonged. This separation can only have happened by an Act of Parliament to enclose that ('playground') land, or by those who owned common rights to the land agreeing to surrender their rights to the school. In either case one would expect there to be documentary evidence of this.

If the common rights to the 'playground' was ceded when the school was opened then this would be stated on The School's Trust Deed, which is the legal document establishing the school which details the ownership of the land and purposes of the school. The School's Trust Deed should be in the keeping either of the school's governors or its trustees (if it has trustees), and Miss Williamson should have included a copy of them in her application if it supports her claim, or should produce it now. However, it is most unlikely that the School's Trust Deed will refer to the area currently under tarmac, because when the school was founded it is almost certain that the school property only included the school room and the teacher's house, which is clearly the area in the existing property that is raised 2 metres above the tarmacked area and is enclosed by a substantial retaining wall. No school of that age would expect to include a playfield or playing areas in its property. In 1968, when Wetheral Parish council registered the area as Common Land, according to people presently resident in the village - who were then school-children or their parents, there was no separate playground, there was no tarmac and the current fence to enclose it did not exist, it was completely open and undistinguished from the surrounding Common Land. It is possible that when the area was subsequently tarmacked and /or fenced that the common rights were formally ceded to the school. But if so then that is recent enough for their to be a legal record of the fact. (at the very least the head-teacher's log-book would be expected to refer to this.

Miss Williamson, on behalf of the school, has not produced any evidence to demonstrate that, if Mr Steel did intend to exclude this 'playground' parcel from his application, that he was correct to do so. In summary of paragraph 5: if this piece of land was ever legally excluded from the larger piece of Common Land then Miss Williamson should be able to produce documentary evidence of this: an act of Parliament, The School's Trust Deed or a subsequent deed of transfer of rights.

6. We not accept that Mr Steele intended to exclude the rectangle marked in green ink from his application. If it could be proved that he did intend to exclude it, we do not believe he was right to do so, without his citing evidence of why it should be excluded. However, if we accepted those two points, we would still be puzzled why Miss Williamson is claiming that a much larger piece of ground, of an entirely different shape, should now be deemed to be excluded. The fact that a piece of land may or may not have been included in Mr Steele's submission does not mean that the school can now claim that all the land that it has fenced off, in the meantime should now be de-registered as Common Land. Miss Williamson has declined to address this.
7. Miss Williamson says that there is a 'major safeguarding issue' but she does not say what it is or how it applies. This means it is difficult to challenge it. The Safeguarding dimension should be dismissed from consideration of this matter for the following reasons:
 - i. The applicant does not say what the problem is nor how it is relevant
 - ii. Until recently, I worked for 20 years as an advisor to the Carlisle Diocese's Board of Education which supervised 107 church schools in Cumbria. Compared to many other small village schools the Great Corby school site is relatively easy to secure from safeguarding threats. It is only approachable along two short boundaries, it is overlooked by private housing and by an elevated road that is regularly walked, from both of these viewpoints dangerous individuals (and their potential victims) can be observed and reported without themselves being observed. Etc.
 - iii. If the headteacher and governors were genuinely concerned about access to the school grounds they would have taken other steps to secure the site than they have done. In recent years they have (inappropriately) been chain-locking the two gates into the playground whilst the school is in session. But the gates and the fence that backs onto the woodland is only a low fence that any intruder could easily climb over to get in, and any young child could easily climb to get out of the school grounds. Even when the gates are unchained, for some time there has been no catch on the front gate that allow for the gate to be held closed. This means that any stray dog or other animal has easy access to the play area which is a health risk to young children. Similarly, items of school's play equipment are routinely left outside for days at a time, which is both a health and a safety risk. If the school was genuinely concerned about safeguarding, they should take other, more effective steps to secure it.
 - iv. The original school and school-teacher's house is not located on the contested land. It is elevated by more than a meter and is enclosed within a substantial stone wall. If there was a genuine need to isolate the children from the threat of intrusion by an outsider then a suitable barrier could be built into the stone wall. In fact this has already been done at the front of the school and could easily be extended to secure the rest of the school building. This could be done whatever decision is taken about the status of the land which the playground occupies. The school is required to ensure that the children are appropriately supervised at playtimes or during P.E. so the 'safeguarding' issue does not apply then.

For all these reasons I do not think that the school has a genuine safeguarding argument that is relevant to the consideration of this matter.

8. jjjj

Given all this, it is far from clear that the school actually owns the land it is contesting. The governors or trustees would certainly not be able to claim that they have ever had sole control or undisputed access to the land. Even if it did own the land that would not prove that it is not Common Land and that others have genuine rights of access to it. Nor have they given any reasons in their application why its Common Land status should now be revoked.

The current status of the land (probably correctly) is as Common Land. This means, I understand, that public access must be allowed and that no structures can be erected upon it with out negotiation through the appropriate bodies. The school appears to have failed repeatedly in both these obligations, most recently, on Friday 29 January, 2021 when they erected a fixed wooden building on a corner of the playground. Given that this issue is sub-judice and that there is a great deal of concern about it in the local community this is rather inflammatory. The school appears to have shown disrespect to the current process, the views of the local community and, indeed, to the law.

Yours faithfully,

Bert Thomas

pp Bert and Sarah Thomas

Great Corby
Carlisle CA4 8NE

15/03/21



Dear Sir/Madam

We are writing to you regarding application number CA10/50, de-registration of common land at Great Corby school.

It was with great sadness and upset that we received notification of the above proposal from your department, and would like you to note that we object to the proposal in the strongest possible terms.

Surely one of the most important lessons we should all have learned from the last 12 months is just how critically essential it has been for all of us to be able to enjoy outdoor spaces, whether that be in towns and city parks and walks, or in the countryside by way of public footpaths, rights of way or common land. Quite frankly we find it astonishing and somewhat disturbing that the head teacher of our local primary school, responsible for the education of our next generations, should be so insensitive to the needs of not only local children and residents, but the wider community as a whole.

By removing access to the woodland walk via the school footpath this would deny any access for disabled, elderly or very young as the only other entrance to the common is via a very steep, and often slippery mud path. Having this as the only entrance would almost certainly mean the woodland walk would be rarely used as most people - including ourselves - would find it too difficult and dangerous an access to negotiate safely. In wet or inclement weather, the safest way into the common land is from the school end.

There is absolutely no reason whatsoever that the school cannot continue to lock the gate through the school yard during school times etc, a system that has been in place for years, so that we can all continue to enjoy our common woodland in a safe way, and keep ourselves fit and well physically and mentally for generations to come.

My partner is a nurse at the Cumberland Infirmary and has been working on the Covid ITU wards this last year. She, like most of her colleagues, has been severely traumatised by what she has witnessed on a daily basis for months on end, and one of the few pleasures she has been able to enjoy during this time is walking our dogs through the woodland as part of her normal circuit around the village. So on a very personal level, I will be absolutely furious if this selfish request is not refused and the school head teacher made aware of how upsetting this is for the people who live here. We all have a right to enjoy our common land with full and unfettered access, not only today, but always.

Yours sincerely
Steven Arthur

[REDACTED]
Great Corby
Carlisle
CA4 [REDACTED]
23 March 2021

Tel. [REDACTED]

The Commons Registration Service
Cumbria County Council
Lady Gillford's House
Petteril Bank Road
Carlisle
CA1 3AJ

Dear Sirs

Common Land Register Unit no. CL 180 Quarry, Great Corby, Carlisle

I enclose my representations in respect of the re-issued Notice of Application to Correct the Register relating to the above dated 10 February 2021. Please acknowledge receipt.

However, owing to the current COVID 19 restrictions which have resulted in the suspension of the digitising and copying services of the National Archives, I am awaiting information and/or documents from that body which may be of direct relevance to the issues set out at paragraph nos. 5 and 6 of the representations. Unfortunately, those services will not be re-instated until after the current deadline (25 March 2021) for the submission of representations.

Following the re-instatement of the services I may wish to amend my representations to take into account any information/documents that I may then have obtained from the National Archives. In that event, I trust that, in view of the prevailing and wholly unusual COVID 19 circumstances, those amendments will be accepted under the provisions of regulation 27(4) Commons Registration (England) Regulations 2014.

Yours faithfully

[REDACTED]

I L Astle

(e-mail to: [REDACTED])

Common Land Register Unit no. CL 180 Quarry, Great Corby, Carlisle
("the Register Unit")

Application No. CA10/50

Representations of I L Astle pursuant to Regulation 25 The Commons
Registration (England) Regulations 2014 ("the 2014 Regulations")

Background

The representations are made in response to an application dated 24 September 2020 ("the 2020 Application") by Kirsty Williamson ("the Applicant") under section 19(4) Commons Act 2006 ("the 2006 Act") to de-register "any land occupied by Great Corby Primary School" ("the School") ("the Application Land") for a purpose set out in section 19(2) of the 2006 Act, namely the correction of an alleged mistake by the commons registration authority ("the Original CRA") when it dealt with an application submitted in 1968 ("the 1968 Application") by Wetheral Parish Council ("WPC") for registration of land pursuant to the Commons Registration Act 1965 ("the 1965 Act").

The extent of the Application Land is shown coloured red on the plan which accompanied the Current CRA's re-issued Notice of Application dated 10 February 2021.

The 2020 Application asserts that there is a discrepancy between the plan attached to the 1968 Application identifying the land to be registered and Sheet no. 57 of the register map ("Sheet 57"), namely the inclusion in the latter of an area of the School playground ("the Playground Land"), ("the Plan Discrepancy"). The Playground Land is part of the Application Land.

The Original CRA was the department of Cumberland County Council which dealt with commons registration matters in the period 1968 to 1972 ("Cumberland"). The current commons registration authority ("the Current CRA") is the corresponding department of Cumbria County Council ("Cumbria").

Sheet 57 was issued by the Original CRA as part of the provisional registration of the Register Unit on 8 August 1969 ("the Provisional Registration"). The Provisional Registration, being undisputed, became final on 1 August 1972 ("the Final Registration").

By section 1(1) of the 1965 Act:

"There shall be registered... (a) land in England or Wales which is common land or a town or village green; (b) rights of common over such land; and (c) persons claiming to be or found to be owners of such land ...".

By section 22(1) of the 1965 Act:

"In this Act... "common land" means (a) land subject to rights of common (as defined in this Act) whether those rights are exercisable at all times or only during limited periods; (b) waste land of a manor not subject to rights of common...".

No rights of common are recorded in the Register Unit.

Representations

1. The Provisional and Final Registrations, including Sheet 57, should be considered to be correct unless evidence proves that the Application Land was not common land as defined in the 1965 Act when the registrations were made.
2. The Applicant relies on no such evidence. Instead she simply relies on the Plan Discrepancy itself.
3. The Plan Discrepancy could be attributed to other reasons, such as:-
 - 3.1. the submission by WPC between the date of the 1968 Application and the Provisional Registration of an alternative plan which included the Playground Land in the area to be registered; and/or
 - 3.2. the Original CRA concluding from information/advice given to it that the Playground Land was common land.
4. As to paragraph 3.1, whilst no record of a subsequent plan from WPC has been located, the correspondence records of WPC for the period in question are incomplete and those of Cumberland for the same period apparently no longer exist. Therefore, the possibility that a subsequent plan was submitted by WPC and that the Provisional and Final Registrations were made on the basis of that later plan cannot be entirely discounted.
5. As to paragraph 3.2, the Playground Land was conveyed to The School Board of the Parish of Wetheral ("the School Board") by a conveyance dated 23 September 1896 between (1) PJC Howard (2) The School Board ("the 1896 Conveyance"). It describes the land as "Common Land". Copies of the 1896 Conveyance and my transcript of it are at Annex 1.

Cumberland was the successor in title to the School Board and, therefore, the owner of the Playground Land when it dealt with the 1968 Application in its dual capacity as the commons registration authority.

Section 4(2)(a) of the 1965 Act gave a commons registration authority power to "register any land as common land notwithstanding that no application for that registration has been made" ie an authority was able to register land on its own initiative ("the Section 4(2)(a) Power") The Original CRA, therefore, had power to include the Playground Land in the Register Unit even if it had not been included in the plan attached to the 1968 Application.

In view of the likely close working relationship between the commons registration and legal departments of Cumberland, it is most probable that during the period 1968 to 1972 the Original CRA: was made aware of the above matters by the legal department; concluded, accordingly, that the Playground Land was common land and exercised the Section 4(2)(a) Power to include the Playground Land in

the Register Unit.

6. What other evidence is there that the Application Land was “common land” as defined in the 1965 Act when the Provisional and Final registrations were made?

The Application Land is shown as part of parcel number 330 in the Great Corby section of the tithe map and award for the “Township of Corby and Warwick Bridge in the Parish of Wetheral” 1840-1843 (“the Tithe Map”) and described as “Waste Land” ie waste land of a manor. Extracts of the Tithe Map and accompanying schedule are at Annex 2.

In section 22(1) of the 1965 Act “waste land of a manor” means “waste land now or formerly of a manor” or “waste land of manorial origin”: see *Hampshire County Council v Milburn and Others* [1991] 1 AC 325.

7. The Application Land exceeds the area of the Playground Land and no justification is given for de-registering the additional area (“the Additional Land”). Furthermore, it is not apparent on the ground that all of the Additional Land is occupied by the School.

8. The conclusions to be drawn from the matters set out at paragraphs 4 – 7 above are that:-

- 8.1 WPC may well have submitted a later plan of the land to be registered which included the Playground Land;

- 8.2 even if no such plan was submitted, on the balance of probabilities, the fact that the Playground Land was “Common Land” as described in the 1896 Conveyance would have been made known to the Original CRA giving rise to it exercising the Section 4(2)(a) Power;

- 8.3 the Plan Discrepancy does not relate to the Additional Land and no mistake by the Original CRA concerning the Additional Land has been alleged or evidenced by the Applicant; and

- 8.4 in any event, as the Application Land was recognised in the Tithe Map as being “Waste Land” and was not subject to rights of common it was correctly included in the Register Unit pursuant to sections 1, 4(2)(a) and 22(1)(b) of the 1965 Act.

9. For the above reasons, the Application Land should not be de-registered.

10. Cumbria is the successor in title to Cumberland. It is the freehold owner of the Playground Land and registered as such at HM Land Registry under title number CU212089. It will materially benefit Cumbria if the 2020 Application is successful because Cumbria’s property will then be free of the current statutory public right of access over it. Cumbria, therefore, has a conflict of interest arising from its dual capacity as the Current CRA and the owner of the major part of the Application Land. Consequently, it may be that there is unlikely to be confidence

in the Current CRA's ability impartially to determine the 2020 Application in which case the Current CRA should refer the application to the Planning Inspectorate pursuant to regulation 26 of the 2014 Regulations.

Likewise, if representations amounting to an objection to the application have been made by a person having a legal interest in the Application Land or part of it (or someone acting on behalf of such a person), the application should be referred to the Planning Inspectorate pursuant to the same regulation.

Dated: 23 March 2021

Signed: [REDACTED]

Address: [REDACTED] Great Corby, Carlisle CA4 [REDACTED]

E-mail address: [REDACTED]

Annex 1

(28)

Dated 28th Sept 1896

J. C. Howard Esq

— to —

The School Board of the
Parish of Uffington

Conveyance

of a piece of Common Land
at Great Corby in the
Manor of Corby in the
County of Cumberland

CHARITY COMMISSION
29 873
REC'D 30 SEP 96

Cartmell & Burnett
Carlisle

Enrolled in the Office of the Charity Commissioners for England under
Statute under the provisions of 57 & 58 Vict. cap. 42 Section 6 (2) pursuant to
their Order dated the 20th day of October 1896. - Vol. 5, p. 93. -

THE CHARITY COMMISSIONERS
FOR ENGLAND

Other purpose of which said
piece of ground is to be under the
management and control of the said
School Board and their successors or
of managers from time to time appointed
by them by virtue of the provisions
of the said Act. It is the intent whereof
the said Philip John Canning, Howard
both hereto set his hand and seal
and the said School Board have
hereto caused their common seal
to be set and signed this Twenty third
day of September One thousand eight
hundred and twenty six.

Signed, sealed and delivered

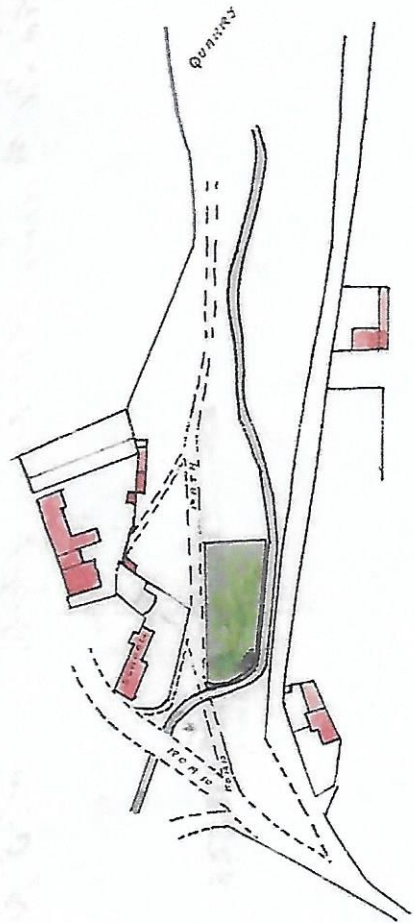
by the within named Philip John Canning
Philip J. Howards
in presence of

E. T. Howson Capt. Lane. City:
Kiptoga Court.
Camden

Anthony Leasdale
Chairman

The Common Seal of the said
School Board was hereunto affixed
in the presence of

Studdholme Cartmell
Clerk to the Board



0 100 200 SCALE

**Transcript of a Conveyance dated 23 September 1896 between (1) PJC Howard
(2) The School Board of the Parish of Wetheral of a piece of Common Land at
Great Corby in the Manor of Corby in the County of Cumberland**

“I Philip John Canning Howard of Foxcote Warwickshire Esquire Lord of the manor of Corby in the County of Cumberland under the authority of the School Sites Acts of 1841-1852 do hereby freely and voluntarily and without any valuable consideration grant and convey unto the School Board of the Parish of Wetheral in the County of Cumberland and their successors All that piece of Common Land containing nine hundred and twenty square yards or thereabouts situate on the west side of the Corby Board School at Great Corby in the parish of Wetheral in the manor of Corby in the County of Cumberland and particularly delineated upon the plan drawn on these presents and thereon coloured green To hold the said premises unto and to the use of the said School Board their successors and assigns Upon trust to permit the said premises to be forever hereafter appropriated and used for the purposes of a Public Elementary School within the meaning of the Elementary Education Acts and for no other purpose whatever which said piece of ground is to be under the management and control of the said School Board and their successors or of managers from time to time appointed by them by virtue of the provisions of the said Acts In witness whereof the said Philip John Canning Howard hath hereunto set his hand and seal and the said School Board have hereunto caused their common seal to be set and affixed this twenty third day of September One Thousand Eight Hundred and Ninety Six”

I L Astle



N:5

PLAN OF THE

TOWNSHIP OF COPEBYND

WARWICK BRIDGE IN THE

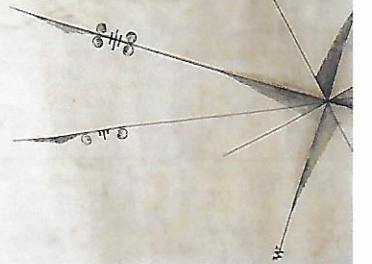
PARISH OF WETHERAL

CUMBERLAND

Surveyed by Ed. Ashworth, 1847-1851

CONTENT 2777.2.34

Signed Henry Pilkington
Surveyor-General





LANDOWNERS	OCCUPIERS	Number relating to the Plan.	NAME AND DESCRIPTION OF LANDS AND PREMISES	STATE OF CULTIVATION	QUANTITIES IN STATE MEASURE				Amount of Area Change registered in the records of the Lands and Register Office				REMARKS	
					A	M	R	S	1	2	3	4		
<i>Thomson</i>	<i>Thomson</i>	511	<i>Head of road</i>	<i>Barbar</i>										
		512	<i>Thick</i>	<i>Head and Head</i>										
		513	<i>Head of road</i>	<i>Barbar</i>										
		514	<i>Head of road</i>	<i>Barbar</i>										
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		536	<i>Head of road</i>	<i>Barbar</i>										

[REDACTED]
Great Corby
Carlisle
CA4 [REDACTED]

18 January 2021

Dear Sir

Proposal to de-register common land adjacent to Great Corby School

Application no: CA10/50

I wish to object to the proposal to de-register common land adjacent to Great Corby School.

Whilst I recognise that the headmistress has concerns over child safety, there are alternative (and existing) ways of addressing this issue such as installing temporary locked gates during playtimes and having adequate supervision in the playground during breaks.

It seems to me that to permanently exclude members of the public from accessing the right of way through the school playground is yet another example of the piecemeal attrition of our local rights. The playground (i.e., the subject of this proposal) currently provides a safe 'off-road' route for people to walk between the top road and the bottom green. With the possibility of having no access through the school playground, the footpath from the top road to the quarry woodland effectively becomes a one-way route that ends at the school gate. This then creates little incentive for people to walk through the woodland from one end to the other as they can only go so far before needing to turn around and re-trace their steps. There is little point in having a public right of way in these circumstances and, in time, a lack of use may create a case for total extinguishment of this particular right of way.

Whilst I appreciate the concerns the headmistress has for the safety of her schoolchildren, the greater danger is erosion of our rights of way, which are enshrined in law.

I therefore strongly urge you to consider the lawful rights of the inhabitants of Great Corby (and all walkers) and reject this proposal.

Yours sincerely

[REDACTED]
Anna Gray
[REDACTED]

From: Elizabeth Park <[REDACTED]>
Sent: 06 January 2021 16:32
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Common adjacent to great corby school

I am writing to lodge our objection to the deregistering of the common land adjacent to great corby school as we think it should continue to be accessible for the village to enjoy .
Elizabeth and Stuart park
[REDACTED] , great corby
Tel [REDACTED]

From: Brian Currrie <[REDACTED]>
Sent: 07 January 2021 00:08
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Common land adjacent to great Corby school

Hi I strongly object to to the application by great Corby school to deregister the common land beside the school on behalf of my wife and two children who both enjoyed playing and exploring on that land.

From: rick shepley <[REDACTED]>
Sent: 09 January 2021 21:51
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Objection to application number CA10/50

I object to application to de register the common adjacent to Great Corby School, by Great Corby School. For years the gates have been locked during playtime, and like all schools staff are outside supervising. Why therefore do the public have to loose a permanent right of way to the common, that is used by villagers and families to enjoy this area of natural woodland. Closing this would be unfair, and make the common unaccessible to some people. I do not feel that the school is working within the best interests of the local community by closing this access off. They already manage to stop our bins from being emptied on a regular basis, by all the parking along a narrow road Infront of the school which stops access. I also feel that the pupils are more at risk by the way they are all in the road at the start and end of the day, especially when jumping out from behind parked cars, whilst their parents stand in the middle of the road.

So In the play ground, with gates locked, and staff on duty, and no through fare during school hours, or breaktime and lunchtime seems like a good compromise between the school and local community.

Yours sincerely
R Shepley

From: Jennifer Boyd [REDACTED]
Sent: 09 January 2021 22:23
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Woodland next to Great Corby School

As a resident of Great Corby I would like to oppose the plans to restrict access to the through road to the side of the school into the woods. As a parent of a child at the school and a fellow teacher I can't see any particular safeguarding issues if the school doors are kept closed, it is more important that the children are free to roam and play in the only piece of woodland remaining in the village.

Thank you

Jennifer Boyd

From: JENNIFER WEAVING <[REDACTED]>
Sent: 14 January 2021 14:46
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: re application CA10150

I write to object to the proposed closure of the public access to the common area adjacent to Great Corby school.
I use this on a regular basis – and have done for many years
Jenny Lyons

From: Fraz Landscape Painter <[REDACTED]>
Sent: 19 January 2021 19:23
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Objection to deregistration of common land at Great Corby

I would like to register my objection to the application by the headmistress of Great Corby school to deregister the common land adjacent to the school. I have lived in the village for over 30 years and both my children attended the school without any issues of safety. Countless generations have used the school and common without any problems , and this is yet another example of poor or lazy teaching methods.

Stuart Fraser

[REDACTED]

Great Corby

CA4 [REDACTED]

From: [REDACTED]
Sent: 23 January 2021 13:13
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: Great Corby common land deregistration

Dear Sir / Madam,

I am writing regarding the notice from Great Corby school to deregister the common land that they use as their playground.

I am a local parent with children at the school, but I have deep concerns over the deregistering the common land.

The playground and woodland behind it is a real leisure resource for the local villagers. My worry is that if the common land is deregistered, at any point access could be stopped to the public. I cannot think of any other school which allows the local people to have access to their playground out of school hours. This access is something I really treasure, for my family. We regularly use the playground as a place to ride our bikes scooters etc. We live rurally and so the roads surrounding us don't have pavements and with all the farm traffic and general cars, it is not safe for the children to be on the roads without vigilant adult supervision. Last weekend, we were down in the playground with our roller skates. While there, we shared the playground with 4 other kids from the village, another family who had been playing in the wood and a couple of gentlemen who crossed the playground to access the wood. We didn't go in the wood this time, but we often do. There is no way, I would access the wood from the other side, as with young kids it is just too dangerous. This wasn't the case last year but the path is constantly eroding away and is now too steep and slippery for children under 5 year olds.

If the common land status changed, this leisure resource could be lost in an instant if a head decided that he or she did not want the locals using it. I know Kirsty has said she has no intention of padlocking the gates, out of school hours but she won't be head forever. I am thinking of the past head who happily gave away the piece of common land/ playground to the owners of Oak Bank because it was considered to her to be too much of a health and safety inconvenience. All it would take for some irresponsible person to vandalise something and a head would feel justified in locking the gates permanently.

As I mentioned before, I am speaking as a parent of children who attend the school. Of course, I want my children to be safe, but I also want my kids and even grandkids to have this resource available to them. It pains me that a lot of the woodland that their dad and grandmother used to roam around in as children, has been locked up by the castle estate and private landowners. Now access to this woodland is all that is left for the villagers. Surely there must be some other way to deter general members of public from attempting to access the playground during school times. Is there not some sort of sign that the city council can put up saying that they support that during school hours the playground must be locked?

Yours Sincerely

[REDACTED] - If possible, I wish to remain anonymous

Commons Registration • Lady Gillford's House • Petheril Bank Road
Carlisle • Cumbria • CA1 3AJ
T: 01228 221028 • E: commons.registration@cumbria.gov.uk

Miss Anna Lightfoot
Northern Construction & Security Ltd
The Bothy
Chapel Place
Denton Holme Trading Estate
Carlisle
CA2 5DF

By post and email: [REDACTED]

30th March 2021

Your reference: • Our reference: CA10/50

Dear Miss Lightfoot

**Form CA10 – Application to correct the register
CL180 – Quarry, Great Corby
Applicant: Kirsty Williamson**

I write further to my letter dated 10th February 2021. The notice period in which representations could be submitted has now finished. I enclose copies of the representations received during the notice period, which I have numbered for ease of reference. You will note that a total of 64 representations were received, along with a further 7 representations which were considered to be not duly made (“NDM”). I have still included the NDM representations for your reference.

Under Regulation 25 of The Commons Registration (England) Regulations 2014:

“(4) The applicant may reply in writing to the registration authority within 21 days of being served with a copy of representations (or within such longer period as the registration authority may specify at the time when it serves the copy of representations), setting out the applicant’s response to the representations.

(5) A reply under paragraph (4) must be signed by the person making it.

(6) Where the applicant makes a reply under paragraph (4), the registration authority must send a copy of it to every person who made a representation under paragraph (1)”

Given the volume of representations received you have until 5pm on 30th April 2021 to respond to the enclosed representations. After this date we will proceed to determination of the application.

Yours sincerely



Jason Weatherill
Commons Officer

From: [REDACTED] <[REDACTED]>
Sent: 28 April 2021 14:37
To: Registration, Commons <Commons.Registration@cumbria.gov.uk>
Subject: REF: CA10/50

CL180 – QAURRY, GREAT CORBY.

Dear Jason

Further to your letter dated 30th March 2021, we are writing in response to the representations which have been received in regards to CL180 - Quarry, Great Corby.

At the moment there is a significant safeguarding risk to pupils and staff at Great Corby School. The current school gates in place are not secure. There have been numerous occasions when people unknown to the school have climbed the gates during school hours and walked through the playground. This poses a significant safeguarding risk to the children. An additional risk occurs when people bring dogs with them.

The school's intention is to replace the gates with secure locked gates which cannot be climbed to provide security for the school playground during school opening hours only.

We are of the understanding that, for the school to legally block access to the playground during school hours, the common land needs to be deregistered. This is the only reason for this application. If there is an alternative way in which the school can legally lock the school gates during school hours, they will be more than happy to consider this.

In order to maintain the safety and security of the school and its pupils, the school have spent a significant amount of money installing CCTV in and around the premises and extra security systems in the school building.

Members of the public using the playground to access the common land during school hours gives rise to serious safeguarding concerns. Whilst we recognise this application is to deregister the common land, members of the public use the playground as a right of way.

"The Countryside and Public Rights of Way Act 2000 allows a school to seek diversion or closure of a public right of way across a school's grounds to protect the health or safety of staff and pupils".

We have been made aware that Wetheral Parish Council discussed this application on 10th February and unanimously supported the application to deregister the common land.

The school recognise that the common land is an important area for our pupils and the whole village community and do not want to remove any right of pedestrians to access this outside of school hours. The school wish for the common to remain as part of the village community as it always has been.

The school is more than happy to enter into a legal agreement which states the gates will only be locked during school opening hours.

If you wish to discuss this further information please do not hesitate to contact me.

Kind Regards

Anna Lightfoot



From: Registration, Commons [<mailto:Commons.Registration@cumbria.gov.uk>]
Sent: 07 May 2021 16:38
To: Registration, Commons
Subject: Application CA10/50 - Applicant's response

Dear Sir/Madam,

Thank you once again for your representations submitted in relation to application CA10/50. The application concerns a section of common land currently registered as part of 'CL180 Quarry, Great Corby', and located by Great Corby School.

As you may have been aware, all representations received were passed to the applicant for comment. Under Regulation 25(6) of the Commons Registration (England) Regulations 2014, where the applicant makes a reply, the registration authority must send a copy of it to every person who made a representation. I attach a copy of the applicant's reply for your information.

The application will now be processed and evaluated. We are not inviting further comment at this stage.

Kind Regards,

Jason Weatherill
Commons Officer
Commons Registration Service
Environment and Community Services
Cumbria County Council
Lady Gillford's House
Petteril Bank Road
Carlisle
CA1 3AJ

E: commons.registration@cumbria.gov.uk

Please be aware that I work flexible hours, so whilst this is a convenient time for me to send this email to you – I do not expect a response from you outside your normal working hours.

Commons Registration • Lady Gillford's House • Petteril Bank Road
Carlisle • Cumbria • CA1 3AJ
T: 01228 221028 • E: commons.registration@cumbria.gov.uk

Miss Anna Lightfoot
Northern Construction & Security Ltd
The Bothy
Chapel Place
Denton Holme Trading Estate
Carlisle
CA2 5DF

27th May 2021

Your reference: • Our reference: CA10/50

Dear Miss Lightfoot

**Application CA10/50 – Application to correct the register
CL180 – Quarry, Great Corby
Applicant: Kirsty Williamson**

After an initial review of the application above, Cumbria County Council, as commons registration authority, have decided to refer the above application to the Planning Inspectorate under Regulation 26 of the Commons Registration (England) Regulations 2014 (“the Regulations”). The reasons for this referral are twofold:

1. Cumbria County Council are listed as the freehold owners of part of the application land. Although Cumbria County Council chose not to make any representations, there is a perceived interest which has raised concerns with regards to our ability to determine the application impartially.

AND

2. Persons with a legal interest in the land subject to the application have objected to it. Their legal interest in the application is as landowners of part of the application land. Under Regulation 26(3) of the Regulations the registration authority must refer an application to the Planning Inspectorate where a person with a legal interest in the land (or someone acting on behalf of such a person) has made representations amounting to an objection.

Cumbria County Council will take a neutral stance towards the application and it will be the Planning Inspectorate who will make the final determination. We will be in touch in due course.

Yours sincerely



Jason Weatherill
Commons Officer