

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 **Hayton Parish Council** ("the Applicant") to Cumbria County Council as Commons Registration Authority, under Section 19(2)(a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register unit CL190 Martha's Well and Beck Bottom.

A summary of the effect of the application is as follows: CL190 was provisionally registered as common land on 4th September 1969, pursuant to an application made by Hayton Parish Council dated 20th June 1968 and numbered 745 ("the 1968 Application"). The provisional registration of the 1968 Application became final on 1st August 1972. CL190 consists of two separate parcels of land; Beck Bottom is the western parcel and Martha's Well is the eastern parcel. The Applicant claims that the Commons Registration Authority made a mistake in that the 1968 Application Plan was incorrectly transposed onto the register map and, as a result, the Beck Bottom parcel was registered in the wrong place. The current location of the Beck Bottom parcel is shown outlined and cross-hatched in red on the attached plan ("Beck Bottom"). The claimed correct location of the Beck Bottom parcel is shown outlined and cross-hatched in green on the attached plan ("the Application Land"). The eastern part of Beck Bottom and the western part of the Application Land overlap by approximately 0.009 ha ("the Overlapping Part"). The Applicant requests that the mistake is corrected, and the Beck Bottom parcel is registered in accordance with the 1968 Application Plan within the boundary of the Application Land.

If the application is granted, in whole or in part, the registration authority will give effect to the determination by correcting the above mentioned mistake, which will entail: 1. The addition of two registration amendment entries in register unit CL190, one confirming removal of the land to the east of the Overlapping Part from the register and the other confirming addition of the land to the west of the Overlapping Part to the register. 2. The amendment or preparation of a fresh edition of the register map showing only the land comprised in the Application Land, as being registered as the Beck Bottom portion of CL190, and any land outside its boundary marked as deregistered.

Representations:

- must quote the Application No. **CA10/58**
- 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.

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 date on which the period for making representations expires is 5pm on **17th August 2021**.

Documents relating to the application are not available online; these are only available for inspection at The Commons Registration Service at the above address, strictly by appointment only. The documents can also be emailed or posted on request. Please contact the Commons Registration Team on (01228) 221026 to arrange an appointment.

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

Signed: 

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Svetlana Bainbridge – Commons Registration Officer

Dated: 6th July 2021

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