

**Commons Act 2006 - Schedule 2 (Paragraph 2)
Application to correct non-registration or mistaken registration**

NOTICE OF DETERMINATION

Application Number: CA13/27

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority ("the CRA"), has at a meeting of its Development Control and Regulation Committee ("the Committee") on the 9th October 2020, considered an application submitted by the Open Spaces Society to correct non-registration of land at Goose Holme, Kendal, and add approximately 0.574 hectares of land (hereinafter referred to as "the Application Land") to be comprised in register unit CL153 Goose Holme.

Decision

The Committee resolved to accept the application to correct the register and add the Application Land to the common land register.

Reasons

The Committee took into account a report written by the Commons Registration Officer ("the Officer"). The Officer's report made a recommendation to the Committee to accept the application, on the grounds that there is sufficient evidence that on the balance of probabilities the Application Land was not at any time finally registered as common land or as a town or village green under the Commons Registration Act 1965, is subject to a scheme under the Commons Act 1899 and satisfies other statutory criteria in Schedule 2 paragraph 2 to the Commons Act 2006 and the requirements of the Commons Registration (England) Regulations 2014.

Outcome

The Commons Registration Authority has given effect to the determination by registering the Application Land which entailed the addition of a register amendment entry confirming the addition of the Application Land to be comprised in register unit CL153 Goose Holme and the preparation of a fresh edition of the register map showing the Application Land contained within the boundary of register unit CL153.

Documentation

Minutes of the meeting providing the Committee's decision, the Officer's report and a plan of the Application Land are available at:

<http://councilportal.cumbria.gov.uk/ieListDocuments.aspx?CId=124&MId=11391&Ver=4>

Signed:



Allan Harty – Acting Assistant Director Economy and Environment
Dated: 13 October 2020