

Commons Act 2006 - Schedule 2 (7)
Application to deregister any other land wrongly registered as common land

Notice is hereby given that an application has been made by **John Robert Armstrong, Ann Judith Butler, Philippa Jane Hodgson and William Adam Hodgson** ("the Applicants") to Cumbria County Council as Commons Registration Authority, under Schedule 2 paragraph 7 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to land at Burgh by Sands shown edged red and cross-hatched green on the attached plan ("the Application Land") currently registered in the register of common land register unit CL40 Commemoration Site, Burgh by Sands.

A summary of the effect of the application is as follows: the Application Land was provisionally registered as common land on 10th November 1967 under section 4 of the Commons Registration Act 1965, pursuant to application number 77 made on 14th July 1967 by Burgh by Sands Parish Council. The provisional registration, being undisputed, became final on 2nd October 1970. The Applicants claim that immediately before its provisional registration the land was not: subject to rights of common; waste land of the manor; a town or village green within the meaning of the 1965 Act as originally enacted; or land of a description specified in section 11 of the Inclosure Act 1845(c.118). The Applicants claim that the Application Land was wrongly registered by Burgh by Sands Parish Council and have requested the removal of the Application Land from the commons register.

If the application is granted, the commons registration authority will give effect to the determination by de-registering the Application Land, which will entail the strikethrough of the current register entries in the Land Section of unit number CL40, the addition of a register amendment entry confirming de-registration of the whole, and amendment of the register map showing the Application Land marked as de-registered.

Any person wishing to make representations:

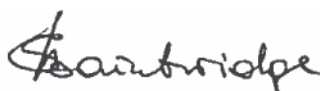
- must quote the Application No. **CA13/28**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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 made 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 21st November 2019.

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. Please contact the Commons Registration Team on (01228) 221028 to arrange an appointment.

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



Signed:

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Svetlana Bainbridge
Commons Registration Officer

Dated: 10th October 2019

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CA13/28 Application to correct mistaken registration

Land at CL40 Commemoration Site, Burgh by Sands

