

**Commons Act 2006 - Schedule 2 (6)**  
**Application to deregister a building wrongly registered as common land**

Notice is hereby given that an application has been made by **Windermere Aquatic Ltd** ("The Applicant") to Cumbria County Council as Commons Registration Authority, under Schedule 2 paragraph 6 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to registered common "CL155 - Two small parcels of land each side of the Windermere – Ambleside road, A591", shown hatched green on the attached plan ("the Application Land"). The Application Land comprises the entirety of registered common CL155, and as such the Applicant seeks by this application to deregister the entire common.

A summary of the effect of the application is as follows: the Application Land was provisionally registered as common land on 16<sup>th</sup> March 1970 under section 4 of the Commons Registration Act 1965, pursuant to application number 1238 made on 5<sup>th</sup> December 1969 by The National Trust. The provisional registration, being undisputed, became final on 1<sup>st</sup> August 1972. The Applicant claims that on the date of provisional registration the Application Land was covered by a building or was within the curtilage of a building, and since the date of provisional registration the land has at all times been, and still is, covered by a building or within the curtilage of a building. The Applicant claims that the Application Land was wrongly registered and has requested the removal of the Application Land from the commons register.

If the application is granted, in whole or in part, the commons registration authority will give effect to the determination by deregistering the Application Land, which will entail the removal of register unit CL155 from the register of common land. The register map would be updated to show CL155 marked as having been deregistered.

Any person wishing to make representations:

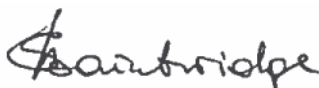
- must quote the Application No. **CA13/36**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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](mailto: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 **5pm on 14<sup>th</sup> March 2022**.

Documents relating to the application are not available online although they can be provided on request. Requests should be sent directly to the Commons Registration Service using the contact details above.

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:

Dated: 29<sup>th</sup> January 2022

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Svetlana Bainbridge  
Commons Registration Officer

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