

**Commons Act 2006 - Schedule 2 (Paragraph 7)  
Application to correct non-registration or mistaken registration**

**NOTICE OF DETERMINATION**

**Application Number: CA13/37**

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 1<sup>st</sup> December 2022, considered an application submitted by Jonathan Beresford and Emma Louise Beresford to correct the mistaken registration of land registered as part of CL87 Angerton Marsh. The applicants sought to remove approximately 33 acres of land (hereinafter referred to as "the Application Land") from the register of common land.

**Decision**

The Committee resolved to accept the application and remove the Application Land from common land register unit CL87 Angerton Marsh.

**Reasons**

The Committee took into account a report written by the Commons 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 provisional registration of the Application Land was not referred to a Commons Commissioner, and at the time of provisional registration the land was not subject to rights of common, nor waste land of the manor, nor a town or village green, nor land of a description specified in section 11 of the Inclosure Act 1845. The Officer further outlined that, in the Officer's view, the application satisfies all of the criteria set out in Schedule 2 paragraph 7 to the Commons Act 2006, as well as the requirements of the Commons Registration (England) Regulations 2014.

**Outcome**

The Commons Registration Authority has given effect to the determination by deregistering the Application Land, which entailed the addition of a register amendment entry confirming the removal of the Application Land from register unit CL87 Angerton Marsh, and the preparation of a fresh edition of the register map showing the Application Land as having been removed from register unit CL87.

**Documentation**

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

[Browse meetings - Development Control and Regulation Committee | Cumbria County Council](#)

Signed



Allan Harty – Assistant Director Environment and Enterprise

Dated: 12<sup>th</sup> December 2022