

Commons Act 2006 - Schedule 2 (Paragraph 7)

Application to correct non-registration or mistaken registration

NOTICE OF DETERMINATION

Application Number: CA13/6

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 1 November 2017, considered an application to correct mistaken registration of land at Sand Pit at Townhead, Hayton (herein after referred to as "the Application Land") as registered Common Land.

Decision

The Committee resolved to reject the application to correct the register and the Application Land will remain on the Common Land Register as Unit No. CL196 - Sand Pit at Townhead, Hayton.

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 was sufficient evidence, on the balance of probabilities, immediately before its provisional registration the Application 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not subject to rights of common, waste land of the manor, a town or village green within the meaning of the 1965 Act as originally enacted or land of a description specified in section 11 of the Inclosure Act 1845(C.118).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 Committee also heard presentations from interested parties.

Having considered the Officer's report and the presentations given, the Committee decided that, on the balance of probabilities, the statutory criteria contained at Schedule 2 paragraph 7 to the Commons Act 2006 had not been satisfied.

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/ieListMeetings.aspx?CommitteId=124>

Signed



Angela Jones – Assistant Director Environment and Regulatory Services
Dated: 9th November 2017