

The Commons Act 2006 - Schedule 2 (Paragraph 7)

NOTICE OF APPLICATION TO DEREGISTER LAND WRONGLY REGISTERED AS COMMON LAND

Notice is hereby given that an application has been made by St Cuthbert without Parish Council ("the Applicant") 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 to the north of Durdar Road, Carlisle shown hatched red on the attached plan ("the Application Land") currently registered in the register of common land register unit number CL49 as part of "Blackwell Common, Durdar Road, Carlisle".

A summary of the effect of the application is as follows: the Application Land was provisionally registered as common land on 20th November 1967 under section 4 of Commons Registration Act 1965 ("the 1965 Act"), pursuant to application number 120 made by the Clerk to St Cuthbert without Parish Council. The provisional registration, being undisputed, became final on 2nd October 1970. The Applicant claims that immediately before 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subject to rights of common; waste land of the manor; a town or village green (within the meaning of the 1965 Act as originally enacted; or land of a description specified in Section 11 of the Inclosure Act 1845 (c.118).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 Applicant claims that the Application Land was wrongly registered by the Clerk of St Cuthbert without Parish Council and has requested the removal of the Application Land it from Common Land Register Unit CL49.

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 addition of a registration amendment entry in register CL49 confirming deregistration of part, and the amendment or preparation of a fresh edition of the register map showing only the remaining land contained in unit number CL49 as registered common land (shown hatched green on the attached plan) and the Application Land marked as deregistered.

Any person wishing to make representations:

- must quote the Application No. CA13/7
- 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 also be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of information Act 2000.

The period for making representations expires at 5pm on 1st February 2016

Documents relating to the application are available for inspection at the above address, strictly by appointment only. Please contact the Commons Registration Team on (01228) 221026 to arrange an appointment. The notice and accompanying plan can also be viewed online by accessing Cumbria County Council's website <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>

Signed:


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Shamim Lindsay
Group Solicitor/Manager

Dated: 21st December 2015
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