

Commons Act 2006

Section 19 (2) (a)

Application to correct the register – mistake made by the registration authority.

NOTICE OF DETERMINATION

Application Number: CA10/1

Notice is hereby given, that the Planning Inspectorate has considered an application to correct a mistake in the commons register, made by Cumbria County Council as the commons registration authority, when amending an entry to implement decision 262/D/845 to 850 of the Commons Commissioner dated 13 October 1982 (“the Commons Commissioner’s Decision”), concerning the boundary and deregistration of part of common land register unit CL319 “Land known as Village Green at Hutton Roof”.

Decision

The Planning Inspectorate determined to approve the application to correct the register, with the addition to commons register unit CL319, of the land shown coloured red on the attached inset map, which had been incorrectly deregistered. This gives effect to the Commons Commissioner’s Decision and is in accordance with a survey carried out by the commons registration authority in October 2015.

Reasons

The Planning Inspectorate made its decision, on the grounds that, Cumbria County Council as the commons registration authority, made a mistake amending an entry in the commons register following the Commons Commissioner’s Decision, by de-registering the above mentioned land. The Planning Inspector deemed that, notwithstanding reliance may have been reasonably placed on the register, it would not be unfair to correct the register.

The full reasons for the decision are stated in the Planning Inspectorate Application Decision Notice available at <https://www.gov.uk/guidance/common-land-notices-and-decisions>

Changes to the register

The commons registration authority has given effect to the Planning Inspectorate’s decision, by registering 0.013 hectares of land (the incorrectly de-registered land) as common land, which entailed the addition of a new entry in the land section of commons register unit CL319, and the insertion of an inset map showing the amended boundary between register unit CL319 and the correctly deregistered part of the common in accordance with the Commons Commissioners Decision.

Signed:



Angela Jones, Assistant Director Environment and Regulatory Services

Dated: 19 December 2016