

Commons Act 2006 - Schedule 2 (7)
Application to deregister any other land wrongly registered as common land

Notice is hereby given that an application has been made by **Elizabeth Wardle** ("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 and buildings at Tottlebank Farm, Blawith shown edged red on the attached plan ("the Application Land") currently registered in the register of common land register unit CL276 as part of Blawith Fell.

A summary of the effect of the application is as follows: the Application Land was provisionally registered as common land on 31st July 1970 under section 4 of the Commons Registration Act 1965, pursuant to application number 1325 made on 2nd January 1970 by the Boughton Estate Limited. The provisional registration, being undisputed, became final on 1st August 1972. The Applicant claims that immediately before its provisional registration the 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subject to rights of common; waste land of the manor; a town or village green within the meaning of the 1965 Act as originally enacted; or land of a description specified in section 11 of the Inclosure Act 1845(c.118).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 Boughton Estate and have 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 addition of a registration amendment entry in register unit CL276 confirming deregistration of part, and the amendment or preparation of a fresh edition of the register map showing only the remaining land contained in register unit CL276 as common land and the Application Land marked as deregistered.

Any person wishing to make representations:

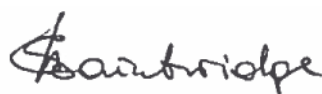
- must quote the Application No. **CA13/16**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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 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 15th March 2018

Documents relating to the application are not available online; these are only available for inspection at the Commons Registration Service at the above address, strictly by appointment only. Please contact the Commons Registration Team on (01228) 221028 to arrange an appointment.

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:

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Svetlana Bainbridge
Commons Registration Officer

Dated: 31st January 2018

