

## **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 Selwyn Sim, Pauline Sim, William Henry Harrison, Gordon Wilson and Stephen John Nixon (“The Applicants”) to Cumberland 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 the entirety of common land register units CL448 Bellwater Moss, CL449 Cowfield Moss and CL450 Common Moss, located to the north of Aspatria and shown edged red on the attached plan (“the Application Land”). The Application Land covers an area of approximately 253 acres. Please note that whilst other, smaller pieces of registered common land are also shown hatched green on the notice plan, it is only the land edged red, the Application Land, which is the subject of this application.

A summary of the effect of the application is as follows: the Application Land was provisionally registered as common land on 7 May 1970 under section 4 of the Commons Registration Act 1965, pursuant to application numbers 2062 (for CL448), 2074 (for CL449) and 2058 (for CL450) made on 2 January 1970 by the Trustees of the Standish Settled Estates. The provisional registrations, being undisputed, became final on 1 August 1972.

The Applicants claim 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subject to rights of common; waste land of the manor; a town or village green within the meaning of the 1965 Act as originally enacted; or land of a description specified in section 11 of the Inclosure Act 1845 (c.118).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 Applicants claim that the Application Land was wrongly registered by the Trustees of Standish Settled Estates and have requested the removal of the Application Land from the commons register.

If the application is granted, the commons registration authority will give effect to the determination by deregistering the Application Land, which will entail the strikethrough of the current register entries in the Land Sections of unit numbers CL448, CL449 and CL450, the addition of register amendment entries confirming deregistration of the whole of each common, and amendment of the register map showing the Application Land marked as deregistered.



Working for Cumberland Council and  
Westmorland & Furness Council

Any person wishing to make representations:

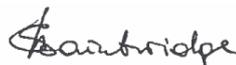
- must quote the Application No. **CA13/41**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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@cumberland.gov.uk](mailto:commons.registration@cumberland.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 **22 December 2023**.

Documents relating to the application are not available online although they can be provided on request. Requests should be sent directly to the Commons Registration Service using the contact details above. The notice and accompanying plan (if any) can be viewed online by accessing Westmorland & Furness Council's website  
<https://legacy.westmorlandandfurness.gov.uk/planning-environment/conservation/commons-registration-service/notices/CA2006.asp>

Signed:



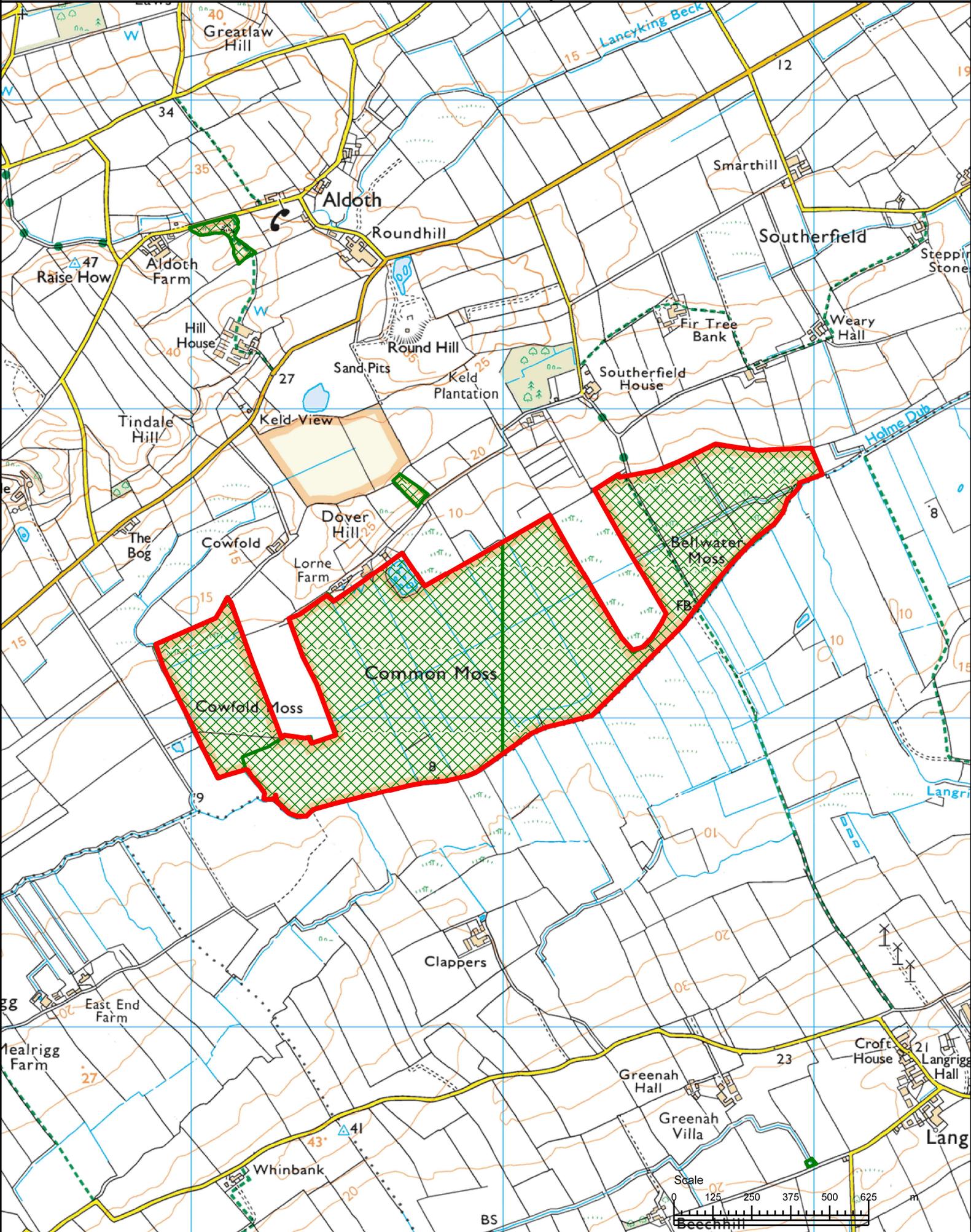
Dated: 10 November 2023

Svetlana Bainbridge, Commons Registration Officer

# CA13/41 Notice of Application

## Application to deregister common land

### Commons Registration



Notes: E: 314889; N: 547202 NY1447SE