

SANDFORD MIRE (CL115) SANDFORD, CUMBRIA

NOTICE OF HEARING

COMMONS ACT 2006 – SECTION 19(2)(A)

Application to correct the register of common land

An Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs will hold a hearing at Lowther Room, Kendal Town Hall, 9a Lowther Street, Kendal LA9 4DA **at 10:00am on Tuesday 31 March 2026** into an application by Mr K Fawcett under 19(2)(a) of the Commons Act 2006.

The application was duly made to Westmorland and Furness Council and is referred to the Planning Inspectorate for determination under regulation 26 of the Commons Registration (England) Regulations 2014.

The hearing will begin **at 10:00am on Tuesday 31 March 2026**. Anyone can attend the hearing. Anyone who wants to be heard on the subject matter of the application may, at the discretion of the Inspector, give evidence at the hearing or arrange for someone to do so on their behalf.

The application notice and accompanying plan can be viewed online at www.westmorlandandfurness.gov.uk/commons/notices. Further documents relating to the application are not available online but can be viewed by appointment at The Commons Registration Office, Lady Gillford's House, Petteril Bank Road, Carlisle, Cumbria, CA1 3AJ. All documentation can also be sent out by request. Please send any requests for documentation or appointments to commons.registration@westmorlandandfurness.gov.uk.

Rights of Way & Common Land Decision Service

The Planning Inspectorate

On behalf of the Secretary of State for Environment, Food and Rural Affairs

Commons Act 2006 – Section 19(2)(a)

NOTICE OF APPLICATION TO CORRECT THE REGISTER

Notice is hereby given that an application has been made by Mr. K. Fawcett ("the Applicant") to Westmorland and Furness Council as commons registration authority, under Section 19(2)(a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register unit CL115 Sandford Mire ("CL115").

A summary of the effect of the application is as follows:

Common land register unit CL115 was provisionally registered as common land on 25 June 1969 as a result of original application number 528 made by Rosemary Antoinette Heelis and received on 17 June 1968 ("the Original Application"). The registration, being undisputed, became final on 1 August 1972 and the boundaries of CL115 were subsequently defined on the definitive legal plan. The area recorded on the legal plan is shown hatched green on the accompanying plan attached to this notice.

The Applicant believes that an error was made by the Registration Authority when creating the legal plan, and requests that this mistake is corrected. The Applicant believes that the land shown hatched purple on the accompanying plan ("the Application Land") was also included as part of the Original Application, and therefore should've also been included on the definitive legal plan. The Applicant points towards an unofficial pencil note made on the legal plan, presumably by the Registration Authority, which reads "*NB. Drafting Error*", and which seemingly suggests a new western boundary position which would include the Application Land.

If the application is granted, the registration authority will give effect to determination by registering the Application Land, which will entail the addition of a registration amendment entry in register CL115 confirming the registration of the part, and the amendment or preparation of a fresh edition of the register map showing the Application Land as having been registered as part of CL115.

Any person wishing to make representations:

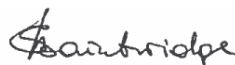
- must quote the Application No. **CA10/65**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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@westmorlandandfurness.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 **25 July 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: 12 June 2023

Svetlana Bainbridge, Commons Registration Officer



Westmorland
& Furness
Council

Working for Cumberland Council and
Westmorland & Furness Council

CA10/65 Corrective application
CL115 Sandford Mire

Commons Registration

