

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 Brian James Hogg (“the Applicant”) 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 part of common land register unit CL193 Pine Moss, Fenton Moss Moss, shown outlined in red on the attached plan (“the Application Land”). The Application Land covers an area of approximately 13 acres. Please note that whilst the other registered common land in the area is 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 4 September 1969 under section 4 of the Commons Registration Act 1965, pursuant to application number 748 made on 20 June 1968 by the Clerk to Hayton Parish Council, Mr Steele. The provisional registration, being undisputed, became final on 1 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subject to rights of common; waste land of the manor; a town or village green within the meaning of the 1965 Act as originally enacted; or land of a description specified in section 11 of the Inclosure Act 1845 (c.118).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 and has 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 the register confirming deregistration of part, and the amendment or preparation of the register map showing the Application Land marked as deregistered.

Any person wishing to make representations:

- must quote the Application No. **CA13/43**
- 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



Working for Cumberland Council and
Westmorland & Furness Council

- 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

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 **3 November 2025**.

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 Cumberland Council's website www.cumberland.gov.uk/commons/notices

Signed: 

Dated: 19 September 2025

Svetlana Bainbridge, Commons Registration Officer

CA13/43 Notice of Application

CL193 Pine Moss, Fenton Moss

Commons Registration

