

# Notice of Determination

Section 19(2)(a) of the Commons Act 2006  
Correction of a mistake in the register

## Proposal WFC/P/3

### Background

Notice is hereby given that Westmorland & Furness Council, as the Commons Registration Authority (“the CRA”), has at a meeting of its South Lakeland Local Area Planning Committee (“the Committee”) on the 21<sup>st</sup> May 2026, considered a proposal to correct a mistake in the register made by the CRA concerning the deregistration of land at Lowick Green shown coloured red on the plan accompanying the Notice of Proposal which is attached to this notice (hereinafter referred to as “the Proposal Land”) as common land.

### Decision

The Committee resolved to accept the proposal to correct the register and remove the Proposal Land from the common land register unit CL39 Lowick Common.

### Outcome

The CRA has given effect to the determination by deregistering the Proposal Land which entailed the addition of a register amendment entry confirming the removal of the Proposal Land from register unit CL39 and the amendment of the register map showing the Proposal Land as deregistered.

### Reasons

The Committee took into account a report written by the Commons Registration Officer (“the Officer”). The Officer’s report made a recommendation to the Committee to accept the proposal on the grounds that there is sufficient evidence that the registration authority made a mistake when the provisional edition of register map was created in that the Proposal Land was erroneously included within the boundary of common land register unit CL39.

### Documentation

Minutes of the meeting providing the Committee’s decision and the Officer’s report are available at:

<https://westmorlandandfurness.moderngov.co.uk/ieListMeetings.aspx?CommitteeId=265>

Signed:



Dated: 05/06/2026

David Haughian – Assistant Director of Community Infrastructure



Working for Cumberland Council and  
Westmorland & Furness Council

**A Proposal by Westmorland and Furness Council  
Section 19(2)(a) of the Commons Act 2006  
Correction of the Register  
The particulars of the right of common are incorrect**

In accordance with regulation 18(1) of The Commons Registration (England) Regulations 2014 please find below a statement in writing describing the proposal and the justification behind it.

**Description of the proposal:**

It has become apparent that an error was made by the Commons Registration Authority in drafting the provisional register map for CL39 Lowick Common by incorrectly including a building and a parcel of land within the boundary of the common. This error was later transposed onto the final edition of the register map.

**Justification for the proposal:**

The Commons Registration Authority believe that correcting this mistake and therefore ensuring the accuracy of the commons register would be in the public interest.

Official notice of proposal to follow



Working for Cumberland Council and  
Westmorland & Furness Council

## Notice of Proposal

### Section 19 of the Commons Act 2006 Correction of the Register

Notice is hereby given that a proposal has been made by **Westmorland and Furness Council** (“the Proposer”) as the Commons Registration Authority, under Section 19(2)(a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The proposal relates to register unit CL39 Lowick Common.

A summary of the effect of the proposal is as follows: Lowick Common was provisionally registered as Common Land on 13<sup>th</sup> November 1967 under Section 4 of the Commons Registration Act 1965 pursuant to application no. 87 made by John Peter Merritt (“the 1967 Application”). The registration, being undisputed, became final on 17<sup>th</sup> November 1972. The plan submitted with the 1967 Application (“the 1967 Application Plan”) excluded the land shown outlined red on the Notice Plan (“the Proposal Land”). The northern part of the Proposal Land is covered by a building known as Lowick Farm House. The southern part of the Application Land comprises part of the A5092 road and the curtilages of four properties. The area of the Proposal Land is approximately 0.053 hectares (0.132 acres). It appears that the registration authority made a mistake in including the Proposal Land within the boundary of CL39 when the 1967 Application Plan was incorrectly transposed onto the provisional register map. This mistake was then repeated when the current edition of the register map was created. The Proposer seeks to correct this mistake and remove the Proposal Land from the Register of Common Land and Town and Village Greens.

If the proposal is granted, the registration authority will give effect to determination by deregistering the Proposal Land, which will entail the addition of a registration amendment entry in register unit CL39 confirming the deregistration of the part, and the amendment or preparation of a fresh edition of the register map showing the Proposal Land as having been removed from CL39.

Any person wishing to make representations:

- must quote the Proposal No. **WFC/P/3**
- 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 proposal 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, Petheril Bank Road, Carlisle, CA1 3AJ or email:  
[commons.registration.WAF@cumbria.gov.uk](mailto:commons.registration.WAF@cumbria.gov.uk)

Any representations made will not be treated as confidential. To determine the proposal, it will be necessary for the Commons Registration Authority to disclose information received to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public (Data Protection Act 2008).

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 **5pm** on 12 September 2025.

Documents relating to the proposal 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 can also be viewed by accessing Westmorland and Furness Council's website, Commons Registration page:

<https://www.westmorlandandfurness.gov.uk/commons/notices>



Signed: .....

Dated: 31 July 2025

Svetlana Bainbridge - Commons Registration Officer

