

# Warcop, Hilton and Murton Commons lose commonland status

The Ministry of Defence's (MoD) application to deregister Warcop, Hilton and Murton Commons as commonland has been accepted, despite opposition from ourselves, the Open Spaces Society, and others. We are shocked and saddened for the precedent that this sets for the future of all of our common land.

The Development Control and Regulation committee of Cumbria County Council on 6th December voted to adopt the Inspector's recommendation to remove common land status from the historic commons of Warcop, Hilton and Murton (a small area of Murton Common called 'Area Victor' was excluded from the committee's decision and will retain its common land status).

Following a protracted and complex public inquiry which began in September, the Inspector ruled in favour of the MoD.

But the story began in 2001, when a Public Inquiry was held into the desire of the Ministry of Defence (MoD) to compulsory purchase all the common rights on Warcop, Hilton and Murton Commons to enable them to have more flexibility in their training and intensify use. At our request, the MoD also gave an undertaking that they would never seek to deregister the land as common land.

Until this year when they applied to do just that - something that we, and other partners have strongly opposed throughout a protracted and complex inquiry.

In early December, the Inspector appointed to conduct the inquiry made a recommendation in favour of the MoD.

At the subsequent Cumbria County Council Development Committee Meeting held on December 6th in Kendal, 11 members voted in favour, 1 against and 1 abstention to accept the Inspectors report and recommendation.

The outcome of the Inquiry and this decision are hugely important. Not just because these commons represent 1% of our stock of common land in England - 3,200ha will now be deregistered - but because of the precedent that this sets for all of our common land.

Jan Darrall, Policy Officer,

“We are shocked and saddened for the precedent that this sets and for the future of all of our common land. We are deeply concerned about the outlook for Warcop,

Hilton and Murton commons as there will now be very few restraints on the MOD there.

“The inquiry was complex but the consequences of deregistration are simple enough and illustrate why we have fought so hard to oppose this application.

- **Access:** The three commons of Warcop, Hilton and Murton amount to 3% of Cumbria’s common land. A decision to deregister these commons puts their cultural heritage at risk and gives the MOD discretion to deny local use. We believe that our rich common land should remain for all to enjoy.
- **Protection:** The land will lose protection against encroachment and development since works on common land require the consent of the Secretary of State for Environment, Food and Rural Affairs in addition to any planning permission.
- **Heritage:** It will bring to an end hundreds of years of tradition of upland communing. The farming community, which used to have vital grazing rights over this land, will now be denied any opportunity in future to graze their stock there.”

Cumbria County Council as Commons Registration appointed Alan Evans from Kings Chambers, Leeds to conduct the Inquiry. The MoD, led by QC David Elvin had a six strong team. The lead opponents were the Open Spaces Society who appointed QC George Laurence. Other objectors included ourselves, Foundation for Common Land, Federation of Cumbrian Commoners, Hilton Commoners Association and Murton Parish Council.