

Frequently Asked Questions

Please note:- These FAQs do not constitute legal advice. They are intended for information only and do not cover all aspects of our registration process. If you are in any doubt as to any course of action or correspondence you have received then please consult your solicitor. The contents of these FAQs does not bind the Estate in any way or to any course of action or otherwise.

Q: Why is Lord Egremont registering mineral rights?

This is being done as part of a large exercise to register rights owned by Lord Egremont, part of which was prompted by a change in the law (the Land Registration Act 2002). Although not all of these rights had to be protected in accordance with that change, the decision was taken to register all mineral rights owned. Many of these rights derive from the fact that Lord Egremont is (and his predecessors were) Lord of the Manor of various Manors in West Cumbria.

Q: What are manorial rights?

Manorial rights are ancient land rights dating back to when the land was divided into areas known as manors which were, for the most part, owned by a Lord. People living within the manor had certain rights to the land but usually the overall ownership was with the Lord. This included mineral rights under the land.

Over time, land ownership changed and the manorial system of land organisation and ownership was broken down. Although titles such as Lord of the Manor seem to have little relevance to us today, they do still exist and can have important rights attached to them, surviving from manorial times

Q: Why have I received a Notice from the Land Registry?

The notice has been sent to you by the Registry as it has decided that it needs to make you aware of Lord Egremont's application as it relates to your registered surface land title; in other words, because Lord Egremont has applied to register the mines and minerals under your property.

In some cases Lord Egremont's ownership of the minerals derives from when common land within the manor was inclosed pursuant to an Act of Parliament during the inclosure movement, with the minerals being reserved to the Lord of the Manor. In other cases, the minerals were reserved to the Lord of the Manor when copyhold land (a feudal form of land tenure) was converted into a modern freehold by a process called enfranchisement. Sometimes Lord Egremont's ownership of the minerals will simply have been reserved on the sale of freehold land by him.

It may not be apparent on your registered title that you do not own these rights so the Registry is alerting you to the fact that Lord Egremont is registering his ownership.

If you have received such a Notice and are unsure what to do you should consult your own solicitor.

Q: Does this mean that there will be mineral extraction under my property?

Although Lord Egremont owns substantial mineral interests, there are restrictions on the extraction of minerals such as environmental considerations as well as the need for planning permission. Whilst we are unable to say that extraction will never be considered, we do stress that the reason for this registration exercise is simply to protect Lord Egremont's assets in response to a change in the law.

The registration exercise does not change the position with regard to ownership or potential extraction. Lord Egremont has long owned these rights and could exploit them without having had to register them.

If you are in any doubt as to how this registration affects your property you should consult your own solicitor.

Q: Will this affect the value of my property?

An exclusion of mines and minerals from a title to land is not uncommon and solicitors are used to seeing such exclusions.

If you are in any doubt as to how this registration affects your property you should consult your own solicitor.