

**Commons Act 2006
Section 19(2)(a)
Application to correct the register**

NOTICE OF DETERMINATION

Application Number: CA10/55

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority (“the CRA”), has considered an application submitted by Mr John Maurice Capstick, Mr Robin Joseph Capstick and Mrs Jane Margaret Capstick (“the Applicants”) to correct a mistake in the particulars of the dominant tenements in column 5 of entry number 53 of Commons Register Unit CL39 Ravenstonedale Common as described in the attached notice of application.

Decision

The CRA resolved to accept the application to correct the Register by amending column 5 of Register Unit CL39 Ravenstonedale Common.

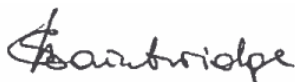
Reasons

No objections were received against the application. The Commons Registration Officer assessed the application and found it to be duly made under the criteria prescribed by the relevant regulations and guidance.

Outcome

Entry 53 of register Unit CL39 has now been deleted and entry 144 created, along with a supplemental map showing the amended dominant tenement.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 7th May 2021

**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 John Maurice Capstick, Mr Robin Joseph Capstick and Mrs Jane Margaret Capstick** (“the Applicants”) to Cumbria County 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 CL39 Ravenstonedale Common.

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

Application number 1478 made by John Handley Capstick and John Dawson, and received by the registration authority on 30th December 1969, resulted in the creation of entry 53 of register unit CL39. Column 5 of that entry lists the common rights as being attached to the O.S. plots numbered 1342, 1391a, 1392, 1393, 1394, 1496, 1511 and part O.S. plot 1391 (“the dominant tenement”). The Applicants believe that the listed dominant tenement is incorrect and does not reflect what the registration authority were asked to register.

The Applicants believe that O.S. field number 1432 was incorrectly listed as 1342 and that O.S. field number 1497 has been omitted from the dominant tenement altogether. They seek to correct these claimed errors. The Applicants’ claims are based upon the map provided with original application number 1478, which is referred to within section 6 of that application.

As well as referring to the land edged red on the accompanying map, section 6 of the original application also contains a list of field numbers which appear to have been added in pencil. These pencilled O.S. numbers correspond to the dominant tenement listed at entry 53. The claimed errors would therefore seem to stem from these pencilled O.S. numbers. It’s the Applicants’ belief that the pencil notes were made by the registration authority when processing the original application. The Applicants therefore believe that the claimed error was made by the registration authority, as the dominant tenement did not accurately reflect what was shown on the map accompanying application 1478.

If the application is granted, the registration authority will give effect to the determination by deleting entry 53 and replacing it with a new entry, removing O.S. field 1342 from the dominant tenement and adding O.S. fields 1432 and 1497.

Any person wishing to make representations:

- must quote the Application No. **CA10/55**
- 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, Petheril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: Commons.Registration@cumbria.gov.uk.

Any representations 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 Applicants and may include other local authorities, Government Departments, public bodies, other organisations and members of the public (Data Protection Act 1998). Representations may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of information Act 2000.

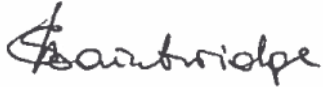
The date on which the period for making representations expires is **5pm on 30th April 2021**

Documents relating to the application are not available online; these are available for inspection at the Commons Registration Service at the above address, strictly by appointment only. Please contact the Commons Registration Team on (01228) 221028 or Commons.Registration@cumbria.gov.uk to arrange an appointment. The documents can also be posted or emailed on request.

The notice and accompanying plan (if any) can be viewed online by accessing Cumbria County Council's website <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>

Signed:

Dated: 17th March 2021



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Svetlana Bainbridge – Commons Registration Officer

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