

**Commons Act 2006 - Section 19(2)(b)  
NOTICE OF APPLICATION TO CORRECT THE REGISTER**

Notice is hereby given that an application has been made by **Albert William Morland** ("the Applicant") to Cumbria County Council as commons registration authority, under Section 19(2)(b) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014. The application relates to common land register unit CL41 Roundthwaite Common.

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

A right to graze: (a) 125 ewes and shearlings, (b) 50 hogs, (c) 10 heads of cattle and (d) 25 ponies with their foals together with the rights of turbary, estovers and to take stone over the whole of the land comprised in this register unit ("the Right") was registered at entry 11 of register unit CL41 pursuant to application number 1200 dated 18<sup>th</sup> November 1969 made by the Applicant in his capacity as the tenant of Roundthwaite Farm, Tebay. The application was prepared and submitted on the Applicant's behalf by Messrs Hogarth & Son Solicitors.

The Applicant claims that he instructed Messrs Hogarth & Son to make two applications in connection with grazing rights, one with regard to the rights to graze ewes and hogs, attached to Roundthwaite Farm and the other with regard to the rights to his own historic grazing, established prior to 1957, of both ponies and cattle which he held in gross. The Applicant further claims that, prior to their submission, he checked and signed the two applications in connection with the abovementioned grazing rights. The commons registration authority has no record of second application having been submitted. Application number 1200 requested that the entire Right was attached to land at Roundthwaite Farm.

The Applicant claims that a mistake was made in the entry made in the register in that the rights to graze cattle and ponies were registered as attached to Roundthwaite Farm, rather than held in gross. The Applicant seeks by this application to correct this mistake.

If the application is granted, the registration authority will give effect to the determination by deleting entry 11 and replacing it with two new entries, one showing a right to graze 125 ewes and shearlings and 50 hogs together with the rights of turbary, estovers and to take stone as being attached to Roundthwaite Farm, and the other showing a right to graze 10 heads of cattle and 25 ponies with their foals as being held in gross. In addition, the two declarations of entitlement to exercise parts of the Right, which are registered at entries 45 and 47, will be amended to remove the cattle and ponies rights.

Any person wishing to make representations:

- must quote the Application No. **CA10/57**;
- 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, Petteiril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: [Commons.Registration@cumbria.gov.uk](mailto: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 24<sup>th</sup> November 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](mailto: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: 12<sup>th</sup> October 2021

.....  
Svetlana Bainbridge – Commons Registration Officer

.....