

**Commons Act 2006
Schedule 3**

Application to amend the register to record an historic event – historic severance of a right of common.

NOTICE OF DETERMINATION

Application Number: CA14/24

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority (“the CRA”) has considered an application submitted by Jonathan Hope (“the Applicant”) to amend the register to record an historic severance of a right of common concerning the right to graze 640 sheep and followers on Uldale Common comprising the whole of the land in this register unit which was registered as attached to O.S. fields numbered 365, pt.367, 412, 411, 407, 406, 426, 425, 427, 428, 429, 430, 431, 432, 433, 405, pt.436, pt.435, 434, pt.391, 395, 388, pt.387, pt.386, pt.381, pt.396, 397, 398, pt.400, 401, 446, 447, 448, 455, 449, 450, 451, 452, 456, 379 (“the Dominant Tenement”) at entry 20 of register unit CL46 (“the Right”).

This application was made as a primary application in conjunction with secondary application CA14/33.

Decision

The CRA resolved to accept the application to amend the register by registering the severance of the proportion of the Right which was attached to O.S. fields numbered 365, 405, 406, 407, 411, 412, 425, 426, 427, 428, 429, 430, 432, 433, 434, 431, pt.367, pt.435, pt.436 and pt.400 (“the Fields”).

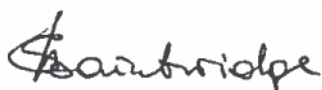
Reasons

The Commons Registration Officer (“the Officer”) assessed the application and found it to be duly made under the criteria prescribed by the relevant regulations and guidance.

The Officer concluded that there was sufficient evidence that severance of the proportion of the Right attached to the Fields took place upon the sale of the Right to the Applicant and Sheila Denise Hope on 29th November 1991.

The register for CL46 Uldale Common has been amended to show the proportion of the Right which was previously attached to the Fields as severed from the land and held in gross and the remainder of the Right as attached to the rest of the Dominant Tenement.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 23rd January 2018