

**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: CA14/76

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority (“the CRA”) has considered an application submitted by Gillian Margaret Hedworth (“the Applicant”) to amend the register to record an historic severance of part of the right of common to graze 350 sheep over the whole of the land comprised in the register unit CL3 Eastern Martindale Common (“the Right”). The Right was originally recorded as attached to O.S. fields numbered 97, 98, 103, 104, 175, 206, 207, 208, 256, 307, 309, 318, 318a, 325, 325a, 336 and 352 on the O.S. map, edition of 1915.

This application was made as a primary application in conjunction with secondary application CA14/77.

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 97, 98, 256, 318 and 318a (“the Fields”).

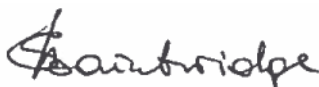
Reasons

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. One objection was received to the application and subsequently withdrawn.

The Officer concluded that there was sufficient evidence that severance of the proportion of the Right attached to the Fields took place upon the transfer dated 26th September 1986.

The register for CL3 Eastern Martindale 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 which is still held by the Applicant as attached to O.S fields numbered 307, 309, 325, 325a, 336 and 352.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 22nd November 2022