

Commons Act 2006 – Schedule 3
NOTICE OF APPLICATION TO AMEND THE REGISTER TO RECORD AN HISTORIC EVENT
Secondary Application - Apportionment

Notice is hereby given that an application has been made by **John Mitchell Angus** and **Eve Gabrielle Napoletani** (“the Applicants”) to Cumbria County Council as Commons Registration Authority, under Schedule 3 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register unit CL69, Birker Fell.

A summary of the effect of the application is as follows: The right to graze 1200 sheep, plus lambs under 9 months old, 26 hill cows plus calves under one year old, 12 heifers to include all female over one year old, until calving their first calf on Birker Fell, comprising the whole of the land in the register unit (“the Right”) is registered as attached to land described as “*High Birkerthwaite and Birkerthwaite*” at entry 8 of register unit CL69.

The Applicants seek by this application to show that the portion of the Right associated with the 66.137 acres of the dominant tenement that was neither transferred with the Right in 1982 or 1990 amounts to 759.93 sheep, 16.47 cows and 7.60 heifers.

This secondary application can only be considered if the primary application (CA14/78) is granted. If granted the Commons Registration will give effect to the determination by creating a new entry in the register (making reference to entry 8) to show the proportion of the Right attached to those 66.137 acres not transferred as having been severed and held in gross under the name of Anita Tattersall, the listed purchaser on the 1990 conveyance which listed the entirety of the Right as having been transferred.

Any person wishing to make representations:

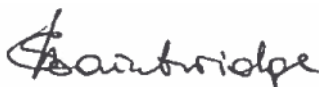
- must quote the Application No. **CA14/79**
- must state the name and postal address of the person making them, and the nature of that person’s interest (if any) in any land affected by the application and may include an e-mail address;
- must state the grounds on which they are made and must be signed by the person making them;
- 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

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

The period for making representations expires at **5pm on 22nd June 2022**.

Documents relating to the application are not available online, although they can be provided on request. Requests should be sent directly to the Commons Registration Service using the contact details above.

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:
Svetlana Bainbridge – Commons Registration Officer

Dated: 10th May 2022