

**Commons Act 2006
Section 8
Application for apportionment of rights of common**

NOTICE OF DETERMINATION

Application Number: CA3/35

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority (“the CRA”), has considered an application submitted by **Stephen Thomas Wales** (“the Applicant”) seeking to apportion the right of common attaching to O.S. field numbers 131, pt 230, 286, 284, 265, 239, 210, 209, 207, 205, 246, pt 247, 194, 195, 189, 181, pt 180, pt 179, 178, 177, 176, 183, 174 and 190 (Edition of 1915) recorded at entry number 47 of CL127 Kirkland Fell, entry number 41 of CL322 The Rigg, Blencarn and entry number 43 of CL323 Blencarn Fell (“the Right”) and to register the apportionment in the register of common land.

Decision

The CRA resolved to accept the application to amend the register by registering the apportionment of the Right.

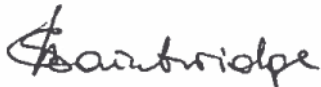
Reasons

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

The rights sections of the register for CL127 Kirkland Fell, CL322 The Rigg, Blencarn and CL323 Blencarn Fell have been amended to show the Right as apportioned in accordance with the Notice of Application as attached to this decision.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 28th May 2020

Commons Act 2006 - Section 8 Notice of application for apportionment of rights of common

Notice is hereby given that an application has been made by **Mr Stephen Thomas Wales** ("the Applicant") to Cumbria County Council as Commons Registration Authority, under Section 8 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014. The application relates to entry number 47 of the common land register unit CL127 Kirkland Fell, entry 43 of the common land register unit CL323 Blencarn Fell and entry 41 of the common land register unit CL322 The Rigg, Blencarn.

A summary of the effect of the application is as follows: the following rights are attached to O.S. field numbers 131, pt230, 286, 284, 265, 239, 210, 209, 207, 205, 246, pt247, 194, 195, 189, 181, pt180, pt179, 178, 177, 176, 183, 174, 190 and are exercisable over the whole of the land in register units CL323, CL322 and over the land south of ABCD in the register unit 127.

Entry 41 CL127 and entry 39 CL323

"The right to graze 263.78 ewes with followers, 176.18 hogs, 21.21 ponies and 14.61 head of cattle."

Entry 37 CL322

"The right to graze 278.39 ewes with followers, 185.91 hogs, 29.21 ponies and 14.61 head of cattle, the right of turbary and cutting bracken." ("The Rights")

Pursuant to the division of the land to which the Rights are attached, the Applicant seeks by their application to register apportionment of the Rights appropriate to the parts of land transferred and now in his ownership.

If the application is granted, in whole or in part, the registration authority will give effect to the determination by making the following amendment to the commons register:

1. Entry number 47 of the common land register unit CL127 Kirkland Fell, entry 43 of the common land register unit CL323 Blencarn Fell and entry 41 of the common land register unit CL322 The Rigg, Blencarn will be deleted and the reference made to the new corresponding entries.

2. Addition of a supplemental map.

3. The following entries will be made to the rights section of the commons register to show the proportionate apportionment of the Rights to the applicant (a) and the remainder of the rights (b):

(a) Common land register units CL127 and CL323

The right to graze 91.41 ewes with followers, 61.05 hogs, 7.35 ponies and 5.06 head of cattle comprising the whole of the land in register unit CL 323 and the land south of ABCD in this register unit.

Common land register unit CL322

The right to graze 96.47 ewes with followers, 64.42 hogs, 10.12 ponies and 5.06 head of cattle on Blencarn Rigg comprising the whole of the land in register unit CL 322

The right is attached to O.S. field numbers 181, pt180, pt179, 178, 177, 176, 183 and 174 as shown coloured blue on the proposed supplemental map;

(b) Common land register units CL127 and CL323

The right to graze 172.37 ewes with followers, 115.13 hogs, 13.86 ponies and 9.55 head of cattle comprising the whole of the land in register unit CL 323 and the land south of ABCD in this register unit.

Common land register unit CL322

The right to graze 181.92 ewes with followers, 121.49 hogs, 19.09 ponies and 9.55 head of cattle on Blencarn Rigg comprising the whole of the land in register unit CL 322

The right is attached to O.S. field numbers 131, pt230, 286, 284, 265, 210, 209, 207, 205, 246, pt247, 194, 195, 189, 190 as shown coloured pink on the proposed supplemental map.

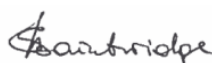
Any person wishing to make representations:

- must quote the Application No. **CA3/35**
- 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 from you 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 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 19th May 2020

Documents relating to the application are available for inspection at the above address, however an appointment is required. The Notice and accompanying plan can also be viewed by accessing Cumbria County Council's website, Commons Registration page: <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>



Signed:
Svetlana Bainbridge – Commons Registration Officer

Dated: 6th April 2020

CA3/35 Proposed Supplemental Map

CL127, CL232, CL233

