

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

NOTICE OF DETERMINATION

Application Number: CA3/44

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority (“the CRA”), has considered an application submitted by **Colin Richard Lewis, Joan Lewis and Mark Richard Lewis** (“the Applicants”) seeking to apportion the right of common attaching to O.S. field numbers 46, 48, pt151, pt178, 179, 182, 183, 188, pt197, pt202, 203, 205, 241, pt253 in the parish of Barton and Pooley Bridge, Penrith recorded at entry number 47 of CL58 Barton 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.

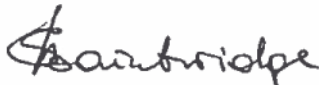
Reasons

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 section of the register for CL58 Barton Fell has been amended to show the Right as apportioned in accordance with the Notice of Application attached to this decision.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 19th December 2022

**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 **Colin Richard Lewis, Joan Lewis and Mark Richard Lewis** ("The Applicants") 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 CL58 Barton Fell.

A summary of the effect of the application is as follows: The following right is attached O.S. field numbers 46, 48, pt151, pt178, 179, 182, 183, 188, pt197, pt202, 203, 205, 241, pt253 in the parish of Barton and Pooley Bridge, Penrith, and is exercisable over the whole of the land in register unit CL58 Barton Fell.

"The right to graze (a) 127.64 ewes with their followers and (b) 46.41 hogs over the whole of the land comprised in this register unit" ("The Right").

Pursuant to the division of the land to which the Right is attached, the Applicants seek by their application to register apportionment of the Right appropriate to the parts of land transferred and now in their 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 will be deleted and reference made to the new corresponding entries.
2. Addition of supplemental maps.
3. The following entries will be made to the rights section of the commons register to show the proportionate apportionment of the Right to the Applicants (a), and the remainder of the Right (b).

a. The right to graze (a) 98.65 ewes with their followers and (b) 35.87 hogs over the whole of the land comprised in this register unit. The right is attached to O.S. field numbers 46, 48, pt151, pt178, 179, 182, 183, 188, and pt241 as shown coloured green on the proposed supplemental map.

b. The right to graze (a) 28.99 ewes with their followers and (b) 10.54 hogs over the whole of the land comprised in this register unit. The right is attached to O.S. field numbers pt197, pt202, 203, 205, pt241, pt253 as shown coloured pink on the proposed supplemental map.

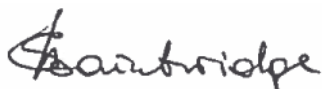
Any person wishing to make representations:

- must quote the Application No. **CA3/44**
- 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, Petteril 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 authority to disclose information received from you 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 period for making representations expires at 5pm on **16th December 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.

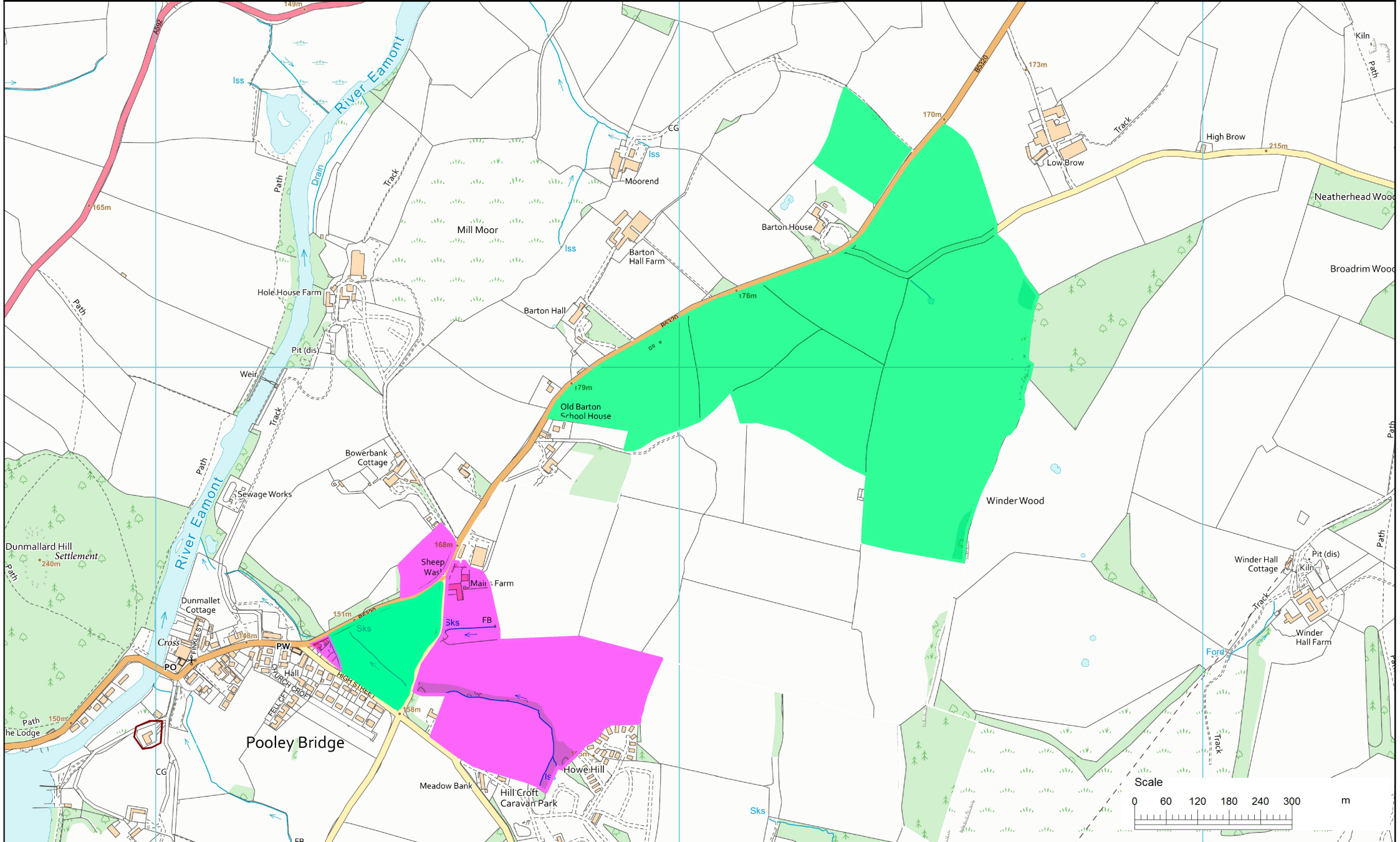


Signed:
Svetlana Bainbridge – Commons Registration Officer

Dated: 3rd November 2022

CA3/44 Proposed Supplemental Map

CL58 Barton Fell, Entry 47



Notes:

Scale at A4: 1:9000

