

Commons Act 2006 – Section 8

Application for the apportionment of a right of common

NOTICE OF DETERMINATION

Application Number: CA3/46

Notice is hereby given that Cumberland Council, as the Commons Registration Authority (“the CRA”), has considered an application submitted by **Timothy Charles Cant** and **Andrea Cant**, **Geoffrey Ostle** and **Alison Margaret Ostle**, and **Andrew Stevens** and **Hannah Stevens** (“The Applicants”). The application sought to apportion the right of common attached to O.S. field numbers 1160, 1287pt, 1295pt, 1296, 1297, 1298, 1299, 1300pt, 1301pt, 1302pt, 1303pt, 1304, 1311 and 1312pt, recorded at entry 396 of commons register unit CL20, Caldbeck Common (“the Right”).

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. No objections were received against the application.

Outcome

The rights section of the register for CL20 Caldbeck Common 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: 14th June 2023



Working for Cumberland Council and
Westmorland & Furness Council

Commons Act 2006 – Section 8

NOTICE OF APPLICATION FOR THE APPORTIONMENT OF A RIGHT OF COMMON

Notice is hereby given that an application has been made by **Timothy Charles Cant** and **Andrea Cant**, **Geoffrey Ostle** and **Alison Margaret Ostle**, and **Andrew Stevens** and **Hannah Stevens** (“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 396 of common land register unit CL20 Caldbeck Common.

A summary of the effect of the application is as follows:

The right to graze 181 sheep and 10 cattle, year-round, on Ellerbeck and Faulds Brow, Caldbeck, comprising the whole of the land in register unit CL20 is attached to O.S. field numbers 1160, 1287pt, 1295pt, 1296, 1297, 1298, 1299, 1300pt, 1301pt, 1302pt, 1303pt, 1304, 1311 and 1312pt (“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 396 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 (a) Timothy Charles Cant and Andrea Cant, (b) Geoffrey Ostle and Alison Margaret Ostle, (c) Andrew Stevens and Hannah Stevens, and (d) the remainder of the Right:
 - a. The right to graze 17.29 sheep and 0.96 cattle, year-round, on Ellerbeck and Faulds Brow, Caldbeck, comprising the whole of the land in register unit CL20 is attached to O.S. field numbers 1295pt, 1300pt, 1301pt, 1302pt and 1303pt, as shown coloured red on the proposed supplemental map.
 - b. The right to graze 136.70 sheep and 7.55 cattle, year-round, on Ellerbeck and Faulds Brow, Caldbeck, comprising the whole of the land in register unit CL20 is attached to O.S. field numbers 1160, 1287pt, 1295pt, 1296, 1297, 1298, 1299, 1300pt, 1303pt and 1304, as shown coloured blue on the proposed supplemental map.
 - c. The right to graze 24.54 sheep and 1.36 cattle, year-round, on Ellerbeck and Faulds Brow, Caldbeck, comprising the whole of the land in register unit CL20 is attached to O.S. field numbers 1311 and 1312pt, as shown coloured orange on the proposed supplemental map.
 - d. The right to graze 2.47 sheep and 0.14 cattle, year-round, on Ellerbeck and Faulds Brow, Caldbeck, comprising the whole of the land in register unit CL20 is attached to O.S. field number 1312pt, as shown coloured green on the proposed supplemental map.



Working for Cumberland Council and
Westmorland & Furness Council

Any person wishing to make representations:

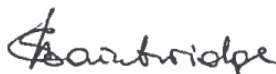
- must quote the Application No. **CA3/46**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds on which they are made; and
- must be sent to: The Commons Registration Service, Lady Gillford's House, Petteiril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: commons.registration@cumberland.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 **31st May 2023**.

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 Cumberland Council's website <https://legacy.cumberland.gov.uk/commons/notices>



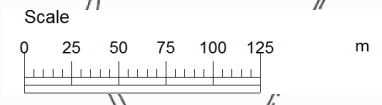
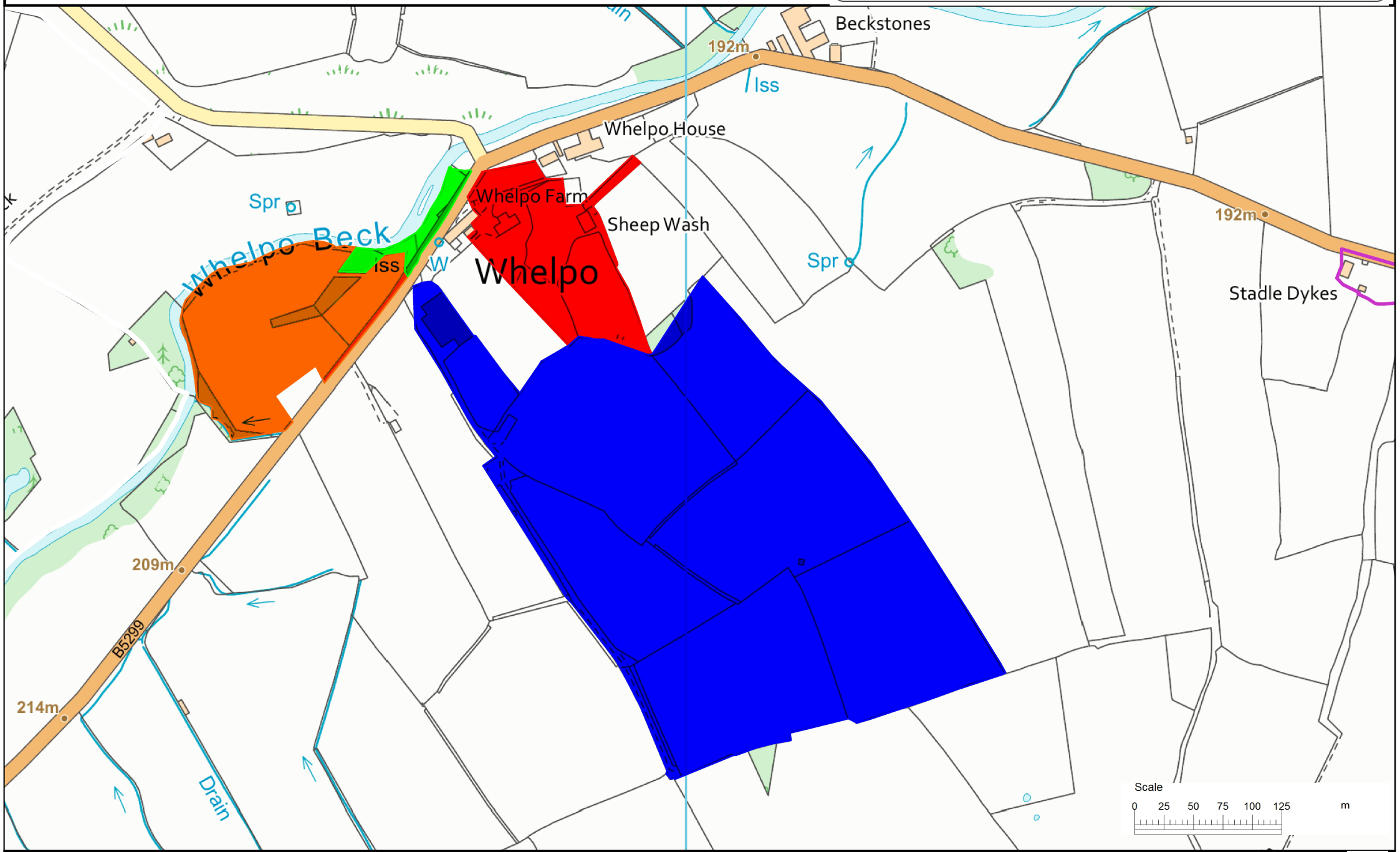
Signed:

Dated: 18th April 2023

Svetlana Bainbridge, Commons Registration Officer

CA3/46 Proposed Supplemental Map

CL20 Caldbeck Common, entry 396



Notes:

Scale at A4: 1:4000

