

Commons Act 2006  
Section 19  
Proposal to correct the register

NOTICE OF DETERMINATION

Application Number: CCC/P/7

**Background**

Please see attached Proposal which outlines the case.

**Legislative Requirements**

Section 19(2)(a) specifically allows for a commons registration authority to amend its registers of common land to correct a mistake made by the commons registration authority in making or amending an entry in the register.

The Proposal confirms that the particulars of the right of common as described in column 5 of entries 48 and 49 have been recorded incorrectly, in so far as part field 359 should have been included at both entries and the apportionment calculations should have stated 7.90 sheep at entry 48 and 185.86 sheep at entry 49.

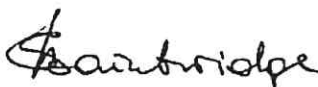
**Representations**

No official representations were received.

**Decision**

The Proposal is approved and entries 48 and 49 of Register Unit CL66 have been deleted and replaced with two new entries, with the particulars of the land to which the right of common is attached now including part field 359 at both new entries and the correct apportionment calculations stated at both new entries.

Signed



.....  
Svetlana Bainbridge – Commons Registration Officer

Dated: 27<sup>th</sup> February 2020

**A Proposal by Cumbria County Council  
Section 19 of the Commons Act 2006  
Correction of the Register  
Apportionment incorrectly calculated**

In accordance with paragraph 18(1) of The Commons Registration (England) Regulations 2014 please find below a statement in writing describing the proposal and the justification behind it.

**Description of the proposal:**

It has become apparent that an error was made by the Commons Registration Authority when updating the commons register for CL66 Saddleback in 2019 to record an apportionment of rights. The apportionment was based upon a Land Registry Title and plan that was submitted with the application. It has since become apparent that the plan was superseded and the applicants did not own all of the land over which they were claiming the rights.

**Justification for the proposal:**

The Commons Registration Authority believe that correcting this mistake, and therefore ensuring the accuracy of the commons register would be in the public interest, particularly as the remaining rights are likely to be apportioned further.

Official notice of proposal to follow



**A Proposal by Cumbria County Council  
Section 19 of the Commons Act 2006  
Correction of the Register**

Notice is hereby given that a proposal has been made by **Cumbria County Council** ("the Proposer") as the Commons Registration Authority, under Section 19(2)(a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The proposal relates to register unit CL66 Saddleback.

A summary of the effect of the application is as follows: An application for the amendment of register entry 23 to record an apportionment was made on 25<sup>th</sup> February 2019 ('the 2019 Application'). The 2019 Application resulted in the apportioned rights of 11.06 sheep being recorded at entry 48, and the remaining rights of 182.70 sheep being recorded at entry 49. The apportionment was based upon a Land Registry Title and plan that was submitted with the application. It has since become apparent that the plan was superseded and the applicants did not own all of the land over which they were claiming the rights. The correct apportionment at entry 48 should have been recorded as 7.90 sheep and at entry 49 should have been recorded as 185.86. The Proposer seeks by this proposal to correct that mistake.

If the proposal is granted the Commons Registration Authority will give effect to the determination by deleting current entries 48 and 49 (making reference to the new corresponding entries), and making new entries in the register showing the correct apportionment.

Any person wishing to make representations:

- must quote the Proposal No. **CCC/P17**
- 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 proposal 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, Petteril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: [Commons.Registration@cumbria.gov.uk](mailto:Commons.Registration@cumbria.gov.uk)

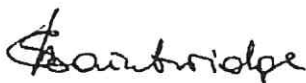
Any representations made will not be treated as confidential. To determine the proposal it will be necessary for the Commons Registration Authority to disclose information received to others, which may include other local authorities, Government Departments, public bodies, other organisations and members 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 24th February 2020**.

Documents relating to the proposal are not available online; these are only available for inspection at the Commons Registration Service at the above address, strictly by appointment only. Please contact the Commons Registration Team on (01228) 221026 to arrange an appointment

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:



Dated: 9<sup>th</sup> January 2020

Svetlana Bainbridge - Commons Registration Officer