

Commons Act 2006 – Section 8

Application for the apportionment of a right of common

NOTICE OF DETERMINATION

Application Number: CA3/50

Notice is hereby given that Cumberland Council, as the Commons Registration Authority (“the CRA”), has considered an application submitted by **Michael Graham Todhunter** and **Arthur Graham Todhunter** (“the Applicants”) seeking to apportion the rights of common attaching to O.S. field numbers 910, 911 and 771, which are exercisable over Caldbeck Common (“the Rights”). The Rights were recorded at entry number 419 of common land register unit CL20 Caldbeck Common. The Applicants sought to register an apportionment of the Rights, by recording the portion of the Rights attaching to O.S. field numbers 910, 911 and pt771 in their names.

Decision

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

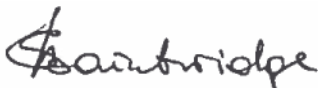
Reasons

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 Rights 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 November 2024



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 was made by **Michael Graham Todhunter and Arthur Graham Todhunter** (“The Applicants”) to Cumberland 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 419 of common land register unit CL20 Caldbeck Common.

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

The right to graze 28 sheep, 2 cattle and 1 pony and the right of turbary on Caldbeck Fell comprising the whole of the land in this register unit is registered as attached to O.S. field numbers 910, 911 and 771 (“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 419 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) The Applicants, and (b) the remainder of the Right:
 - a. The right to graze 24.61 sheep, 1.76 cattle and 0.88 pony and the right of turbary on Caldbeck Fell comprising the whole of the land in this register unit is attached to O.S. field numbers 910, 911 and pt771, as shown coloured orange on the proposed supplemental map.
 - b. The right to graze 3.39 sheep, 0.24 cattle and 0.12 pony on Caldbeck Fell comprising the whole of the land in this register unit is attached to O.S. field number pt771, as shown coloured yellow on the proposed supplemental map.

Any person wishing to make representations:

- must quote the Application No. **CA3/50**
- 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, Petteril 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 Applicants 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.

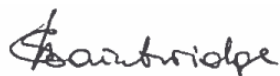
The period for making representations expires at 5pm on **15th November 2024**.



Working for Cumberland Council and
Westmorland & Furness Council

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.

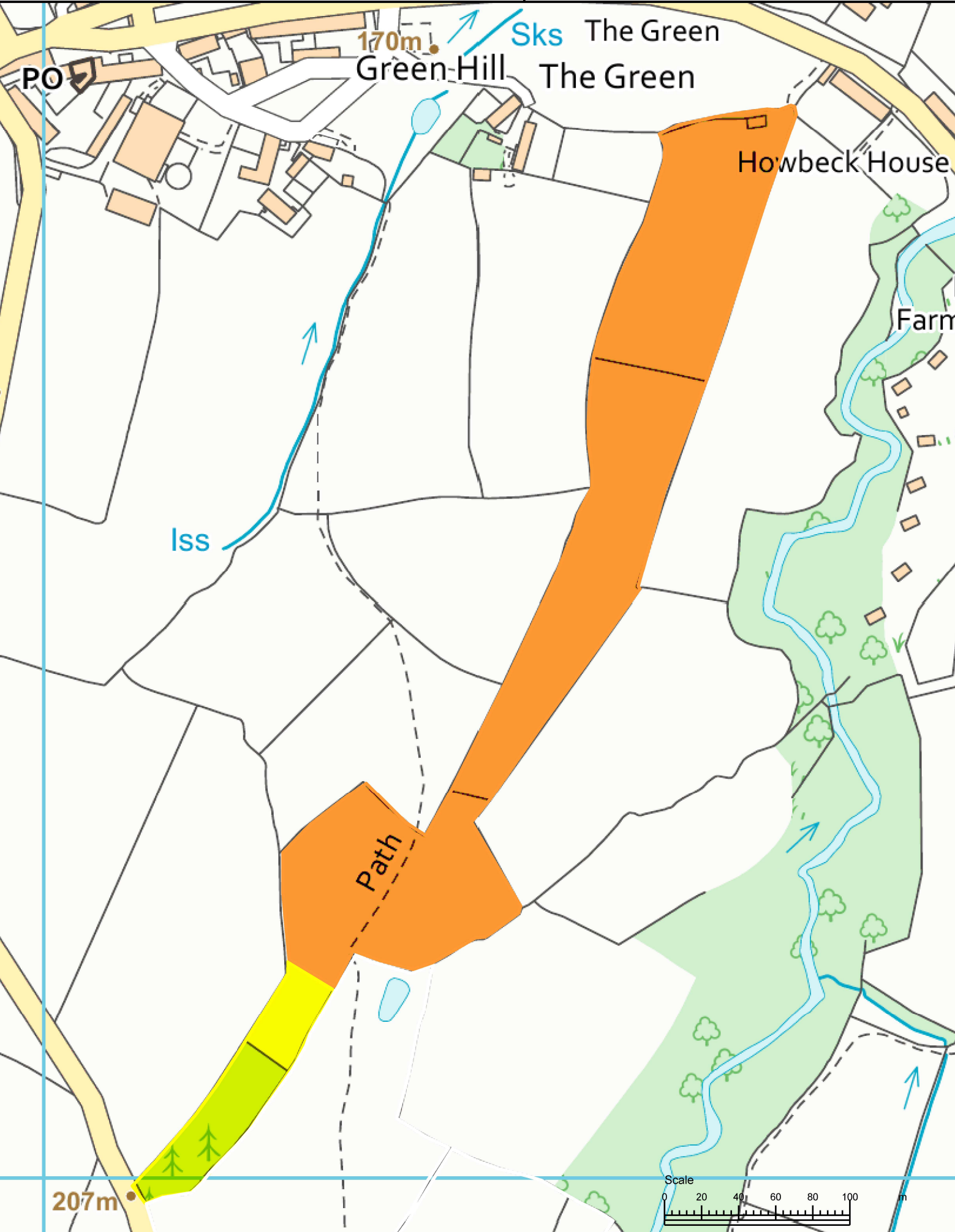
The notice and accompanying plan (if any) can be viewed online by accessing Cumberland Council's website <https://www.cumberland.gov.uk/planning-and-building-control/conservation/commons-registration/commons-registration-notice>



Signed:

Dated: 4th October 2024

Svetlana Bainbridge, Commons Registration Officer



Notes:

Scale at A4: 1:2500

