

The Commons Act 2006 - Section 19 2(a)
NOTICE OF APPLICATION TO CORRECT THE REGISTER

Notice is hereby given that an application has been made by **John Keith Benn and Thomas Alan Benn** ("the Applicants") to Cumbria County Council as Commons Registration Authority, under Section 19 (2) paragraph (a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014. The application relates to common land register units "CL60 – Carrock Fell and Mungrisedale Fell" and "CL20 – Caldbeck Common".

A summary of the effect of the application is as follows: An application to register the right to graze 284 sheep ("the Rights") was made on 30th December 1969 and numbered 2032 ("the 1969 Application"). The 1969 Application described the land over which the Rights were exercisable as "Bowscale Fell and Carrock Fell". Subsequent to the 1969 Application, entry 18 was created in register unit CL60 - Carrock Fell and Mungrisedale Fell, with the Rights attached to Low Mill Farm. The land known as Bowscale Fell was not given a separate common land registration entry, however it formed part of CL60. CL60 was wrongly named "Carrock Fell and Mungrisedale Fell" and actually comprised "Bowscale Fell and Mungrisedale Fell". Carrock Fell is part of register unit CL20 – Caldbeck Common. No entry was created in common land register unit CL20 to allocate the Rights created by the 1969 Application in relation to the land known as Carrock Fell. The Applicants claim that the Commons Registration Authority made an error by not recording a corresponding entry in register unit CL20 - Caldbeck Common.

If the application is granted, in whole or in part, the Commons Registration Authority will give effect to the determination by creating a new entry in common land register unit CL20 – Caldbeck Common allocating the Rights attached to Low Mill Farm over the land previously known as Carrock Fell, in accordance with the 1969 Application. For clarification, the entry will be noted to be exercisable in conjunction with the rights registered in entry number 18 of register unit CL60 – Carrock Fell and Mungrisedale Fell, and will not create new rights, the total number of rights exercisable as a whole will remain as 284 sheep rights in total.

Any person wishing to make representations:

- must quote the Application No. **CA10/17**
- 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@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 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 26th April 2016

Documents relating to the application 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.

This notice and accompanying plan (if any) can be viewed online by accessing Cumbria County Council's website <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>

Signed: 
Shamim Lindsay (Group Solicitor/Manager)

Dated: 15th March 2016