

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

NOTICE OF DETERMINATION

Application Number: CA3/2

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority ("the CRA"), has considered an application submitted by David Richardson and Mark Andrew Richardson ("the Applicants") seeking to apportion the right of common attaching to Lythside Farm, Ravenstonedale and registered at entry 81 of register unit CL37 Flass and part of Ash 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.

The rights section of the register for CL37 Flass and part of Ash Fell has been amended to show the Right as apportioned in accordance with the Notice of Application as attached to this decision.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 14th September 2016

**The 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 Mr David Richardson and Mark Andrew Richardson ("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 81 of the common land register unit CL37 – Flass and part of Ash Fell.

A summary of the effect of the application is as follows: The following rights are attached to Lythside Farm, Ravenstonedale comprising O.S. field numbers 844, 845, 879, 991, 992 and 997 and are exercisable over the whole of the land in register unit CL37 – Flass and part of Ash Fell:

"The right to graze:- (a) 55.69 ewes with their followers and (b) 18.8 gimmer hogs (c) 7.66 head of cattle (d) sheep and cattle in the proportion of 10 sheep equivalent to 1 beast and (e) 1.4 horses, together with the right to take stone" (The Rights").

Pursuant to the division of the land to which the Rights are attached, the Applicants seek by their application to register apportionment of the Rights 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 81 will be deleted.
2. Addition of a supplemental map.
3. The following entries will be made to the right section of the commons register to show the proportionate apportionment of the right to the Applicants (i) and the remainder of the right (ii):
 - i. To graze (a) 16.57 ewes with their followers and (b) 5.6 gimmer hogs (c) 2.3 head of cattle (d) sheep and cattle in the proportion of 10 sheep equivalent to 1 beast and (e) 0.4 horses, over the whole of the land comprised in this register unit. The right is attached to O.S. field number 879 shown coloured brown on the supplemental map.
 - ii. To graze: (a) 39.12 ewes with their followers and (b) 13.2 gimmer hogs (c) 5.36 head of cattle (d) sheep and cattle in the proportion of 10 sheep equivalent to 1 beast and (e) 1 horse, together with the right to take stone over the whole of the land comprised in this register unit. The right is attached to Lythside Farm comprising O.S. field numbers 844, 845, 991, 992 and 997 shown coloured pink on the supplemental map.

Any person wishing to make representations:

- must quote the Application No. CA3/2
- 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 emailed to 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 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 2nd September 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. The 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:
Svetlana Bainbridge – Commons Registration Officer

Dated: 21st July 2016

CA3/2 Supplemental Map

