

**Commons Act 2006
Schedule 3**

Application to amend the register to record an historic event – historic severance of a right of common.

NOTICE OF DETERMINATION

Application Number: CA14/15

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority (“the CRA”), has at a meeting of its Development Control and Regulation Committee (“the Committee”) on the 15th August 2017 considered an application submitted by Thomas John Dixon (“the Applicant”) to amend the register to record an historic severance of a right of common concerning the right to graze 200 sheep on Ousby Fell comprising the whole of the land in this register unit which was registered as attached to O.S. fields numbered 503, 505, 501, 357, 359, 498, 416, 417, 419, 413, 429, 432, 487, 484, 482, 64, part 63, 402, 148, 245, 506, 145 and 496 (“the Dominant Tenement”) at entry 6 of register unit CL125 (“the Right”).

Decision

The Committee resolved to accept the application to amend the register by registering the severance of the proportion of the Right which was attached to O.S. field number 432 (“the Field”).

Reasons

The Committee took into account a report written by the Commons Registration Officer (“the Officer”). The Officer’s report made a recommendation to the Committee to accept the application on the grounds that there is sufficient evidence that severance of the proportion of the Right attached to the Field took place upon the sale of the Field by the Applicant to Peter Robinson Smith on 1st September 1981.

The register for CL125 Ousby Fell has been amended to show the proportion of the Right which was previously attached to the Field as severed from the land and held in gross and the remainder of the Right as attached to the rest of the Dominant Tenement.

Documentation

Minutes of the meeting providing the Committee’s decision, the Officer’s report and a plan of the Application Land are available at:

<http://councilportal.cumbria.gov.uk/mgCommitteeDetails.aspx?ID=124>

Signed



Angela Jones – Assistant Director Economy and Environment

Dated: 21st August 2017