

**Commons Act 2006  
Section 19  
Proposal to correct the register**

**NOTICE OF DETERMINATION**

**Application Number: CCC/P/1**

**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 land to which the rights are attached, as described in column 5 of entries 47 and 48 of register unit CL189 Bethecar Moor, were transposed when the register was updated in 2012.

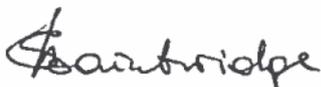
**Representations**

No representations were received.

**Decision**

The Proposal is approved and entries 47 and 48 of Register Unit CL189 have been deleted and replaced with two new entries, with the particulars of the land now having been assigned to the correct register entries.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 12<sup>th</sup> December 2017

**A Proposal by Cumbria County Council  
Section 19 of the Commons Act 2006  
Correction of the Register  
Description of the land transposed to wrong register entries**

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 CL189 Bethacar Moor in 2012 to record an apportionment of rights. The particulars of the land to which the rights are attached as described in column 5 of entries 47 and 48 have been transposed, and are therefore currently assigned to the wrong register entries.

**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**

**Description of the land transposed to wrong register entries**

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 CL189 Bethacar Moor.

A summary of the effect of the application is as follows: An application for the amendment of register entry 42 to record an apportionment was made on 10<sup>th</sup> January 2012 ('the 2012 Application'). The 2012 Application resulted in the apportioned rights of 14 sheep or 1 head of cattle or ½ horse being recorded at entry 47, and the remaining rights of 135 sheep or 14 head of cattle or 7 horses being recorded at entry 48. Unfortunately the particulars of the land described in column 5 have been transposed, with the description of the land relating to entry 47 being recorded at entry 48, and vice-versa.

If the proposal is granted the Commons Registration Authority will give effect to the determination by deleting current entries 47 and 48 (making reference to the new corresponding entries), and making two new entries in the register which would have the particulars of the land assigned to the correct register entries.

Any person wishing to make representations:

- must quote the Proposal No. **CCC/P/1**
- 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

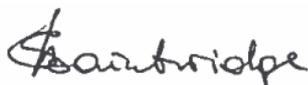
Any representations made will not be treated as confidential. To determine the proposal it will be necessary for the Commons Registration Authority to disclose information received to others, which may include other local authorities, Government Departments, public bodies, other organisations and members 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 28<sup>th</sup> July 2017**

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: 15<sup>th</sup> June 2017

Svetlana Bainbridge - Commons Registration Officer