

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

NOTICE OF DETERMINATION

Application Number: CA3/18

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority ("the CRA"), has considered an application submitted by **John Andrew Bellas** and **Valerie Bellas** ("the Applicants") seeking to apportion part of the right of common attaching to O.S. field numbers 691, 730, 750, 800, 803, 804, 852, 860, 861 and 439 and 440 recorded at entry numbers 107 of CL81 Dufton Fell and 184 of CL82 Dufton Fell (disputed area) ("the Right"). The applicants are claiming ownership of part of the right relating to O.S. field numbers 803, 804 and 852 and seek to register their apportionment to the right in the registers of common land.

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.

Outcome

The rights section of the registers for CL81 Dufton Fell and CL82 Dufton Fell (disputed area) have 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: 30 August 2018

Commons Act 2006 - Section 8
NOTICE OF APPLICATION FOR APPORTIONMENT OF RIGHTS OF COMMON

Reissued

Notice is hereby given that an application has been made by **John Andrew Bellas and Valerie Bellas** ("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 numbers 107 of the common land register unit CL81 Dufton Fell and 184 of CL82 Dufton Fell (disputed area).

A summary of the effect of the application is as follows: "The right to graze: (a) 37.44 ewes and followers and (b) 34.48 hogs over the whole of the land comprised in this register unit CL81 together with the whole of the land comprised in register unit CL82 ("The Right") is attached to O.S. field numbers 691, 730, 750, 800, 803, 804, 852, 860, 861 on the O.S map of the Parish of Murton (Edition of 1915) and O.S. field numbers 439 and 440 on the O.S. map of the Parish of Dufton (Edition of 1915).

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 numbers 107 and 184 will be deleted and the 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 the applicants (1) and the remainder of the rights (2):

1. The right to graze (a) 7.82 sheep and followers and (b) 7.20 hogs on CL81 Dufton Fell and CL82 Dufton Fell (disputed area), comprising the whole of the land in these register units. The right is attached to O.S. field numbers 803, 804 and 852 on the O.S map of the Parish of Murton (Edition of 1915) as shown coloured yellow on the proposed supplemental map.
2. The right to graze (a) 29.62 sheep and followers and (b) 27.28 hogs on CL81 Dufton Fell and CL82 Dufton Fell (disputed area), comprising the whole of the land in these register units. The right is attached to O.S. field numbers 691, 730, 750, 800, 860, 861 on the O.S map of the Parish of Murton (Edition of 1915) and 439 and 440 on the O.S. map Parish of Dufton (Edition of 1915) as shown coloured blue on the proposed supplemental map.

Any person wishing to make representations:

- must quote the Application No. **CA3/18**
- 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 state the grounds on which they are made and must be signed by the person making them;
- must be sent to: The Commons Registration Service, Lady Gillford's House, Petheril 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 authority to disclose information received from you 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 **24 August 2018**.

Documents relating to the application are available for inspection at the above address, however an appointment is required. 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:
Svetlana Bainbridge – Commons Registration Officer

Dated: 12 July 2018