

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: CA14/26

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 5th October 2018 considered an application submitted by John Keith Benn (“the Applicant”) to amend the register to record an historic severance of part of the right of common relating to the right to graze 46 units on Bowscale Fell, which was registered at entry 28 of register unit CL60 as attached to O.S field numbers 70, 71, 60, 24, 42 (“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. fields numbered 70 and 71.

Reasons

The Committee took into account a report written by the Commons Officer (“the Officer”). The Officer’s report made a recommendation to the Committee to accept the application on the grounds that, on the balance of probabilities, there is sufficient evidence that severance of the proportion of the Right has occurred.

The register for CL60 Bowscale Fell has been amended to show the proportion of the Right which was previously attached to O.S fields numbered 70 and 71 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 and the Officer’s report are available at:

<http://councilportal.cumbria.gov.uk/ieListMeetings.aspx?CommitteeId=124>

Signed



Angela Jones – Assistant Director Economy and Environment
Dated: 5th October 2018