

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: CA14/60

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 14th November 2018 considered an application submitted by Dennis Henry Strong to amend the register to record an historic severance of part of the right of common relating to the right to graze 100 ewes, 50 hogs and 100 lambs on West Fell, which was originally registered at entry 92 of register unit CL20 Caldbeck Common. The rights were recorded as attached to land at Scalerigg House comprising of O.S. field numbers 167, 168, 166, 161, 160, 162, 165, 157, 159, 163, 164, 106, 105, 104 and 103 (“the Right”).

Decision

The Committee resolved to accept the application to amend the register by registering the severance of the remaining proportion of the Right which was originally attached to O.S. field numbers 167, 168, 166, 161, 160, 162, 165, 157, 159, 163 and 164.

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 CL20 Caldbeck Common has been amended to show the proportion of the Right which was previously attached to O.S. field numbers 167, 168, 166, 161, 160, 162, 165, 157, 159, 163 and 164, and had not been severed already, as severed from the land and held in gross.

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: 16 November 2018