

**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: CA14/36**

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 14<sup>th</sup> November 2018 considered an application submitted by Elizabeth Ann and Gordon Moore to amend the register to record an historic severance of part of the right of common relating to the right to graze 147 sheep or the equivalent number of cattle on Aughtertree and Uldale Fells, which was registered at entry 61 of register unit CL46 as attached to O.S. field numbered 103, 104, 105, 106, 107, 113, 114, 15, 116, 117, 119, 120, 121, 122, 123, 125, 127, 128, 129, 253, 254, 255, 257, 262 (“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 115, 116, 117, 119, 120, 121 and 125.

**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, on the balance of probabilities, there is sufficient evidence that severance of the proportion of the Right has occurred.

The register for CL46 Uldale Fells has been amended to show the proportion of the Right which was previously attached to O.S fields numbered 115, 116, 117, 119, 120, 121 and 125 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?CommitteId=124>

Signed



Angela Jones – Assistant Director Economy and Environment  
Dated: 16 November 2018