

Commons Act 2006

Schedule 3

Application to amend the register to record an historic event – historic apportionment of a right of common.

NOTICE OF DETERMINATION

Application Number: CA14/68

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority (“the CRA”) has considered an application submitted by Brian Rawson Rycroft & Richard Fitzpatrick De Robeck (“the Applicants”) to amend the register to record an historic apportionment of a right of common concerning the right to graze 320 ewes and shearlings, 100 hogs, 25 head of cattle, 12 ponies and 40 geese over the whole of the land comprised in register units CL38, CL39 and CL40 (“the Right”). The Right was originally recorded as attached to O.S. fields numbered 470, 1209, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1228, 1231, 1232, 1233, 1234, 1235, 1236, 1238 and 1242 and the Applicant aimed to show that the proportion of the Right relating to O.S. fields 470, 1209, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1228, 1231, 1232, 1235, 1236 and 1238 (“the Fields”) equates to 256.07 ewes and shearlings, 80.02 hogs, 20.01 head of cattle, 9.60 ponies and 32.01 geese.

The application was made in conjunction with application CA14/67 to record an historic severance of the part of the Right (“the Primary Application”)

Decision

The CRA resolved to accept the application to amend the register by registering the apportionment of the Right, showing the proportion of the Right attached to the Fields as having been apportioned in line with the Applicants’ calculations.

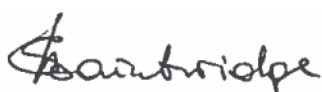
Reasons

The Commons Registration Officer assessed the application and found it to be duly made under the criteria prescribed by the relevant regulations and guidance. No objections were received to the application.

The Primary Application was accepted by the CRA.

The registers for CL38 Cote Moor, CL39 Ravenstonedale Common and CL40 Greenrigg, part of Ravenstonedale Common have been amended to show the proportion of the Right which was previously attached to the Fields as being apportioned from the land in line with the Applicants’ calculations (before subsequently being severed from the land and held in gross), and the remainder of the Right as attached to the rest of the dominant tenement.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 3rd December 2018