

Commons Act 2006 – Schedule 3 NOTICE OF APPLICATION TO AMEND THE REGISTER TO RECORD AN HISTORIC EVENT Primary Application - Severance

Reissued

Notice is hereby given that an application has been made by **William Anthony Shaw Kilvington and Sandra Atkinson** (“the Applicants”) to Cumbria County Council as Commons Registration Authority, under Schedule 3 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land registers CL93 North and East Mallerstang and CL94 Western Mallerstang Common, south of Friths.

A summary of the effect of the application is as follows: The right to graze:- (a) 300 ewes with their unweaned lambs and 100 hogs or 40 head of cattle, or sheep and cattle together on the basis of 1 beast to 10 sheep, (b) 3 horses with their foals and (c) 12 pigs over the whole of the land comprised in register units No CL94 and CL93 (“the Right”) was attached to land at Daisy Farm, Outhgill, Mallerstang, Westmorland at entry 17 of CL94 and at entry 23 of CL93 comprising O.S. plots numbered 139, 140, 143, 144, 145, 157, 158, 159, 160, 164, 166, 167, 167a, 168, 176, 213 and 220 on the O.S. Map (Edition of 1915) of the parish of Mallerstang, Westmorland. As a result of a Transfer made on 18th April 1998 the right to graze (a) 300 ewes with their unweaned lambs and 100 hogs or 40 head of cattle, or sheep and cattle together on the basis of 1 beast to 10 sheep and (c) the right to graze 12 pigs were transferred along with field O.S. 220, and as a result of an application made in May 1998 all of the above sheep and pig rights were shown as attached to O.S. 220 at entry 43 of CL94 and entry 66 of CL93. The remaining right to graze (b) 3 horses with their foals was shown as attached to the rest of the dominant tenement at entry 67 of CL93 and entry 44 of CL94.

The Applicants claim that the effect of the Transfer of 18th April 1998 was to sever a portion of the rights, leaving a portion proportionally attached to the transferred land which formed part of the original dominant tenement, and the remaining rights held in gross. The Applicants seek by this application to register the severance in the register.

Any person wishing to make representations:

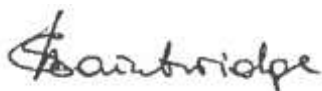
- must quote the Application No. **CA14/69**
- must state the name and postal address of the person making them, and the nature of that person’s interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds on which they are made; and
- must be sent to: The Commons Registration Service, Lady Gillford’s House, Petteiril 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 commons registration authority to disclose information received to others, which will include the Applicant and may include other local authorities, Government Departments, public bodies, other organisations and members of the public (Data Protection Act 1998). Representations may also 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 25th January 2019**.

Documents relating to the application are not available online; these are only available for inspection at The Commons Registration Service at the above address, strictly by appointment only. Please contact the Commons Registration Team on (01228) 221026 to arrange an appointment.

The notice and accompanying plan (if any) can be viewed online by accessing Cumbria County Council’s website <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>



Signed:
Svetlana Bainbridge – Commons Registration Officer

Dated: 12th December 2018