

**Commons Act 2006
Section 8
Application for apportionment of rights of common**

NOTICE OF DETERMINATION

Application Number: CA3/13

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority ("the CRA"), has considered an application submitted by **Thomas Alan Benn (1), John Keith Benn (2)** and **Andrew Joseph Fell and Joanne Marie Fell (3)** ("the Applicants") seeking to apportion the right of common attaching to O.S fields numbered 60, 42 and 24 recorded at entry number 47 of register unit CL60 Carrock Fell and Mungrisdale Fell ("the Right") and to register the apportionment in the register of common land.

Decision

The CRA resolved to accept the application to amend the register by registering the apportionment of the Right.

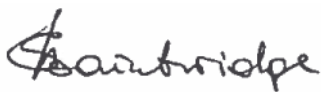
Reasons

The Commons Registration Officer assessed the application and found it to be duly made under the criteria prescribed by the relevant regulations and guidance.

Outcome

The rights section of the register for CL60 Carrock Fell and Mungrisdale Fell has been amended to show the Right as apportioned in accordance with the Notice of Application as attached to this decision.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 10th June 2019

Commons Act 2006 - Section 8 NOTICE OF APPLICATION FOR APPORTIONMENT OF RIGHTS OF COMMON

Notice is hereby given that an application has been made by **John Keith Benn (1), Thomas Alan Benn (2) and Andrew Joseph Fell and Joanne Marie Fell (3)** ("The Applicants") to Cumbria County Council as Commons Registration Authority, under Section 8 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014. The application relates to entry number 47 of the common land register unit CL60. A summary of the effect of the application is as follows: The following right is attached to O.S. numbers 60, 24 and 42 and is exercisable over the whole of the land in register unit CL60 Carrock Fell and Mungrisdale Fell.

"The right to graze 31.22 units" ("The Right").

Pursuant to the division of the land to which the Right is attached, the Applicants seek by their application to register apportionment of the Right appropriate to the parts of land transferred and now in their ownership.

If the application is granted, in whole or in part, the registration authority will give effect to the determination by making the following amendment to the commons register:

1. Entry number 47 will be deleted and the reference made to the new corresponding entries.
2. Addition of a supplemental map.
3. The following entries will be made to the rights section of the commons register to show the proportionate apportionment of the Right to the applicants (a) and (b), and (c):

Thomas Alan Benn

a. The right to graze 11.49 units on Bowscale Fell comprising the whole of the land in this register unit. The right is attached to O.S. field number 60 coloured blue on the proposed supplemental map.

John Keith Benn

b. The right to graze 11.80 units on Bowscale Fell comprising the whole of the land in this register unit. The right is attached to O.S. field number 24 shown coloured green on the proposed supplemental map.

Andrew Joseph Fell and Joanne Marie Fell

c. The right to graze 7.93 units on Bowscale Fell comprising the whole of the land in this register unit. The right is attached to O.S. field number 42 shown coloured red on the proposed supplemental map.

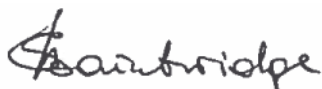
Any person wishing to make representations:

- must quote the Application No. **CA3/13**
- 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 state the grounds on which they are made and must be signed by the person making them;
- 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 authority to disclose information received from you to others, which will include the Applicants and may include other local authorities, Government Departments, public bodies, other organisations and members of the public (Data Protection Act 1998). Representations may 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 5 pm on 21st June 2019.

Documents relating to the application are available for inspection at the above address, however an appointment is required. The Notice and accompanying plan can also be viewed by accessing Cumbria County Council's website, Commons Registration page: <http://www.cumbria.gov.uk/planning-environment/conservation/commons-registration-service/>



Signed:
Svetlana Bainbridge – Commons Registration Officer

Dated: 9th May 2019

