

Commons Act 2006
Section 19
Proposal to correct the register

NOTICE OF DETERMINATION

Application Number: CCC/P/5

Background

Please see attached Proposal which outlines the case.

Legislative Requirements

Section 19(2)(a) specifically allows for a commons registration authority to amend its registers of common land to correct a mistake made by the commons registration authority in making or amending an entry in the register.

The Proposal confirms that the particulars of the right of common as described in column 4 of entry 406 have been recorded incorrectly to say "The right to graze 4 sheep and 2 cattle", instead of "The right to graze 8 sheep or 2 cattle"

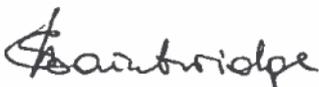
Representations

No representations were received.

Decision

The Proposal is approved and entry 406 of Register Unit CL20 have been deleted and replaced with a new entry, with the particulars of the right of common recorded correctly as "The right to graze 8 sheep or 2 cattle".

Signed



.....
Svetlana Bainbridge – Commons Registration Officer

Dated: 21st May 2019

**A Proposal by Cumbria County Council
Section 19 of the Commons Act 2006
Correction of the Register
Particulars of a right of common incorrectly recorded**

In accordance with paragraph 18(1) of The Commons Registration (England) Regulations 2014 please find below a statement in writing describing the proposal and the justification behind it.

Description of the proposal:

It has become apparent that an error was made by the Commons Registration Authority when updating the commons register for CL20 Caldbeck Common in 2017 to record severance of rights. The particulars of the right of common as described in column 4 of entry 406 have been recorded incorrectly to say "The right to graze 4 sheep and 2 cattle", instead of "The right to graze 8 sheep or 2 cattle"

Justification for the proposal:

The Commons Registration Authority believe that correcting this mistake, and therefore ensuring the accuracy of the commons register and restoring the total of grazing rights on Caldbeck Common to their correct number, would be in the public interest.

Official notice of proposal to follow

**A Proposal by Cumbria County Council
Section 19 of the Commons Act 2006
Correction of the Register
Particulars of a right of common incorrectly recorded**

Notice is hereby given that a proposal has been made by **Cumbria County Council** ("the Proposer") as the Commons Registration Authority, under Section 19(2)(a) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The proposal relates to register unit CL20 Caldbeck Common.

A summary of the effect of the application is as follows: The right to graze 44 sheep or 1 pony or 10 cattle was registered at entry 238 of register unit CL20 Caldbeck Common. Applications for the amendment of entry 238 to record severance and a declaration of entitlement to exercise a right of common were made on 1st April 2016 ('the 2016 Applications'). The 2016 Applications resulted in the rights for 36 sheep or 1 pony or 8 cattle being recorded at entry 405, and the remaining (severed) rights being recorded at entry 406. The particulars of the right of common in column 4 of entry 406 have been recorded incorrectly to say "The right to graze 4 sheep and 2 cattle", instead of "The right to graze 8 sheep or 2 cattle".

If the proposal is granted the Commons Registration Authority will give effect to the determination by deleting current entry 406 (making reference to the new corresponding entry), and making a new entry in the register which would have the particulars of the right recorded as "The right to graze 8 sheep or 2 cattle" in column 4.

Any person wishing to make representations:

- must quote the Proposal No. **CCC/P/5**
- 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 proposal 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

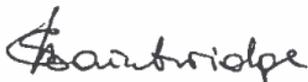
Any representations made will not be treated as confidential. To determine the proposal it will be necessary for the Commons Registration Authority to disclose information received to others, which may include other local authorities, Government Departments, public bodies, other organisations and members 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 date on which the period for making representations expires is **5pm on 20th May 2019**.

Documents relating to the proposal 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 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:



Dated: 8th April 2019

Svetlana Bainbridge - Commons Registration Officer