

Commons Act 2006

Section 19 (2) (a)

Application to correct the register – mistake made by the registration authority.

NOTICE OF DETERMINATION

Application Number: CA10/45

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 30th November 2020, considered an application to correct a mistake in commons register unit CL20 Caldbeck Common made by the CRA when creating entries 417 and 418 in 2018.

Decision

The Committee resolved to accept the application to correct the register and cancel entries 417 and 418.

Reasons

The Committee considered a report written by the Commons Officer (“the Officer”). The Officer’s report made a recommendation to the Committee to accept the application, on the grounds that entries 417 and 418, created as a result of application CA10/36, did not take into account the true legal effect of two conveyances made in 1987. It was therefore determined that there was sufficient evidence to show that the CRA made a mistake when creating entries 417 and 418 under the Commons Act 2006.

Outcome

The CRA has given effect to the determination by cancelling entries 417 and 418 and replacing them with two new entries, one showing 298 grazing units in the name of the applicant (Mr Thomas Alan Benn), and the other showing the 10 as yet unclaimed grazing units in the name of the original applicant (Mr Sidney Herbert Cole).

Documentation

Minutes of the meeting providing the Committee’s decision and the Officer’s report are available at:

<http://councilportal.cumbria.gov.uk/ieListDocuments.aspx?CId=124&MId=11403&Ver=4>

Signed



Allan Harty – Acting Assistant Director Economy and Environment

Dated: 1st December 2020