

**Commons Act 2006
Section 19(2)(b)
Application to correct the register**

NOTICE OF DETERMINATION

Application Number: CA10/52

Notice is hereby given that Cumbria County Council, as the Commons Registration Authority ("the CRA"), has considered an application submitted by Tim Cartmell ("the Applicant") to correct a mistake in the particulars of the dominant tenements in column 5 of entries number 40 and 60 of the Commons Register Unit CL20 Caldbeck Common as described in the attached notice of application.

Decision

The CRA resolved to accept the application to correct the Register by amending column 5 of Register Unit CL20 Caldbeck Common.

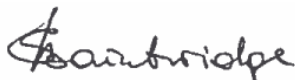
Reasons

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

Register Unit CL20 has been amended and a supplemental map created to show the correct particulars of the two dominant tenements.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 25th January 2021

Commons Act 2006 - Section 19(2)(b)
NOTICE OF APPLICATION TO CORRECT THE REGISTER

Notice is hereby given that an application has been made by **T. H. Cartmell** ("the Applicant") to Cumbria County Council as Commons Registration Authority, under Section 19(2)(b) of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register unit CL20 Caldbeck Common.

A summary of the effect of the application is as follows: The right to graze 300 sheep, 15 cattle or equivalent in sheep, the right to take stone and rights of turbary on Caldbeck Fell comprising the whole of the land in the register unit ("Right 1") is registered at entry 40 of register unit CL20 as attached to O.S. fields numbered 302, 303, 304, 310, 349, 350, 351, 352, 353, 386, 389, 390, 392, 394, 395, 396, 441 and 356. A right of common to graze 164 units on Caldbeck Common comprising the whole of the land in this register unit is registered at entry 60 of the same register unit ("Right 2") as attached to O.S. fields numbered 387, 388, 354, 356, 355, 384, 382, 383, 385, 399 and 459.

Both entries show rights attached to the whole of O.S. 356. The Applicant claims that in 1968 a mistake was made in the applications to register Right 1 and Right 2, in that both applicants listed the whole of O.S. 356 instead of part O.S. 356 in Part 6 of the application forms. The Applicant requests that both entries be amended to remove "356" from the description of the dominant tenements and substitute it with "part 356".

If the application is granted, the registration authority will give effect to the determination by deleting entries 40 and 60 and making two new entries showing Right 1 as attached to O.S. fields numbered 302, 303, 304, 310, 349, 350, 351, 352, 353, 386, 389, 390, 392, 394, 395, 396, 441 and part 356 and Right 2 as attached to O.S. fields numbered 387, 388, 354, part 356, 355, 384, 382, 383, 385, 399 and 459. A supplemental map will be prepared to show each dominant tenement.

Any person wishing to make representations:

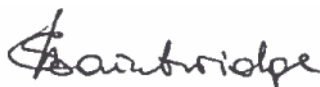
- must quote the Application No. **CA10/52**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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 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 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 January 2021**.

Documents relating to the application are not available online; these are 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 or Commons.Registration@cumbria.gov.uk to arrange an appointment. The documents can also be posted or emailed on request.

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:

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Svetlana Bainbridge
Commons Registration Officer

Dated: 8th December 2020