

Commons Act 2006 – Section 8

Application for apportionment of rights of common

Notice of Determination

Application CA3/39

Notice is hereby given that Cumberland Council, as the Commons Registration Authority (“the CRA”), has considered an application submitted by **Arthur Graham Todhunter and Michael Graham Todhunter** (“the Applicants”) seeking to apportion the right of common attaching to Stott Ghyll, Hesket Newmarket, O.S. field numbers 772, 717, 716, 718, 713 and 714 recorded at entry number 37 of CL20 Caldbeck Common (“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.

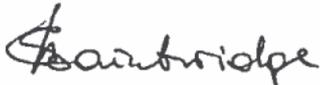
Reasons

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 unit CL20 Caldbeck Common has been amended to show the Right as apportioned in accordance with the Notice of Application attached to this decision.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 6th April 2023



Working for Cumberland Council and
Westmorland & Furness Council

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 **Arthur Graham Todhunter and Michael Graham Todhunter** ("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 37 of the common land register unit CL20 Caldbeck Common.

A summary of the effect of the application is as follows: the following right is attached to Stott Ghyll, Heskett Newmarket, O.S. field numbers 772, 717, 716, 718, 713, 714 and are exercisable over the whole of the land in register unit CL20: "The right to graze 70 sheep, 2 cows and 2 calves." ("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, the registration authority will give effect to the determination by making the following amendment to the commons register:

1. Entry number 37 of the common land register unit CL20 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 the remainder of the rights (b):
 - (a) The right to graze 23.71 sheep, 0.68 cows and 0.68 calves on Caldbeck Fell comprising the whole of the land in register unit CL 20 attached to O.S. no. 772 as shown coloured blue on the proposed supplemental map.
 - (b) The right to graze 46.29 sheep, 1.32 cows and 1.32 calves on Caldbeck Fell comprising the whole of the land in register unit CL 20 attached to O.S. nos. 717, 716, 718, 713 and 714 as shown coloured pink on the proposed supplemental map.

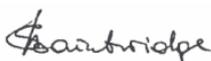
Any person wishing to make representations:

- must quote the Application No. **CA3/39**
- 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 Commons Registration Authority to disclose information received from you 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.

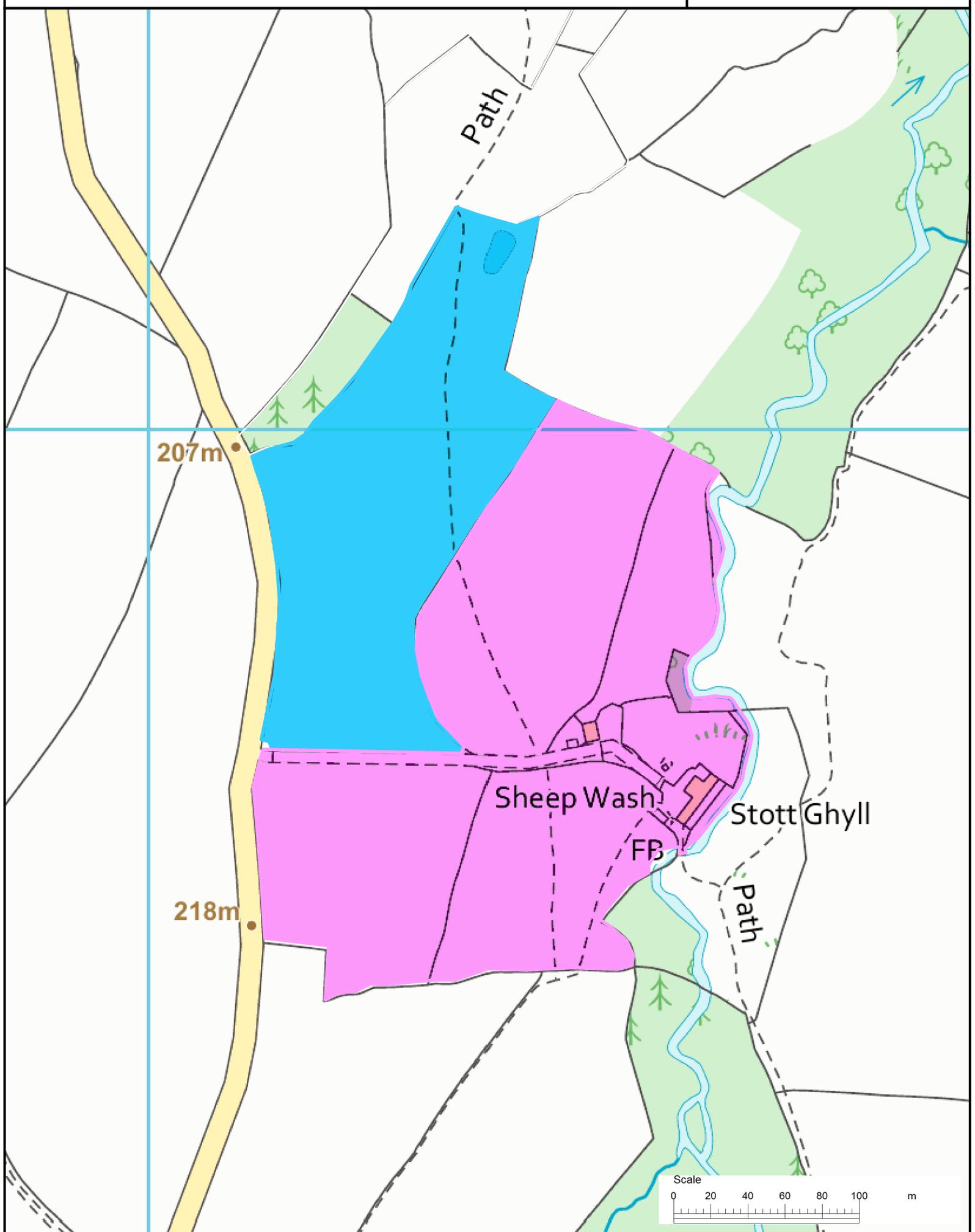
The date on which the period for making representations expires is **5pm on 6th April 2022**.

Documents relating to the application are not available online although they can be provided on request. Requests should be sent directly to the Commons Registration Service using the contact details above. 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: 22nd February 2023



Notes:

Scale at A4: 1:2500

