

## Commons Act 2006 – Schedule 3 NOTICE OF APPLICATION TO AMEND THE REGISTER TO RECORD AN HISTORIC EVENT Secondary Application - Apportionment

Notice is hereby given that an application has been made by **Alan Bennett** (“the Applicant”) to Cumbria County Council as Commons Registration Authority, under Schedule 3 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register CL67 Matterdale Common.

A summary of the effect of the application is as follows: The right to graze 9 stints (one stint being equal to 4 ewes and lambs or 6 geld ewes or 1 cow or 2 stints for a horse) on Matterdale Common comprising the whole of the land in this register unit (“the Right”) is registered as attached to Bank House Farm: O.S. No’s pt 278, 280, 282, 283, 284, 286, pt 287, 288, 291, 292 at entry 83 of register unit CL67.

The Applicant claims that part of the Right was severed from the land under the terms of the Conveyance dated 30<sup>th</sup> November 1978 (“the 1978 Conveyance”) whereby O.S. fields 283 and 284 were sold to the Applicant, together with 6.5 stints on Matterdale Common.

The Applicant seeks to show that, the proportion of the Right attached to O.S. fields 283 and 284 amounts to 5.23 stints and therefore the remaining 1.27 stints were effectively severed from the rest of the dominant tenement and are now held by the Applicant in gross.

This secondary application can only be considered if the primary application (CA14/72) is granted. If granted the Commons Registration Authority will give effect to the determination by making the following amendment to the register:

1. Entry number 83 of register unit CL67 will be deleted and references 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 rights held by the Applicant (a & b) and the remainder (c):
  - a. The right to graze 5.23 stints (one stint being equal to 4 ewes and lambs or 6 geld ewes or 1 cow or 2 stints for a horse) on Matterdale Common comprising the whole of the land in this register unit. The right is attached to O.S. fields nos. 283 and 284 as shown coloured yellow on the proposed supplemental map.
  - b. The right to graze 1.27 stints (one stint being equal to 4 ewes and lambs or 6 geld ewes or 1 cow or 2 stints for a horse) on Matterdale Common comprising the whole of the land in this register unit. The right is held in gross.
  - c. The right to graze 2.5 stints (one stint being equal to 4 ewes and lambs or 6 geld ewes or 1 cow or 2 stints for a horse) on Matterdale Common comprising the whole of the land in this register unit. The right is attached to Bank House Farm, O.S. fields nos. pt 278, 280, 282, 286, pt 287, 288, 291, 292 as shown coloured blue on the proposed supplemental map.

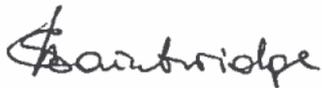
Any person wishing to make representations:

- must quote the Application No. **CA14/73**
- 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, Petteril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: [commons.registration@cumbria.gov.uk](mailto: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 **5pm** on **12<sup>TH</sup> May 2023**.

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/>

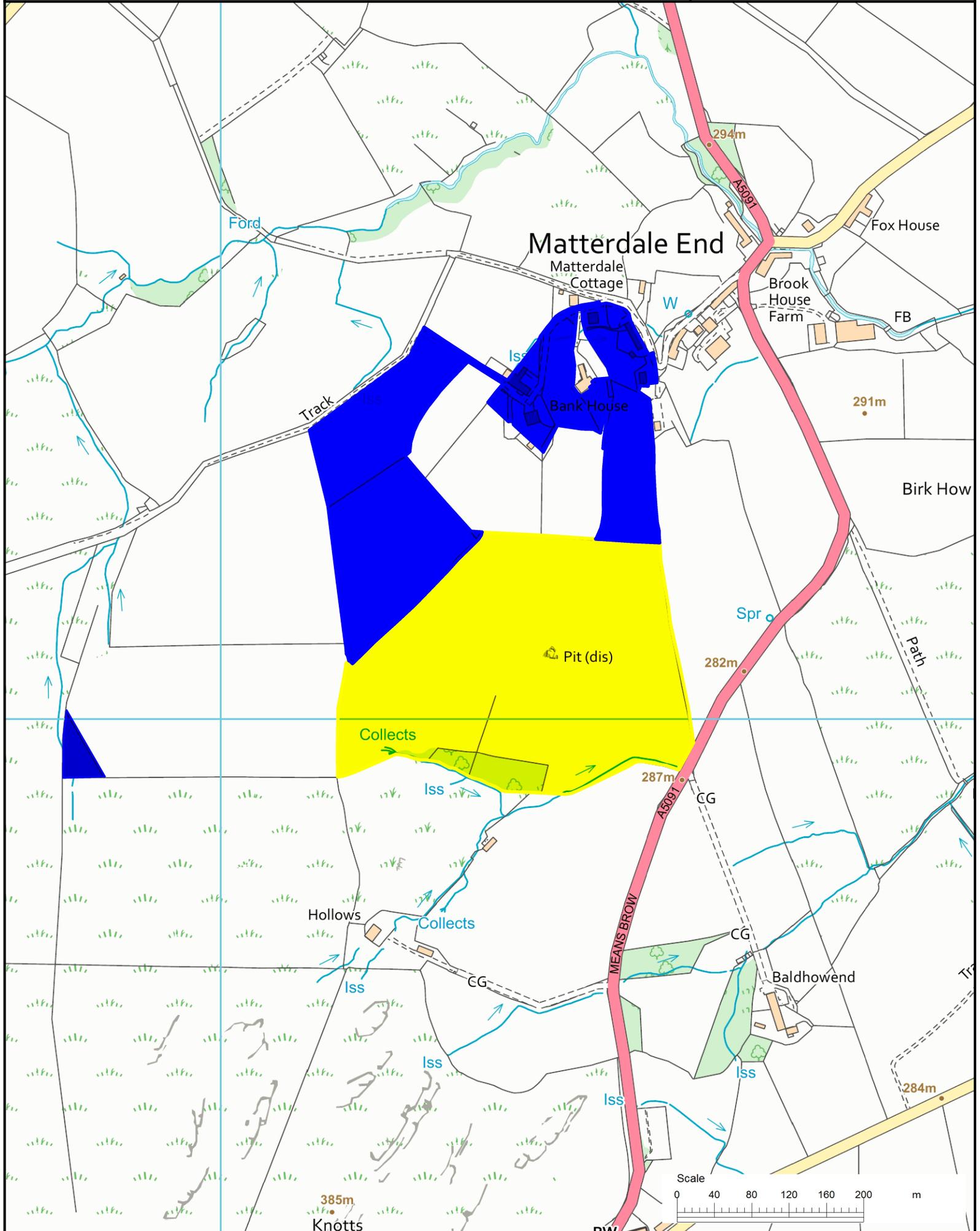


Signed: .....  
Svetlana Bainbridge – Commons Registration Officer

Dated: 30th March 2023

# CA14/72/73 Proposed Supplemental Map

## CL67 Matterdale Common, entry 83



Notes: NY3923SW

