

Notice of Determination

Section 19 of the Commons Act 2006
Correction of the Register

Background

Please see attached Proposal (WFC/P/2) 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.

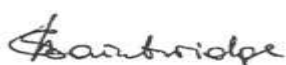
The Proposal confirms that the particulars of the right of common as described in column 4 of entry 81 of CL4 Crosby Garrett Regulated Common been recorded incorrectly, in so far as the right was incorrectly described.

Representations

No official representations were received.

Decision

The Proposal is approved and entry 81 of CL4 Crosby Garrett Regulated Common has been deleted and replaced with a new entry, with the of the right of common now recorded correctly.



Signed:.....

Dated: 22 November 2024

Svetlana Bainbridge - Commons Registration Officer



Westmorland
& Furness
Council

Working for Cumberland Council and
Westmorland & Furness Council

**A Proposal by Westmorland and Furness Council
Section 19(2)(a) of the Commons Act 2006
Correction of the Register
The particulars of the right of common are incorrect**

In accordance with regulation 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 in 2023 when creating entry 81 of the Rights section of commons register unit CL4 Crosby Garrett Regulated Common. The particulars of the right of common have been copied incorrectly from entry 71. The particulars of the right in column 4 of entry 71 of CL4 reflects the entry correctly. However, the particulars of the right at entry 81 of CL4 describe the right as also including the right of turbary and the right to take stone over the whole of the land comprised in the register unit. It is proposed to amend the description of the right in column 4 of CL4 to show the right to graze 68 sheep without lamb or lambs over the whole of the land comprised in the register unit or such other commonable animals equivalent to 68 stints, only.

Justification for the proposal:

The Commons Registration Authority believe that correcting this mistake, and therefore ensuring the accuracy of the commons register would be in the public interest, particularly as the above mentioned entry is to be transferred.

Official notice of proposal to follow

Notice of Proposal

Section 19 of the Commons Act 2006 Correction of the Register

Notice is hereby given that a proposal has been made by **Westmorland and Furness 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 units CL4 Crosby Garrett Regulated common, Entry 81.

A summary of the effect of the application is as follows: On 27 March 2023 Carole Cockburn submitted an application to amend a right of common at Entry 71 to graze 68 sheep without lamb or lambs over the whole of the land comprised in this register unit or such other commonable animals equivalent to 68 stints ("the Right"). On 11 May 2023 the Commons Registration Authority incorrectly registered the Right to graze (a) 68 sheep or (b) such commonable animals equivalent to 68 stints together with the right of turbary and the right to take stone over the whole of the land comprised in this register unit at entry 81 of register unit CL4.

The Proposer seeks by this proposal to correct that mistake.

If the proposal is granted the Commons Registration Authority will give effect to the determination by:

- a) deleting entry 81 of CL4 (making reference to the new corresponding entry) and making a new entry in the register to show the Right to graze 68 sheep without lamb or lambs over the whole of the land comprised in this register unit or such other commonable animals equivalent to 68 stints.

Any person wishing to make representations:

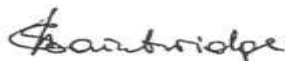
- must quote the Proposal No. **WFC/P/2**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any stints affected by the proposal and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds on which they are made; and
- must be sent to: The Commons Registration Service, Lady Gillford's House, Petteril Bank Road, Carlisle, CA1 3AJ or email:
commons.registration.WAF@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 20 November 2024.

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 Westmorland and Furness Council's website, Commons Registration page:
<https://www.westmorlandandfurness.gov.uk/planning-and-building-control/commons-registration/commons-registration-notices>



Signed:

Dated: 09 October 2024

Svetlana Bainbridge - Commons Registration Officer