

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 **Tim Cartmell** (“the Applicant”) to Cumberland 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 35 units on Caldbeck Fell, comprising the whole of register unit CL20, is currently recorded as being attached to O.S. field 1578 at entry 286. This entry derived from entry 35, created following an application made by W M Peel. The Applicant claims that Mr Peel made a mistake and that 1578 should've been listed as 1508. The Applicant states that the acreage figures provided with the original application, coupled with the location of the field itself, supports this position.

Additionally, the right to graze 10 units is currently recorded at entry 285 as being attached to O.S. fields pt.462 and 465. As with entry 286, these rights originally derived from entry 35. Both entry 285 and entry 286 were created in 2004 following an application by Mr John Hickson, with entry 286 showing the remaining 35 units which were not claimed at entry 285. Whilst Mr Hickson did not purchase O.S.1578, he did purchase O.S.1508, and therefore 1508 should've been listed in column 5 of entry 285 as part of the land to which those 10 grazing units attached. Conversely, Mr Hickson did not purchase or own any of O.S.462 and this seems to have been listed at entry 285 by mistake. It is proposed that pt.462 should've been listed at entry 286, given that that entry represented the remaining 35 units not claimed by Hickson, and pt.462 was the remainder of the dominant tenement not claimed by Mr Hickson.

If the application is granted, the registration authority will give effect to determination by cancelling entries 285 and 286 and replacing them with two new entries, one showing 10 grazing units in the name of John Hickson attaching to O.S. field numbers 1508 and 465, and the other showing the remaining 35 grazing units attaching to O.S. field number pt.462.

Any person wishing to make representations:

- must quote the Application No. **CA10/69**
- 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, Petteril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: commons.registration@cumberland.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 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 also 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 **31 July 2025**.

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 (if any) can be viewed online by accessing Westmorland & Furness Council's website <https://legacy.cumberland.gov.uk/planning-environment/conservation/commons-registration-service/notices/CA2006.asp>



Working for Cumberland Council and
Westmorland & Furness Council

Signed: 

Dated: 19 June 2025

Svetlana Bainbridge, Commons Registration Officer