

Commons Act 2006 – Section 12

NOTICE OF APPLICATION TO TRANSFER A RIGHT OF COMMON IN GROSS

Notice is hereby given that an application has been made by **James Capstick and Susan Rose Capstick** (“the Applicants”) to Cumberland Council as Commons Registration Authority, under Section 12 of the Commons Act 2006 and in accordance with the Commons Registration (England) Regulations 2014.

The application relates to common land register unit CL112 Black Combe and White Combe.

A summary of the effect of the application is as follows:

The right to graze 400 adult sheep with their lambs (rate of exchange being 2 geese equal 1 sheep, 10 sheep equal 1 cow, 2 cows equal 1 horse), the right to take bracken for bedding, the right to take peat and stone for use on the holding on Black Combe and White Combe comprising the whole of the land in this register unit (“the Right”) is currently registered as held in gross (not attached to land) at entry 43 of register unit CL112 in the name of the Applicants.

The Applicants claim that part of the Right amounting to 100 sheep with their lambs, the right to take bracken for bedding, the right to take peat and stone for use on the holding on Black Combe and White Combe comprising the whole of the land in this register unit was transferred to Joseph David Capstick (“the Transferee”) by way of a Deed dated 23rd November 2025. The transfer does not operate at law until registered by the Commons Registration Authority in the register. The Applicants seek by this application to complete the transfer of ownership and register the said part of the Right in the Transferee’s name.

If the application is granted, in whole or in part, the Commons Registration Authority will give effect to the determination by making a new entry in the register showing the Transferee as the owner of the said part of the Right.

Any person wishing to make representations:

- must quote the Application No. **CA6/237**
- 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

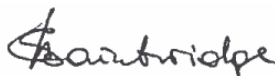
Any representations made will not be treated as confidential, to determine the application it will be necessary for the commons registration authority to disclose information received to others, which will include the Applicant and may include other local authorities, Government Departments, public bodies, 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 **22nd May 2026**.

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 Cumberland Council’s website www.cumberland.gov.uk/commons/notices

Signed:



Svetlana Bainbridge, Commons Registration Officer

Dated: 9th April 2026



Working for Cumberland Council and
Westmorland & Furness Council