

**Commons Act 2006
Section 19
Proposal to correct the register**

NOTICE OF DETERMINATION

Application Number: CCC/P/11

Background

Please see attached Proposal which outlines the case.

Legislative Requirements

Section 19(2)(b) 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 5 of entry 44 of CL293 Mungrisdale Common has been recorded incorrectly, in so far as some fields were omitted and the number of rights recorded incorrectly.

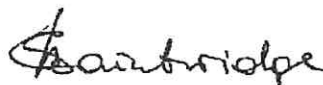
Representations

No official representations were received.

Decision

The Proposal is approved and entry 44 of Register Unit CL293 has been deleted and replaced with two new entries, with the particulars of the land to which the right of common is attached now recorded correctly.

Signed



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Svetlana Bainbridge – Commons Registration Officer

Dated: 2 September 2021

**A Proposal by Cumbria County Council
Section 19 of the Commons Act 2006
Correction of the Register
Historic Omission**

In accordance with paragraph 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 when updating the commons register for CL293 Mungrisdale Common in 2005 to record a transfer of rights. The error concerned an historic omission of fields from previous apportionments which resulted in an incorrect number of rights recorded at entry 44.

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 remaining rights are likely to be apportioned further.

Official notice of proposal to follow

A Proposal by Cumbria County Council Section 19 of the Commons Act 2006 Correction of the Register

Notice is hereby given that a proposal has been made by **Cumbria County 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 unit CL293 Mungrisdale Common.

A summary of the effect of the application is as follows: An application for the amendment of register entry 35 to record a transfer of ownership was made on 24th June 2005 ('the 2005 Application'). The 2005 Application resulted in the rights to graze 83 sheep or 17 cattle and followers on Mungrisdale Common comprising the whole of the land in this register unit being recorded at entry 44. The particulars of the land to which the right was attached were recorded as O.S. field nos. 141, 138, 139, pt 201. However, field numbers 42, pt43, pt41 and pt44, which had formed part of the original dominant tenement, had been omitted from previous apportionments, resulting in the incorrect entry in column 5 of the rights section of the register.

The correct numbers of sheep or cattle at entry 44 should have been recorded as 79.22 sheep or 16.23 cattle and followers attached to O.S. field nos. 141, 138, 139, pt201, on the O.S. map 1899 Edition, Sheet 57-6. A second entry attached to the omitted field numbers should have been recorded as 3.78 sheep or 0.77 cattle and followers attached to O.S. field nos. 42, pt43, pt41, pt44, on the O.S. map 1899 Edition, Sheet 57-6. 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 deleting current entry 44 of CL293 (making reference to the new corresponding entries), and making new entries in the registers showing the correct apportionment.

Any person wishing to make representations:

- must quote the Proposal No. **CCC/P/11**
- 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 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, Petteiril Bank Road, Carlisle, Cumbria, CA1 3AJ or email: Commons.Registration@cumbria.gov.uk

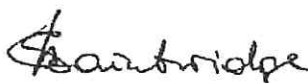
Any representations made will not be treated as confidential. To determine the proposal it will be necessary for the Commons Registration Authority to disclose information received to others, which may include other local authorities, Government Departments, public bodies, other organisations and members 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 1 September 2021**.

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/>

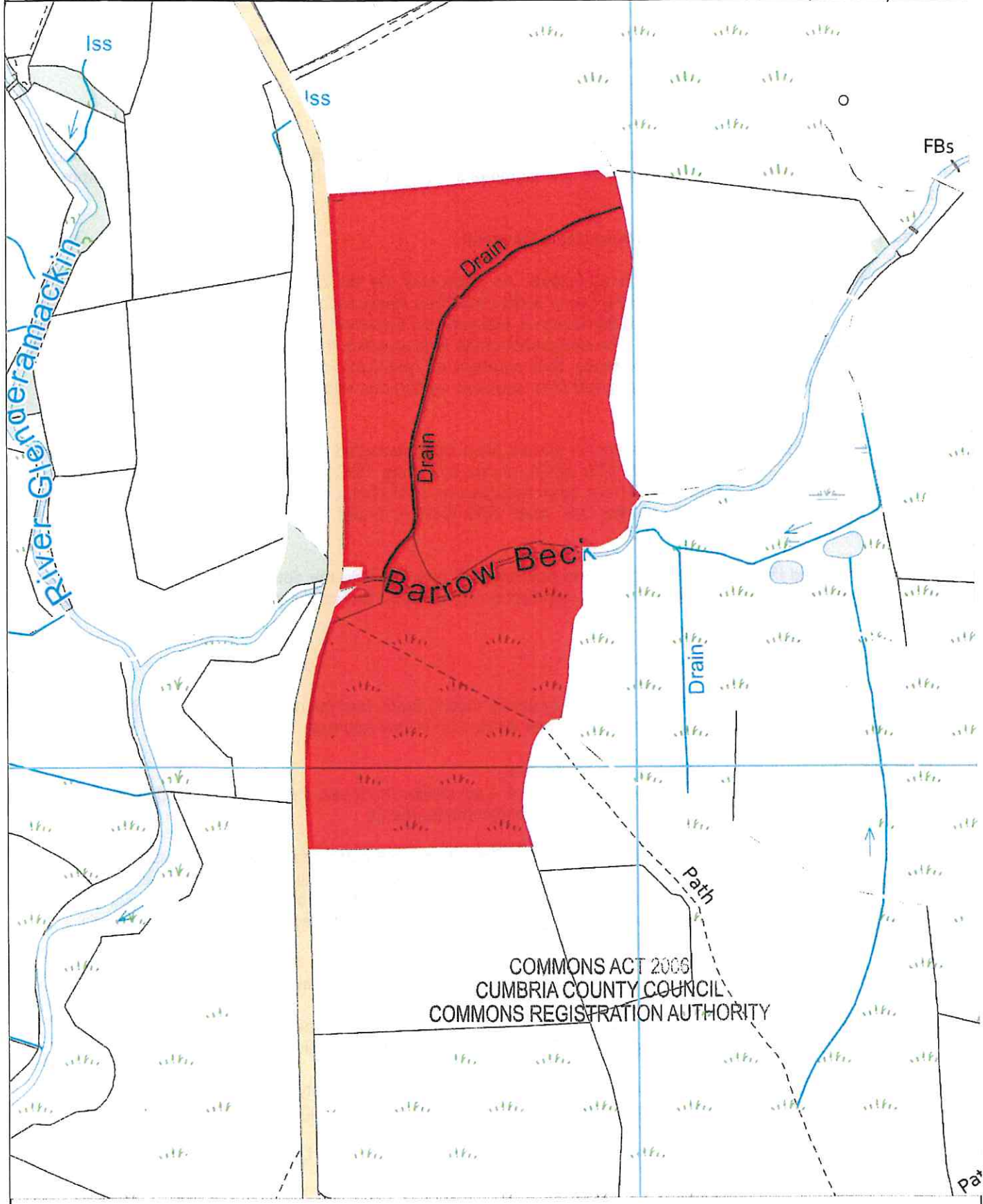
Signed:



Dated: 15th July 2021

Svetlana Bainbridge - Commons Registration Officer

This is the supplemental map referred to at entry 56 of CL293 Mungrisdale Common



This is the supplemental map referred to at entry 57 of CL293 Mungrisdale Common

COMMONS ACT 2006
CUMBRIA COUNTY COUNCIL
COMMONS REGISTRATION AUTHORITY

Pit (dis)

Mungrisdale

The Old Vicarage

Pattys Cottage

Gate Farm

Hotel

Hall

23

Iss

PW

235m

veir



