

Commons Act 2006 – Schedule 3 paragraph 2(2)(b)

Application to amend the register to record an historic event

NOTICE OF DETERMINATION

Application Number: CA14/88

Notice is hereby given that Westmorland and Furness Council, as the Commons Registration Authority (“the CRA”), has considered an application submitted by **Andrew John Nicholson and James David Nicholson** (“the Applicants”) to amend the register to record an historic transfer of a right of common in gross recorded at entry 98 of register unit CL29 Coniston Fell, Dunnerdale Fell, Seathwaite Fell, and Torver High Common (“the Right”) .

Decision

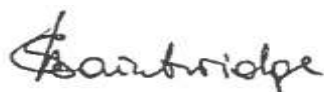
The CRA resolved to accept the application to amend the registers by registering the Right in the names of the Applicants.

Reasons

The Commons Registration Officer assessed the application and found it to be duly made under the criteria prescribed by the relevant regulations and guidance. No objections were received against the application.

Outcome

The rights section of the register for CL29 Coniston Fell, Dunnerdale Fell, Seathwaite Fell, and Torver High Common has been amended to show the Applicants as the owners of the Right in accordance with the Notice of Application attached to this decision.



Signed Dated: 18 November 2024

Svetlana Bainbridge – Commons Registration Officer



Westmorland
& Furness
Council

Working for Cumberland Council and
Westmorland & Furness Council

Commons Act 2006 – Schedule 3 paragraph 2(2)(b)

NOTICE OF APPLICATION TO AMEND THE REGISTER TO RECORD AN HISTORIC EVENT

Notice is hereby given that an application has been made by **Andrew John Nicholson and James David Nicholson** (“the Applicants”) to Westmorland & Furness 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 unit CL29 Coniston Fell, Dunnerdale Fell, Seathwaite Fell, and Torver High Common, entry 98.

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

The right to graze 399.81 sheep and followers over the part of the land comprised in this register unit lying south of the line A-B on the register map: stock may be exchanged at the rate of 2 geese for 1 sheep, 10 sheep for 1 cow or 2 cows for 1 horse (“the Right”) is currently registered as held in gross (not attached to land) at entry 98 of register unit CL29 in the name of Kenneth Waring.

The Applicants claim that the Right was transferred to their grandparents William John Nicholson and Mary Kendall Nicholson by way of a conveyance dated 16 November 1979 and subsequently to them by way of an assent dated 1 March 2011. The Applicants seek by this application to register the above mentioned Right in their name.

If the application is granted, the Commons Registration Authority will give effect to the determination by deleting the current entry and making a new entry in the register showing the Applicants as the owners of the above mentioned Right.

Any person wishing to make representations:

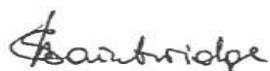
- must quote the Application No. **CA14/88**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any land affected by the application and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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.WAF@cumbria.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 Applicants 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 **15 November 2024**.

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://www.westmorlandandfurness.gov.uk/planning-and-building-control/commons-registration/commons-registration-notices>



Signed: Dated: 04 October 2024

Svetlana Bainbridge, Commons Registration Officer