

Commons Act 2006 – Section 19

NOTICE OF APPLICATION TO CORRECT THE REGISTER

Notice is hereby given that an application has been made by **Michael William Parsley and Catherine Parsley** (“the Applicants”) to Westmorland and Furness 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 CL41 Roundthwaite Common.

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

- a. The right to graze: (a) 150 ewes, (b) 30 hogs and (c) 2 fell ponies over the whole of the land comprised in the register unit, is recorded as attached to O.S. plots numbered 320, 361, 372, 373, 377, 395, 403, 405, 408 and 427 on the O.S. Map (Edition of 1915) of the parish of Tebay, Westmorland, (“the Original Right”); was registered at entry 13 of register unit CL41 pursuant to application number 1342 dated 22 December 1969 by William Nicholson.

Following application number CA3/51 the Original Right was deleted and replaced by the following:

- b. The right to graze: (a) 127.65 ewes, (b) 25.53 hogs and (c) 1.7 fell ponies over the whole of the land comprised in the register unit, is recorded as attached to O.S. plots numbered 320, pt361, 373, 377, 395, 403, 405, pt408 and 427 on the O.S. Map (Edition of 1915) of the parish of Tebay, Westmorland, as shown coloured green on the supplemental map bearing the number of this registration (“the First Right”); was registered at entry 55 of register unit CL41 pursuant to application number 1342 dated 22 December 1969 by William Nicholson.
- c. The right to graze: (a) 22.35 ewes, (b) 4.47 hogs and (c) 0.30 fell ponies over the whole of the land comprised in the register unit, is recorded as attached to O.S. plots numbered pt361, 372, and pt408 on the O.S. Map (Edition of 1915) of the parish of Tebay, Westmorland, as shown coloured red on the supplemental map bearing the number of this registration (“the Second Right”); was registered at entry 56 of register unit CL41 pursuant to application number CA3/51 dated 09 July 2024 by Janice Elizabeth Pickering.

The Applicants claim that a mistake was made in the First Right and the Second Right at entry 55 and 56 (of register unit CL41) in that the Original Right at entry 13 (of register unit CL41) should have been apportioned to take account of the building of the M6 motorway and the resulting reduction in field sizes. The Applicants seek by this application to correct this.

If the application is granted, in whole or in part, the registration authority will give effect to the determination by reducing the dominant tenement land parcel areas by the area of land



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taken away by the building of the M6 motorway and basing the apportionment calculations on the resulting net areas.

1. The First Right at entry 55 of register unit CL41 will be deleted and replaced with a corrected entry.
2. The Second Right at entry 56 of register unit CL41 will be deleted and replaced with a corrected entry.

Any person wishing to make representations:

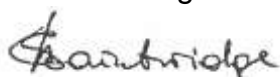
- must quote the Proposal No. **CA10/68**
- must state the name and postal address of the person making them, and the nature of that person's interest (if any) in any stints affected by the proposal and may include an e-mail address;
- must be signed by the person making them;
- must state the grounds 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 31 January 2025**.

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) 226168 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:

Svetlana Bainbridge, Commons Registration Officer

Dated: 20 December 2024