

Commons Act 2006 – Schedule 3

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

Notice is hereby given that an application has been made by **John Robert Hall** (“the Applicant”) 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 CL293 Mungrisdale Common.

A summary of the effect of the application is as follows: The following right was registered at entry 10 and attached to Eycott Farm, Berrier comprising O.S. field numbers 222, 220, 219, 230, 235, 232, 233, 150pt, 228, 124, 136, 135, 128, 127, 129, 130, 131, 134, 138, 122, 101, 142, 141, 143, 141pt, 242, 69, 66, 27, 28, 68, 140, 139 (“the Dominant Tenement”).

“The right to graze 525 ewes and followers and 250 hogs over the whole of the land in this register unit (“The Right”).

In October 2015 an application, reference number CA3/7, was submitted by Messrs and Mrs Hutton to apportion the Right following their purchase of O.S. field number pt134. The application, being undisputed, was granted and resulted in entry 10 being cancelled and replaced with entries 45 and 46. In March 2026 the registration authority made a proposal to correct a mistake in the apportionment figures. The proposal was granted and resulted in entries 45 and 46 being cancelled and replaced by entries 62 and 63.

The Applicant claims that application CA3/7 was invalid because in 2015 O.S. field number pt134 did not have any rights attached to it. The Applicant claims that severance of part of the Right occurred, when O.S. field numbers 222, 220, 219, 230, 235, 232, 233, 150pt, 228, part 124, 136, 135, 128, 127, 129, 130, 134, 138, 122, 101, 142, 141, 143, 141pt, 242, 69, 66, 27, 28, 68, 140, 139 (“the Transferred Land”) were conveyed to Mr and Mrs Bindloss by way of a Transfer Deed dated 1 October 2002, with the Right being excluded from the sale.

The Applicant seeks by this application to apportion the Right prior to registering severance of its part in the register. The Applicant claims that the portion of the Right attached to the Transferred Land, for which severance is claimed, amounts to 523.22 ewes and 249.15 hogs

This secondary application can only be considered if the primary application (CA14/101) is granted. If granted, the registration authority will give effect to the determination by cancelling entries 62 and 63 and creating new entries showing two separate rights of common, one (to graze 523.22 ewes and 249.15 hogs) attached to the Transferred Land, from which is it then to be registered as severed, and the other (to graze 1.78 ewes and 0.85 hogs) attached to the remainder of the Dominant Tenement.

Any person wishing to make representations:

- must quote the Application No. **CA14/102**
- 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;



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- 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 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 **2 October 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 Westmorland & Furness Council's website <https://www.westmorlandandfurness.gov.uk/planning-and-building-control/commons-registration/commons-registration-notice>



Signed:

Dated: 20 August 2026

Svetlana Bainbridge, Commons Registration Officer