



Growth and Infrastructure Act 2013

2013 CHAPTER 27

Promoting growth and facilitating provision of infrastructure, and related matters

16 Restrictions on right to register land as town or village green

- (1) In the Commons Act 2006, after section 15B (as inserted by section 15 of this Act) insert—

“15C Registration of greens: exclusions

- (1) The right under section 15(1) to apply to register land in England as a town or village green ceases to apply if an event specified in the first column of the Table set out in Schedule 1A has occurred in relation to the land (“a trigger event”).
- (2) Where the right under section 15(1) has ceased to apply because of the occurrence of a trigger event, it becomes exercisable again only if an event specified in the corresponding entry in the second column of the Table occurs in relation to the land (“a terminating event”).
- (3) The Secretary of State may by order make provision as to when a trigger or a terminating event is to be treated as having occurred for the purposes of this section.
- (4) The Secretary of State may by order provide that subsection (1) does not apply in circumstances specified in the order.
- (5) The Secretary of State may by order amend Schedule 1A so as to—
 - (a) specify additional trigger or terminating events;
 - (b) amend or omit any of the trigger or terminating events for the time being specified in the Schedule.
- (6) A trigger or terminating event specified by order under subsection (5)(a) must be an event related to the development (whether past, present or future) of the land.

Status: This is the original version (as it was originally enacted).

- (7) The transitional provision that may be included in an order under subsection (5)(a) specifying an additional trigger or terminating event includes provision for this section to apply where such an event has occurred before the order is made or before it comes into force and as to its application in such a case.
- (8) For the purposes of determining whether an application under section 15 is made within the period mentioned in section 15(3)(c), any period during which an application to register land as a town or village green may not be made by virtue of this section is to be disregarded.”
- (2) Schedule 4 (which inserts the new Schedule 1A to the Commons Act 2006) has effect.
- (3) In that Act of 2006, in section 59 (orders and regulations)—
- (a) after subsection (3) insert—
- “(3A) A statutory instrument containing an order under section 15C(5) may not be made unless a draft has been laid before and approved by a resolution of each House of Parliament.”, and
- (b) in subsection (4), after “subsection (3)” insert “or (3A)”.
- (4) For the purposes of the application of section 15C of the Commons Act 2006 (as inserted by subsection (1) above), it does not matter whether an event specified in the first column of Schedule 1A to that Act occurred before or on or after the commencement of this section.
- (5) The amendment made by subsection (1) does not apply in relation to an application under section 15(1) of the Commons Act 2006 which is sent before the day on which this section comes into force.