

1966 No. 972

COMMON, ENGLAND

The Commons Registration (Publicity) Regulations 1966

<i>Made</i> - - - -	29th July 1966
<i>Laid before Parliament</i>	10th August 1966
<i>Coming into Operation</i>	1st October 1966

The Minister of Land and Natural Resources in exercise of the powers conferred on him by sections 4(7) and 19 of the Commons Registration Act 1965(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Title and commencement

1. These regulations may be cited as the Commons Registration (Publicity) Regulations 1966 and shall come into operation on 1st October 1966.

Interpretation

2.—(1) The Interpretation Act 1889(b) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) In these regulations, unless the context otherwise requires,—

“the Act” means the Commons Registration Act 1965;

“Form” means one of the forms in the Schedule to these regulations, or a form to substantially the same effect;

“registration area” means the land in relation to which a local authority is the registration authority.

(3) A requirement or permission to publish a document in any area is a requirement or permission to cause it to be published in a newspaper circulating in that area, with, in the case of a requirement or permission to publish more than once, an interval of at least seven days between each publication.

(4) A requirement to display a document or copies thereof is a requirement to treat it, for the purposes of section 287 of the Local Government Act 1933(c) (public notices), as if it were a public notice within that section.

(5) Where the day or the last day on which anything is required or permitted by or in pursuance of these regulations to be done is a Sunday, Christmas Day, Good Friday, bank holiday or a day appointed for public thanksgiving or mourning, the requirement or permission shall be deemed to relate to the first day thereafter which is not one of the days before-mentioned.

(a) 1965 c. 64.

(b) 1889 c. 63.

(c) 1933 c. 51.

Information about the start of registration

3.—(1) Not later than 30th November 1966 every registration authority shall publish at least twice in its area, and shall display, and every registration authority which is not the council of a county borough shall send to every other local authority in its area, a notice in Form E.

(2) Every local authority receiving a Form E notice under this regulation shall display copies thereof.

Information about alterations in registration areas

4.—(1) Where a registration authority has entered into an agreement under section 2 of the Act, but has not indicated its effect in a Form E notice, the authority shall, not later than one month after the making of the agreement, publish at least twice in the concerned area, and shall display, a notice in Form F, and (unless it is the council of a county borough) shall send the notice to the following local authorities:—

- (a) where under the agreement the authority ceases to be the registration authority in relation to any land, every other local authority in whose area any part of the land lies;
- (b) where under the agreement the authority becomes the registration authority in relation to any land, such other local authorities within its area as appear to it to be most closely concerned, having regard to the need to ensure adequate local publicity for the agreement.

(2) Every local authority receiving a Form F notice under this regulation shall display copies thereof.

(3) In this regulation "concerned area" means, in relation to a registration authority which is the council of a county borough, the area of the county borough, and, in any other case, an area including the areas of the local authorities to which, by virtue of sub-paragraph (a) or sub-paragraph (b) of paragraph (1) above, as applicable, notices are required to be sent.

In Witness whereof the official seal of the Minister of Land and Natural Resources is hereunto affixed on 29th July 1966.

(L.S.)

F. T. Willey,
Minister of Land and Natural Resources.

SCHEDULE

Form E

(Name of registration authority)

REGISTRATION OF COMMON LAND, TOWN OR VILLAGE GREENS, AND RIGHTS OF COMMON UNDER THE COMMONS REGISTRATION ACT 1965

This notice concerns essential steps to be taken by—

- (1) persons and bodies interested in the preservation of common land and town or village greens;
- (2) owners of such land; and
- (3) persons entitled to rights of common.

As the registration authority for the area referred to below the Council will maintain registers which will open for applications on 2nd January 1967. No charge will be made for applications received up to 30th June 1968. Thereafter until 2nd January 1970, the LAST DATE for applications, a fee of Five Pounds will normally be payable.

Application forms will be obtainable from 1st December 1966 free of charge from the office of the Council at (*insert address of Council office*). Intending applicants should state whether they wish to apply to register (1) land as (a) common land or (b) a town or village green; (2) a claim to ownership of such land; or (3) rights of common. An official explanatory booklet has been available from local authorities and main post offices since April 1966.

Anyone may apply to register common land or a town or village green. Land capable of registration as a common or green under the Act, but not registered, WILL LOSE ITS STATUS AS SUCH.

Owners of common land and greens whose title is *not* registered at the Land Registry should register their ownership under the Act as soon as their land has itself been registered as common or green. (Registration of ownership does not preclude an owner from later objecting to the registration of the land as common or green.) An owner may himself register his land as common or green. Owners of common land and greens *whose title is registered at the Land Registry* are not required or permitted to register ownership under the Act, but their position is fully safeguarded.

Anyone who believes himself entitled to a right of common over land should apply for its registration under the Act; he need not apply for the registration of the land itself. Rights of common which are not registered under the Act will normally CEASE TO BE EXERCISABLE.

All registrations are provisional at first, so that objections to them may be made later on; information about this will be published shortly before 1st October 1968, the earliest day for lodging objections. Meanwhile, the Council's registers will be open for free public inspection from 2nd January 1967 onwards at (*insert address where registers will be kept*.)

In addition, London borough councils
all other local authorities including parish councils
will keep available for public inspection copies of registrations affecting
land in their areas.*

* This sentence (deleting inapplicable words) for use by Greater London Council and county councils.

Dated

1966.

(*Signature on behalf of registration authority*).

PARTICULARS OF REGISTRATION AREA

(Here should be inserted a brief description of the registration area. Where it is identical with the administrative area it will usually only be necessary to say so, but if this is not the case, e.g. because of an agreement under section 2, or an order under section 11, of the Act, the registration area should be described by reference to the administrative area with short particulars of the land added, transferred to another registration authority, or exempted, the name of the registration authority responsible for any transferred land being given. Land in the New Forest, Epping Forest and the Forest of Dean, and land exempted under a section 11 order, will not be in any registration area, and a notice issued by a registration authority having any such land in its administrative area should state that the registration provisions of the Act do not apply to it and that accordingly applications concerning it cannot be entertained.)

Form F

(Name of authority issuing the notice)

COMMONS REGISTRATION ACT 1965

Under an agreement dated *(date of agreement)*, and made between *(parties)*, the *(name of authority which, under the agreement, is the registration authority in relation to the land)* is now the registration authority for the purposes of the Act in relation to the following land:—

(Description of land)

All business under the Act in connexion with this land and rights of common (if any) thereover should therefore now be done with the *(name and office address of authority which, under the agreement, is the registration authority in relation to the land)*.

Dated 19 .

(Signature on behalf of authority issuing the notice)

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for information to be given to the public about the start, on 2nd January 1967, of registration under the Commons Registration Act 1965, and about any alterations in registration areas which may be made under section 2 of the Act.