
STATUTORY INSTRUMENTS

1966 No. 1471

COMMON, ENGLAND

The Commons Registration (General) Regulations 1966

Made - - - - - 23rd November 1966
Laid before Parliament 30th November 1966
Coming into Operation 2nd January 1967



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HER MAJESTY'S STATIONERY OFFICE

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The Minister of Land and Natural Resources in exercise of the powers conferred on him by sections 3, 13 and 19 of the Commons Registration Act 1965(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

PART I

PRELIMINARY

Title and commencement

1. These Regulations may be cited as the Commons Registration (General) Regulations 1966 and shall come into operation on 2nd January 1967.

(a) 1965 c. 64.

Interpretation

2.—(1) The Interpretation Act 1889(a) 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(b);

“charity” bears the meaning assigned to that expression in section 45 of the Charities Act 1960(c), and “charitable purposes” and “charity trustees” bear the meanings assigned to those expressions in section 46 of that Act;

“concerned authority”, in relation to a registration, means a local authority (other than the registration authority) in whose area any part of the land affected by the registration lies;

“Form” means one of the forms in Schedule 1 to these Regulations, or a form to substantially the same effect;

“Model Entry” means one of the specimen entries provided as examples in Part I of Schedule 2 to these Regulations, and “Standard Entry” one of the specimen entries in Part 2 of that Schedule, or an entry to substantially the same effect;

“parcel of land”, in relation to a search under Part VI of these Regulations, means a piece of land in separate occupation or separately rated at the time of the requisition for search; and for the purpose of this definition any land which is neither occupied nor rated shall be deemed to be occupied by the person who receives the rackrent therefor, whether on his own account or as agent or trustee for any other person, or who would so receive it if the land were let at a rackrent;

“provisional registration” means a registration under section 4 of the Act which has not become final;

“register map” means any map, other than a supplemental map, which, by virtue of any regulation made under the Act, for the time being forms part of a register;

“register unit” bears the meaning assigned to that expression in regulation 10 below;

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

“supplemental map” bears the meaning assigned to that expression in regulation 20 below.

(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(d) (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) 1889 c. 63.
(c) 1960 c. 58.

(b) 1965 c. 64.
(d) 1933 c. 51.

Official stamp of registration authority

3.—(1) Every registration authority shall have an official stamp for the purposes of the Act, as follows:—

<p>COMMONS REGISTRATION ACT 1965</p> <p>(Name of registration authority)</p> <p>REGISTRATION AUTHORITY</p> <p>(Date)</p>
--

(2) A requirement upon a registration authority to stamp any document is a requirement to cause an impression of the said official stamp to be affixed to it, and that the impression shall bear the date mentioned in the requirement or (where no date is mentioned) the date when it was affixed.

(3) An indication in any form in Schedule 1 to these Regulations that the form shall bear the official stamp of a registration authority is a requirement upon the authority to stamp it.

PART II

THE REGISTERS AND PROVISIONAL REGISTRATION

The registers

4.—(1) Every register, whether of common land or of town or village greens, shall consist of—

- (a) a general part,
- (b) a register map,
- (c) as many register units as there are registrations of land in the register, and
- (d) such supplemental maps (if any) as may be necessary.

(2) The general part of each register shall be in Form 1, and shall contain—

- (a) particulars of any agreement under section 2 of the Act to which the registration authority is a party;
- (b) particulars of any land situated in the area of the registration authority to which, by virtue of section 11 of the Act or of an order made thereunder, the registration provisions of the Act do not apply;
- (c) particulars of any transfer, to or from the registration authority, of responsibility for maintaining any register or register unit, otherwise than under section 2 of the Act;
- (d) such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(3) Model Entries 1, 2 and 3 are provided for general guidance in complying with sub-paragraphs (a), (b) and (c) respectively of paragraph (2) above.

(4) The register map to be prepared under these Regulations shall be a provisional register map and shall be prepared in accordance with Part III thereof.

(5) The register units shall be prepared in accordance with regulation 10 below, and each register unit shall consist of three sections, called the land section, the rights section and the ownership section.

(6) The land section of each register unit shall be in Form 2, and shall contain the registrations of the common land, or of the town or village green, as the case may be, comprised therein, with a reference to the register map, and such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(7) The rights section of each register unit shall be in Form 3, and shall contain the registrations, of the rights of common registered as exercisable over the land comprised in the land section of the register unit, or any part thereof, particulars of the persons on whose applications the rights were registered and the capacities in which they applied, descriptions of the land (if any) to which the rights are attached, and such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(8) The ownership section of each register unit shall be in Form 4, and shall contain the registration of every person registered as owner of any part of the land comprised in the register unit, and such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(9) Supplemental maps, where necessary, shall be prepared in accordance with Part III of these Regulations.

(10) Every register shall be bound, or otherwise held together and protected, in such manner as the Minister may approve.

Registration periods

5.—(1) There shall be two periods during which applications for registration may be made, called the first registration period and the second registration period.

(2) The first registration period shall begin on 2nd January 1967 and end on 30th June 1968, and the second shall begin on 1st July 1968 and end on 2nd January 1970.

Notice of intention to make application

6.—(1) Any person may, during the first registration period, give a registration authority notice in Form 5 of his intention to apply to the authority for registration during the second registration period, and the authority shall send him a written acknowledgment for that notice, and shall retain it until after the end of the second registration period.

(2) Form 6, if used for the purpose of an acknowledgment under this regulation, shall be sufficient.

Who may apply for registration

7.—(1) An application for the registration of any land as common land or as a town or village green may be made by any person.

(2) An application for the registration of a right of common may be made—

- (a) by the owner of the right;
- (b) where the right is attached to any land, and is comprised in a tenancy of the land, by the landlord, the tenant, or both of them jointly;
- (c) where the right belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(3) An application for the registration of a claim to the ownership of any land registered under the Act may be made—

- (a) by the owner of the land;
- (b) where the land belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

Applications, declarations and fees

8.—(1) An application for registration must be—

- (a) in Form 7, 8, 9 or 10 as appropriate;
- (b) signed by every applicant who is an individual, and by the secretary or some other duly authorized officer of every applicant which is a body corporate or unincorporate; and
- (c) supported by a statutory declaration made by every person who has signed the application.

(2) Every application for registration made during the second registration period must be accompanied by a fee of five pounds, unless either—

- (a) during the first registration period the applicant gave the registration authority notice in Form 5 of his intention to make that application; or
- (b) the application is for the registration of land as common land or as a town or village green, and the land did not become so registrable until after 30th April 1968; or
- (c) the application is for the registration of a right of common and the right did not become registrable until after 30th April 1968; or
- (d) the application is for the registration of a claim to ownership and the land to which it relates was not registered until after 30th April 1968.

Disposal of applications

9.—(1) On receiving an application for registration, a registration authority shall allot a distinguishing number to it, and shall mark the application form with that number. The number so allotted shall be from a single series, whatever the type of application.

(2) Where a registration authority receives an application for the registration of a right of common affecting any coal or anthracite it shall, before entertaining the application, serve notice in writing to that effect upon the National Coal Board, giving the name and address of the applicant and particulars of the right of common, of the land over which it is exercised and of the land (if any) to which it is attached.

(3) The registration authority shall send to the applicant for registration a receipt for his application containing a statement of the number allotted thereto; and Form 6, if used for that purpose, shall be sufficient.

(4) Where a registration authority rejects an application for registration, it shall so inform the applicant in writing, giving the reasons for the rejection.

(5) Where an application is made for the registration of a right of common attached to any land, but the right has already been registered in such manner that, if the application were acceded to, no conflict would arise between the two registrations, the registration authority shall not register the right again but (unless it determines to reject the application) shall note the application in the register.

(6) Where a registration authority accepts an application for registration it shall make a registration in respect thereof, or as the case may require, shall note the application, in the appropriate register in accordance with regulation 10 below, and shall inform the applicant of the disposal of the application, using Form 11, 12 or 13, as appropriate, with such omissions and adaptations as may be necessary, and shall file the application form and any plan thereto which is not required for the purposes of regulation 20 below (supplemental maps).

(7) References in this regulation to “the applicant” shall, where two or more persons are concerned together in an application, be construed as references to that one of them whose name appears first in the application form.

Method of registration

10.—(1) A registration authority shall, in making any registration, or in noting an application in a register pursuant either to section 4(4) of the Act or to regulation 9(5) above, follow as closely as possible such of the Model Entries 4 to 12 as may be applicable, with such variations and adaptations as the circumstances may require, and shall mark every registration as provisional.

(2) The registration authority shall, when registering any land, enter the particulars on a fresh register sheet in Form 2, and shall place register sheets in Forms 3 and 4 immediately below that sheet in its place on the register.

(3) The register sheets referred to in paragraphs (2) above and (6) below shall constitute a register unit, and shall be kept on the register in sequence with other register units.

(4) Where a registration of land falls to be made in pursuance of an application which relates to two or more pieces of land, the registration authority may, if it thinks fit, prepare two or more register units, each comprising one or more of those pieces of land, and there shall then be deemed to be a separate registration in respect of the land comprised in each such unit; and in this paragraph “piece of land” means an area of land comprised, with other land, in an application, and having no common boundary with any of that other land.

(5) The registration authority shall allot a distinguishing number to each register unit from a separate series for each register. Every register unit number for the Register of Common Land shall bear the prefix CL, and every such number for the Register of Town or Village Greens shall bear the prefix VG.

(6) The registration authority shall from time to time as necessary add fresh register sheets to a register unit, and every sheet forming part of a register unit shall be marked with the number of that unit.

(7) Where a right of common affecting any minerals is registered, there shall be included in, or, as the case may require, added to, the registration of the land over which the right is exercised an entry in accordance with Standard Entry 1.

(8) Every entry relating to any land, to rights thereover or to ownership thereof, which is required or authorized by the Act or any regulation made thereunder to be made in any section of a register shall be made in the appropriate section of the register unit relating to that land, and no entry forming part of a registration or of an amendment made pursuant to section 13 of the Act shall be made in the general part of a register or in any space on a register sheet headed “Notes”.

Information to public about registrations

11.—(1) Not later than four weeks after the date of any registration the registration authority shall send a copy thereof to every concerned authority.

(2) Where a registration is of land, or, being of rights or ownership, has necessitated the preparation of a supplemental map or the insertion of fresh particulars on the provisional register map, every copy of the registration sent out under this regulation shall be accompanied by a plan showing the relevant particulars.

(3) Every authority to whom such a copy or plan is sent under this regulation shall keep it available for public inspection at all reasonable times.

Conflicting registrations

12.—(1) A registration authority shall, on making any registration (in this regulation referred to as the new registration) ascertain whether the new registration conflicts with any other registration in its registers (in this regulation referred to as the old registration) and, where it appears to the authority to do so, the following provisions of this regulation shall apply.

(2) After making the new registration the registration authority shall add to each registration a note about the conflict in accordance with Standard Entry 2.

(3) The registration authority shall, where the new registration was made on the application of any person, give that person notice of the conflict by means of Form 11, 12 or 13, as appropriate, and shall give the person (if any) on whose application the old registration was made, and any person whose application is noted (whether under section 4(4) of the Act or under regulation 9(5) above) notice thereof in Form 14.

(4) Every copy of the entry of the new registration prepared in accordance with regulation 11 above shall include the note added under paragraph (2) above, and where regulation 14 below applies, the note added under that regulation.

(5) The registration authority shall prepare fresh copies of the entry of the old registration, including the note added under paragraph (2) above, and, where regulation 14 below applies, the note added under that regulation, and shall send one such copy, marked “Replacement Copy”, to every concerned authority.

(6) Every authority receiving a replacement copy under paragraph (5) above shall destroy any earlier copy of the old registration in its possession and shall keep the replacement copy available for public inspection at all reasonable times.

(7) A registration authority may, if it thinks fit, cancel or modify a registration to which this regulation applies if either—

(a) the person (if any) on whose application it was made, or any person whose application is noted (whether under section 4(4) of the Act or under regulation 9(5) above) so requests, and the persons, or, as the case may be, the other persons (if any) whose applications have been noted under regulation 9(5) above consent in writing, or

(b) the registration was made otherwise than on the application of any person;

and, where the authority cancels any registration under this paragraph, it shall also cancel any note under paragraph (2) above.

(8) Where the registration of any land as common land or as a town or village green is cancelled under this regulation the registration authority shall also cancel the registration of any person as the owner thereof.

Information about cancelled or modified registrations

13.—(1) Where a registration has been cancelled or modified under regulation 12 above the registration authority shall, not later than twenty-one days after the date of the cancellation or modification, send notice in Form 15 to every concerned authority and to every person to whom notice has been given under paragraph (3) of that regulation.

(2) Every authority receiving a notice under paragraph (1) above shall annex it to the copy of the registration to which it relates and keep it available for public inspection at all reasonable times.

Double registration of land

14.—(1) Where any land is registered both as common land and as a town or village green, entries relating to that land of the classes mentioned in paragraph (2) below made in one register shall be deemed also to be made in the other, adapted, where applicable, as in paragraph 4(b) below, and the registration authority shall note the land, rights and ownership section of each register as indicated in Standard Entry 3.

(2) The entries referred to in paragraph (1) above are—

- (a) in the land section, an entry under regulation 10(7) (as to inclusion of minerals);
- (b) in the rights and ownership sections, every entry.

(3) The cancellation in one register, under regulation 12(8) above, of the registration of any person as owner of the land consequent upon the cancellation of the registration of the land in that register shall not affect the registration of the ownership of that person deemed, under this regulation, to have been made in the other register.

(4) Where the registration in one register of any land registered in both registers is cancelled under regulation 12 above, the registration authority shall cancel in each register the note made under paragraph (1) above, and shall transfer from the register wherein the registration of that land has been cancelled to the other register every entry deemed, under this regulation, to have been made therein, in the following manner:—

- (a) every entry shall be allotted a fresh number and shall be dated as of the date when so transferred, but in the left-hand column of the register sheet, below such number and date, shall appear “(Formerly No. dated in Register Unit No.)”;
- (b) references to land in column 4 of the rights and ownership sections of the original register containing expressions valid only in relation to that register shall be adapted as necessary; and
- (c) the register map shall be amended as necessary.

Interpretation of regulations 5 to 14

15. In regulations 5 to 14 above “registration” means registration under section 4 of the Act and “registered” shall be construed accordingly.

PART III

MAPS

Provisional register map

16.—(1) Every registration authority shall prepare and keep up to date a provisional register map for each of its registers.

(2) Every such map shall be based on the Ordnance map and shall be on a scale of not less, or not substantially less, than six inches to one mile, but where the registration authority considers it expedient to show any particulars on a larger scale, it may insert an inset map for that purpose.

(3) A provisional register map may consist of one sheet or of more than one, and further sheets may be added from time to time as necessary.

(4) Where such a map consists of more than one sheet, each sheet shall bear a distinguishing number, and the sheets shall be bound together bookwise, but so that sheets can be added or removed without damage.

(5) Every provisional register map shall show:—

(a) by black lines verged yellow inside the boundary, and the word EXEMPTED, the boundaries of any land situated in the area of the registration authority to which, by virtue of an order under section 11 of the Act, the provisions of sections 1 to 10 thereof do not apply;

(b) by black lines verged green inside the boundary, and the appropriate register unit number, the boundaries of the land comprised in each register unit;

(c) by red lines suitably lettered, or by lettering alone, the limits of any land over which a registered right of common is exercisable, or to which a registration of ownership applies, so far as those limits do not coincide with the boundaries of the land comprised in a register unit, and cannot conveniently be described by reference to any feature appearing on the said map;

(d) by black hatching, and if necessary by lettering as well, land which has been removed from the register under section 13 of the Act, or of which the registration has been cancelled;

(e) by black interrupted lines, any boundaries of the registration area falling within the said map;

(f) by such other colours and symbols as the registration authority may think fit, other particulars mentioned in the general part of the register, or in any registration (not being particulars of land to which rights of common are attached), which it is necessary or convenient to show on the said map.

(6) There shall be kept annexed to every provisional register map a table headed "Key to Colouring and Symbols" containing a description or representation of every colour or symbol used in the said map (except such of those used under paragraph (5)(f) above as are not of general application) with a statement of the meaning of each such colour or symbol.

Overlays

17.—(1) Where it appears to a registration authority that the inclusion on one surface of all the particulars required to be shown on a provisional register map or any sheet thereof would be impracticable or confusing, the authority

may prepare one or more transparent overlays for the map or sheet, and may show thereon, instead of on the map or sheet itself, the particulars, or some of the particulars, required to be shown by virtue of sub-paragraphs (c), (d) and (f) of regulation 16(5) above.

(2) Every such overlay shall be fastened to the original map or sheet so that the details thereon coincide with those on the original, but so that it may be lifted away to enable either the original alone, or the original and any other overlay fastened thereto, to be inspected.

(3) Every overlay prepared under this regulation shall form part of the provisional register map.

Fresh editions

18. A registration authority may, whenever it deems it expedient to do so, prepare a fresh edition of a provisional register map or of any sheet thereof, showing only particulars of subsisting entries in the register. A fresh edition of a sheet forming part of a provisional register map shall bear the same number as the sheet it is to replace.

Indorsement

19. Every provisional register map consisting of one sheet, and every sheet of such a map consisting of more than one sheet, shall be indorsed as follows:—

“Provisional Register Map of (Common Land) (Town or Village Greens).
(Sheet No.). This is the edition of this (map) (sheet)”

and shall be stamped by, and signed on behalf of, the registration authority, and shall then form part of the register and (in the case of a fresh edition) the map or sheet which is replaced shall be marked on its face “This (map) (sheet) was replaced by a fresh edition on (date)”, but shall not cease to be part of the register.

Supplemental maps

20.—(1) Where a right of common attached to any land falls to be registered, and that land or any part thereof is described in the application for registration by means of a plan, the registration authority shall describe that land or part in the register by means of a map to be called a supplemental map in accordance with this regulation.

(2) The registration authority may adopt as the supplemental map the plan referred to in paragraph (1) above, or may itself prepare a map showing the necessary particulars; and where the authority so adopts a plan it shall not mark it otherwise than as mentioned in paragraph (4) below.

(3) The land to be described by means of a supplemental map (not being an adopted plan) shall be coloured, tinted, verged or hatched thereon in such manner as may seem to the registration authority most convenient for identifying it, and the means of identification used in any supplemental map shall be referred to in column 5 of the rights section of the register, as in the following example:—

“The land at &c. as shown verged red within the boundary on the supplemental map bearing the number of this registration.”

(4) The supplemental map shall be stamped by the registration authority as of the date of the entry of registration, and shall be indorsed as follows:—

“Supplemental map referred to in column 5 of entry No. in the rights section of register unit No. in the Register of (Common Land) (Town or Village Greens)”

and shall then form part of the register.

(5) Supplemental maps shall be kept separately for each register, in register unit order, and within that order in entry number order.

PART IV

OTHER ENTRIES IN THE REGISTERS

Registration under Land Registration Acts 1925 and 1936

21. Where any land is registered under the Act, and the registration authority is notified by the Chief Land Registrar that the land has been registered under the Land Registration Acts 1925 and 1936(a), then—

- (a) if the ownership of the land has not been registered under the Act, the authority shall note the ownership section of the register in accordance with Standard Entry 4;
- (b) if the ownership of the land has been so registered, the authority shall, after deleting the registration of the ownership pursuant to section 12(b) of the Act, note the ownership section of the register in accordance with Standard Entry 5.

Matters affecting the public

22.—(1) Where any of the matters to which this regulation applies affects land registered under the Act, the registration authority may enter a note thereof in the land section of the register notwithstanding that no application in that behalf has been made, and, where it has not done so, it shall do so upon application made in accordance with the following provisions of this regulation.

(2) This regulation applies to the following matters:—

- (a) schemes under Part I of the Commons Act 1899(b) or under the Metropolitan Commons Acts 1866 to 1898(c);
- (b) local Acts regulating the land;
- (c) Acts confirming provisional orders made under the Commons Act 1876(d);
- (d) limitations and conditions imposed under proviso (b) to section 193(1) of the Law of Property Act 1925(e).

(3) Applications under this regulation must be in writing and may be made by any local authority in whose area any part of the land lies, by any person charged by law with the management or regulation of the land or (in the case of the said limitations and conditions) by—

- (a) the owner of any part of the land;
- (b) any person appearing from the register to be interested in a right of common registered as exercisable thereover; or

(a) 1925 c. 21; 1936 c. 26.

(c) 1866 c. 122; 1869 c. 107; 1878 c. 71; 1898 c. 43.

(e) 1925 c. 20.

(b) 1899 c. 30.

(d) 1876 c. 56.

(c) where any part of the land, or any such right, belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(4) Any note entered in a register under this regulation shall be in accordance with Model Entry 13 or 14 as applicable, and, where the entry is made pursuant to an application, the registration authority shall send the applicant a copy of the entry.

Charitable interests

23. Where any land registered under the Act is held for charitable purposes, the registration authority shall, on the application in writing of the owner or the charity trustees, enter a note to that effect in the land section of the register, in accordance with Model Entry 15, and shall send the applicant a copy of the entry.

Private rights and interests

24.—(1) Where any land is registered under the Act, the registration authority shall, upon application made in accordance with the following provisions of this regulation, enter a note in the land section of the register of the existence, in relation to that land, of a claim to any right or interest to which this regulation applies, unless it appears to the authority that the right or interest is of a trivial, obvious or transitory nature, or that an entry relating to it would be likely to cause confusion or inconvenience or unlikely to add substantially to the information obtainable from an inspection of the land.

(2) This regulation applies to the following rights and interests:—

- (a) easements;
- (b) profits *à prendre* other than rights of common;
- (c) franchises;
- (d) rights and interests of the lord of the manor (in that capacity) other than the ownership of the land;
- (e) where the ownership of any minerals in or under the land is severed from the ownership of the surface, the ownership of those minerals and all rights incident thereto;
- (f) rights of the lessee or licensee under any mineral lease or licence;
- (g) rights acquired by statutory undertakers for the purposes of their undertakings.

(3) Every application under this regulation must be in Form 16 and be made by the person claiming to be entitled to the right or interest, or, where the right or interest belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(4) Where a registration authority accepts an application under this regulation, it shall make a note in the register in accordance with Model Entries 16 to 19 as applicable, and shall send written notice to the applicant of the making of the note together with a copy of the note as entered.

(5) No marking shall be made on the register map or any supplemental map in connexion with any note under this regulation.

(6) Where a registration authority rejects an application under this regulation it shall so inform the applicant in writing, giving the reasons for the rejection.

Cancellation of certain entries

25. A registration authority may cancel an entry under regulation 22, 23 or 24 above if it is satisfied on reasonable grounds that the matter to which the entry relates is no longer subsisting.

New addresses

26.—(1) Any person to whom this regulation applies, having changed his address, may apply in writing to the registration authority to note the new address on the register, and the registration authority shall note the appropriate section of the register accordingly.

(2) This regulation applies to the following persons:—

(a) where land is registered under the Act, any person registered as owner thereof and, where the registration of the land is provisional, the person (if any) on whose application it was made, and any person whose application has been noted under section 4(4) of the Act;

(b) where a right of common is so registered, any person appearing from the register to be interested therein, and, where the registration is provisional, the person on whose application it was made and any person whose application is noted under regulation 9(5) above.

PART V

AMENDMENT OF REGISTERS UNDER SECTION 13 OF ACT

Land ceasing to be common land or a town or village green

27.—(1) Where any land registered under the Act has ceased to be common land or a town or village green, application may be made to the registration authority, in accordance with the following provisions of this regulation, for the amendment of the register.

(2) An application under this regulation may be made—

(a) by the owner of the land;

(b) where the land belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(3) Every such application must be—

(a) in Form 17;

(b) signed by every applicant who is an individual, and by the secretary or other duly authorized officer of every applicant which is a body corporate; and

(c) supported by a statutory declaration made by every person who has signed the application, and by such further evidence (if any) as, after considering the application and declaration, the registration authority may reasonably require.

(4) Applications under this regulation shall be numbered in order of receipt by the registration authority, and shall be entitled, unless rejected, to be given effect to on the register in that order.

(5) The registration authority shall, on receipt of any application under this regulation which it does not, after preliminary consideration, determine to reject, publish in the concerned area, and shall display, a notice in Form 18, and shall send the notice to—

- (a) every concerned authority;
- (b) any person other than the applicant who is registered as owner of the land;
- (c) where a right of common is registered as exercisable over the land, any person appearing from the register to be interested therein, and, where the registration is provisional, the person on whose application it was made and any person whose application is noted under regulation 9(5) above.

(6) Every authority receiving a Form 18 notice under this regulation shall display copies thereof.

(7) Upon the expiration of forty days from the date on which paragraph (5) above is complied with, the registration authority shall further consider the application and shall consider any written representations which it has received, and, if it deems the application well-founded, shall amend the register as shown in Standard Entry 6.

(8) In this regulation “concerned area” means, in the case of a registration authority which is the council of a county borough, an area including the area of the county borough and the areas of every concerned authority, and, in any other case, an area including the areas of every concerned authority.

Substituted land

28.—(1) Where—

- (a) application is made to a registration authority under regulation 27 above with respect to any land registered under the Act, and
- (b) it appears to the authority that, under or by virtue of any of the enactments mentioned in paragraph (2) below, the said land (in this regulation referred to as the taken land) has ceased to be common land or a town or village green, and that certain other land not registered under the Act (in this regulation referred to as the substituted land) has become common land or a town or village green in substitution therefor,

the authority shall not give effect to the application until the substituted land has been registered under the Act, unless it is exempt from registration under section 11 thereof.

(2) The enactments referred to in paragraph (1) above are the following:—

- (a) sections 147 and 148 of the Inclosure Act 1845(a);
- (b) paragraph 11 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act 1946(b);
- (c) any other enactment providing, on the exchange of land, for the transfer of rights trusts or incidents attaching to the land given in exchange from that land to the land taken in exchange and *vice versa*.

(3) Substituted land in the same registration area as the taken land shall be registered in the register unit containing the registration of the taken land, with a statement as in Standard Entry 7, and both the taken and the substituted land shall be identified by lettering in the register unit and on the register map.

(a) 1845 c. 118.

(b) 1946 c. 49.

Amendment in regard to registered rights

29.—(1) Where a right of common registered under the Act has been apportioned, varied, extinguished or released, or, being or having become a right in gross, has been transferred, application may be made to the registration authority, in accordance with the following provisions of this regulation, for the amendment of the register.

(2) An application under this regulation may be made—

- (a) by any person having an interest under the apportionment, variation, extinguishment, release or transfer;
- (b) where such an interest belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(3) Every such application must be—

- (a) in Form 19;
- (b) signed by every applicant who is an individual, and by the secretary or other duly authorized officer of every applicant which is a body corporate; and
- (c) supported by a statutory declaration made by every person who has signed the application, and by such further evidence (if any) as, after considering the application and declaration, the registration authority may reasonably require.

(4) Applications under this regulation shall be numbered in order of receipt by the registration authority and shall be entitled, unless rejected, to be given effect to on the register in that order.

(5) The registration authority shall, on receipt of any application under this regulation which it does not after preliminary consideration determine to reject, serve notice in Form 20 upon every person (other than the applicant) appearing, either from the register or from any prior pending application under this regulation, to be interested in the right of common referred to in the application, and, where the registration is provisional, upon the person on whose application it was made and any person whose application is noted under regulation 9(5) above.

(6) Upon the expiration of forty days from the date on which paragraph (5) above is complied with, the registration authority shall further consider the application and shall consider any written representations which it has received, and, if it deems the application well-founded, shall make the necessary amendment to the register in accordance with Model Entry 20 or 21 as appropriate.

(7) Where an assurance entitled to be registered under the Yorkshire Registries Act 1884(a) effects any such apportionment, variation, extinguishment, release or transfer as is mentioned in paragraph (1) above, section 14 of that Act shall not apply to that assurance so far as it relates to that apportionment, variation, extinguishment, release or transfer.

Information about disposal of applications

30.—(1) Where a registration authority has accepted an application under regulation 27 or 29 above, and has made the necessary amendment in the register, it shall give written notice thereof, with particulars of the amendment, to every concerned authority, to the applicant and to every person served with

(a) 1884 c. 54.

notice of the application, and, where the authority has rejected such an application, it shall give written notice of the rejection to the applicant and to every such person as aforesaid, giving the reasons for the rejection.

(2) An authority to whom a notice is sent under paragraph (1) above shall annex it to the copy of the registration to which it relates and keep it available for public inspection at all reasonable times.

PART VI MISCELLANEOUS

Land descriptions

31.—(1) Land must be described for the purposes of any application, other than an application under Part IV of these Regulations,—

- (a) by a plan accompanying the application and referred to therein; or
- (b) in the case of land already registered under the Act, by a reference to the register sufficient to enable the land to be identified; or
- (c) in the case of land to which rights of common are attached, by reference to the numbered parcels on the most recent edition of the ordnance map (quoting the edition).

(2) Any plan accompanying an application must—

- (a) be drawn to scale;
- (b) be in ink or other permanent medium;
- (c) be on a scale of not less, or not substantially less, than six inches to one mile;
- (d) show the land to be described by means of distinctive colouring; and
- (e) be marked as an exhibit to the statutory declaration in support of the application.

Official searches and certificates

32.—(1) Where any person requires a search to be made in a register, he may on payment of the prescribed fee lodge with the registration authority a requisition in that behalf.

(2) A requisition for a search must be in Form 21, signed by the person making the same or by his solicitor, and must define the land in respect of which the search is to be made by means of a plan drawn to scale and (except where the applicant does not require a plan to be returned) furnished in duplicate.

(3) The registration authority shall thereupon make the search required, and shall issue a certificate setting forth the results of the search by completing the appropriate portion of Form 21 and returning one copy of the form to the person who required the search or his solicitor.

(4) A separate requisition for search shall be made in respect of each parcel of land against which a search is requested, except where for the purpose of a single registration or of a single transaction a certificate is required in respect of two or more parcels of land which have a common boundary or are separated only by a road, railway, river, stream or canal.

(5) Every registration authority shall close its registers for entries at a fixed time each working day, and shall make no entries therein after that time until the next working day.

(6) An official certificate of the result of the search shall extend to registrations effected during the day of the date of the certificate and shall be issued only when the registers have been closed for entries on that day.

Certified copies and extracts

33. Any person may, on payment of the prescribed fee, bespeak from a registration authority, and the registration authority shall thereupon issue, a copy of, or extract from, the general part of any register maintained by it under the Act, or any map or register unit forming part of such a register, certified on behalf of the registration authority as a true copy or extract as at the date of issue thereof.

Fees for searches, etc.

34.—(1) The fees payable for searches and official certificates of search, and for certified copies and extracts, shall be those specified in Schedule 3 to these regulations.

(2) All fees payable by virtue of this regulation shall be paid in advance.

Supply of certain forms

35. Forms 1 to 4, 7 to 10, 16, 17, 19 and 21 shall be supplied to registration authorities under arrangements to be made by H.M. Stationery Office, and no forms of those numbers other than those so supplied shall be used.

Errors and omissions

36. Where any clerical error or omission, or error or omission of a like nature, is discovered in a register, and can be corrected without either—

- (a) increasing or diminishing the area of any land registered therein, or
- (b) increasing the burden on any such land of any right of common so registered, or
- (c) increasing the area of any land subject to any such right, or
- (d) causing any registration to conflict with another registration, or
- (e) affecting any provisional registration which falls to be referred to a Commons Commissioner, or any registration under section 4 of the Act which has become final,

the registration authority shall make the necessary correction, and, where the correction affects any provisional registration, shall inform every concerned authority in writing, and every such authority shall make a corresponding correction in the copy of the registration held by it.

In Witness whereof the official seal of the Minister of Land and Natural Resources is hereunto affixed on 23rd November 1966.

(L.S.)

F. T. Willey,

Minister of Land and Natural Resources.

SCHEDULE 1
FORMS

FORM 1
COMMONS REGISTRATION ACT 1965

Registration authority

Note: This part of the register contains:
 (a) particulars of any agreement under section 2 of the Act having the effect of adding land to, or taking land from, the registration area;
 (b) particulars of any land situated in the area of the registration authority to which, by virtue of section 11 of the Act or of an order made thereunder, the registration provisions of the Act do not apply;
 (c) particulars of any transfer, to or from the registration authority, of responsibility for maintaining any register or register unit, otherwise than under section 2 of the Act; and
 (d) such other information as may be required or authorized to be entered therein.

Register of

GENERAL PART—Sheet No.

No. and date of entry	Entries	No. and date of entry	Entries

NOTE: This section contains the registration of the
land comprised in this register unit.

Registration authority

Register unit No.

Edition No.

See Overleaf
for Notes

Register of

LAND SECTION—Sheet No.

<i>No. and date of entry</i>	<i>Description of the land, reference to the register map, registration particulars, etc.</i>

<i>No. and date of note</i>	<i>Notes</i>	<i>No. and date of note</i>	<i>Notes</i>

NOTE: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority

Register unit No.

Edition No.

See Overleaf
for Notes

Register of

RIGHTS SECTION—Sheet No.

1	2	3	4	5
<i>No. and date of entry</i>	<i>No. and date of application</i>	<i>Name and address of every applicant for registration, and the capacity in which he applied</i>	<i>Particulars of the right of common, and of the land over which it is exercisable</i>	<i>Particulars of the land (if any) to which the right is attached</i>

FORM 4
COMMONS REGISTRATION ACT 1965
Register of

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority
 Register unit No.
 Edition No.

See Overleaf
 for Notes

OWNERSHIP SECTION—Sheet No.

1 <i>No. and date of entry</i>	2 <i>No. and date of application</i>	3 <i>Name and Address of person registered as owner</i>	4 <i>Particulars of the land to which the registration applies</i>

<i>No. and date of note</i>	<i>Notes</i>	<i>No. and date of note</i>	<i>Notes</i>

FORM 5

COMMONS REGISTRATION ACT 1965

NOTICE OF INTENTION TO APPLY FOR REGISTRATION

Important Note

You need use this form only if you think you will be unable to submit your application for registration during the first registration period, that is to say from 2nd January 1967 to 30th June 1968, and the only purpose of the form, from your point of view, is to save you the fee of £5 which, except as stated below, you would otherwise have to pay in respect of an application made in the second registration period, which runs from 1st July 1968 to 2nd January 1970. The form, properly completed and signed, must reach the registration authority not later than 30th June 1968 in order to save you the fee.

If your application will be to register a claim to ownership, and the land to which it relates is not registered under the Act until after 30th April 1968, you will not have to pay a fee in any case, and so need not use this form. Further, no fee is chargeable for an application to register land as common land, or a town or village green, if the land did not become so registrable until after 30th April 1968, nor for an application to register a right of common which only became registrable after that date, so that the use of this form is not necessary in such cases.

If, after you have sent in the form, you find that you will, after all, be able to submit your application before the end of the first registration period you should do so, and not wait until after 30th June 1968.

The registration authority will acknowledge the receipt of this form, and the acknowledgment should be carefully kept. If you do not receive an acknowledgment within 10 days you should make inquiries of the registration authority.

To the (name of registration authority)

PLEASE TAKE NOTICE that I intend, during the second registration period, to make an application to you under the Commons Registration Act 1965 for the registration of which short particulars are given below.

<p>1. Name and address of applicant</p>	
<p>2. Particulars of the land concerned in the registration:— (1) name by which commonly known; (2) location. (NOTE: Unless the land is in the registration area of the registration authority, the notice will be ineffective.)</p>	
<p>3. Type of registration:— (a) of the land as common land or as a town or village green; (b) of rights of common over the land; (c) of a claim to ownership of the land. (Insert “(a)”, “(b)” or “(c)” opposite as appropriate.)</p>	
<p>4. Where the registration is to be of rights of common:— (1) indicate the general nature of the rights (e.g. turbary, grazing, piscary, etc.) (2) where the rights of common are enjoyed in virtue of the ownership or occupation of any farm, holding or other land, give brief particulars of that land.</p>	

Dated 19 .

Signature of applicant.....

FORM 6

(Name of registration authority)

COMMONS REGISTRATION ACT 1965

To.....or his solicitor.

Your reference.....

Your.....* dated

relating to land at.....

has been received and has been allotted the number.....,
which should be quoted in any correspondence.

* Insert "notice" "application" or as the case may be.

Official stamp
of registration
authority

FORM 7

This section for official use only.

Official stamp of registration authority

indicating date of receipt

Application No.

Register Unit No(s):

CL
CL
CL

COMMONS REGISTRATION ACT 1965

**Application for the registration of
land as common land**

IMPORTANT NOTE: *Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.*

¹Insert name of registration authority (see Note 1).

To the¹

Application is hereby made for the registration as common land of the land described below.

Part 1.

(Give Christian names or forenames, and surname or, in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

Name and address of the applicant.

Part 2.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Name and address of solicitor, if any.

Part 3.

(See Notes 2, 3 and 4.)

Particulars of the land to be registered, i.e. the land claimed to be common land.

Name by which usually known

Locality

²Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.

Colour on plan herewith²

Part 4.
(See Note 7.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

³The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.

³Signature of applicant or of person on applicant's behalf.

Date.....19...

(See Note 5.) **Statutory Declaration in Support**

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name.

I, ¹solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

²Strike out this paragraph if it does not apply.

2. ³I am³ to the applicant and am duly authorised by the applicant to make the foregoing application.

³Insert capacity in which acting.

3. I have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.

⁴Strike out this paragraph if there is no plan.

4. ⁴The plan now produced and shown to me marked ⁵ is the plan referred to in the application.

⁵Insert "marking" as on plan (see Note 5).

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said
.....
at
in the of
this day of
19.....

Before me,

Signature

Address

Qualification

REMINDER TO OFFICER TAKING DECLARATION:
Please initial all alterations and mark any plan as an exhibit.

NOTES

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land which is claimed to be common land. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council: for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "common land"

Common land is defined in the Commons Registration Act 1965 as—

(a) land subject to rights of common (as defined in the Act—see Note 3 below) whether those rights are exercisable at all times or only during limited periods;

(b) waste land of a manor not subject to rights of common.

It does not include a town or village green or any land forming part of a highway. (There is a separate form available for town or village greens, which are also registrable under the Act.) "Land" includes land covered with water, so that common land can, for instance, include ponds and lakes.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include cattlegates or beastgates (by whatever name known) and rights of sole or several vesture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory booklet "Common Land" available free from local authorities; the following extract is not an authoritative statement of the law, but is intended for general guidance only:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbarry); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common.'"

4. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 6), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 5).

Where the land has already been registered and comprises *the whole of the land* in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 6). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B." Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 3 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

5. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date) 19 before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

6. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as common land, it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as a town or village green, registration as common land will take effect as an objection to the earlier registration as a town or village green, and the latter will take effect as an objection to the later registration as common land. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

7. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January, 1967 and ends on 30th June, 1968, and the second begins on 1st July, 1968 and ends on 2nd January, 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the land did not become registrable as common land until after 30th April, 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became common land.

8. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

(a) if the land is not already registered as common land, it will be provisionally registered as such, or

(b) if it is already registered as common land, the application will be noted on the register. The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

9. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.

FORM 8

This section for official use only.

Official stamp of registration authority
indicating date of receipt

Application No.

Register Unit No(s):

VG
VG
VG

COMMONS REGISTRATION ACT 1965

**Application for the registration of
land as a town or village green**

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

¹Insert name of registration authority (see Note 1).

To the¹

Application is hereby made for the registration as a town or village green of the land described below.

Part 1.

Name and address of the applicant.

(Give Christian names or forenames and surname, or in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

Part 2.

Name and address of solicitor, if any.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Part 3.

Particulars of the land to be registered, i.e. the land claimed to be a town or village green.

(See Notes 2 and 3.)

Name by which usually known

Locality

²Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 3.

Colour on plan herewith²

Part 4.
(See Note 6.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 6, and give the appropriate particulars required by that note.

⁸The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.

⁸Signature of applicant or of person on applicant's behalf.

Date 19.....

(See Note 4.)

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name.

I, ¹ solemnly and sincerely declare as follows:

1. I am the person who has signed the foregoing application.

²Strike out this paragraph if it does not apply.
³Insert capacity in which acting.

2. ²I am³ to the applicant and am duly authorised by the applicant to make the foregoing application.

3. I have read Note 2 on the back of the application form and believe that the land described in the application is a town or village green.

⁴Strike out this paragraph if there is no plan.
⁵Insert "marking" as on plan (see Note 4).

4. ⁴The plan now produced and shown to me marked⁵ " " is the plan referred to in the application

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said
.....
at
in the of
this day of 19

Before me,

Signature.....

Address

Qualification

REMINDER TO OFFICER TAKING DECLARATION: *Please initial all alterations and mark any plan as an exhibit.*

NOTES

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land which is claimed to be a town or village green. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

2. Meaning of "town or village green"

"Town or village green" is defined in the Commons Registration Act 1965 as land which has been allotted by or under any Act for the exercise or recreation of the inhabitants of any locality or on which the inhabitants of any locality have a customary right to indulge in lawful sports and pastimes or on which the inhabitants of any locality have indulged in such sports and pastimes as of right for not less than twenty years.

3. Land descriptions

Except where the land has already been registered under the Act (as to which see below and Note 5), the particulars asked for at part 3 of the form must be given, and a plan must accompany the application. The particulars in part 3 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 4).

Where the land has already been registered and comprises *the whole of the land* in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 5). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. . . . lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 3 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

4. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date) 19 before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

5. Previous registration: inspection and search of registers

It is possible that the land has already been registered under the Act. If it has been registered as a town or village green it will not be registered as such again pursuant to a further application, but the further application will be noted on the register. This will entitle the applicant to notice of any objection to the registration. If the land has been registered as common land, registration as a town or village green will take effect as an objection to the earlier registration as common land, and the latter will take effect as an objection to the later registration as a town or village green. It is also possible that the land is exempt from registration; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. To ascertain whether land has been registered under the Act, or is exempt, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for an official search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so, and it will not be possible to register it under the Act.

6. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January 1967 and ends on 30th June 1968, and the second begins on 1st July 1968 and ends on 2nd January 1970. There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the land did not become registrable as a town or village green until after 30th April 1968.

If (a) applies, the applicant should quote in part 4 of the application the number on the acknowledgment from the registration authority. If (b) applies, he should state in part 4 when and by what means the land became a town or village green.

7. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be informed whether the application has been accepted or rejected. If it is accepted, then—

(a) if the land is not already registered as a town or village green, it will be provisionally registered as such, or

(b) if it is already registered as a town or village green, the application will be noted on the register.

The applicant will in either case be informed, and will in due course be notified of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

8. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register and the applicant may be ordered to pay the costs of the objector.

FORM 9

This section for official use only.

Official stamp of registration authority

Application No. _____

indicating date of receipt

Register Unit No(s): _____

COMMONS REGISTRATION ACT 1965

Application for the registration of a right of common

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application may be rejected.

Insert name of registration authority (see Note 1).

To the¹

Application is hereby made for the registration of the right of common of which particulars are set out below.

Part 1.

(Give Christian names or forenames and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. See Note 2 for information as to who may apply.)

Name and address of the applicant or (if more than one) of every applicant.

Part 2.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Name and address of solicitor, if any.

Part 3.

(Read Note 2 and insert "owner" "tenant" or as the case may be. If there is more than one applicant the capacity of each must be stated against his name in this space.)

Capacity in which the applicant is entitled to apply for registration.

Part 4.

(See Notes 3 and 4.)

Description of the land over which the right of common is exercisable.

Name by which commonly known

Locality

Colour on plan²

²Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.

Part 5.

(See Notes 3 and 7. If the right is exercisable only during limited periods, full particulars of these periods must be given.)

Description of the right of common.

Part 6.

(See Note 4. If the right is not attached to any land the fact should be stated here.)

Description of the farm, holding or other land to which the right is attached, if any.

Part 7.

(See Note 8.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 8, and give the appropriate particulars required by that note.

³The application must be signed by the applicant, or by every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case it must be signed by the secretary or some other duly authorised officer.

³Signature(s) of applicant(s) or of person on his or their behalf.

Date.....19.....

Statutory Declaration in Support

(See Note 6.)

To be made by the applicant, or every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name(s).

[I] [We]¹ solemnly and sincerely declare as follows:

1. [I am] [We are] the person(s) who [has] [have] signed the foregoing application.

²Strike out this paragraph if it does not apply.

2. ²I am³ to the applicant(s) and am authorised by the applicant(s) to make the foregoing application on [his] [their] behalf.

³Insert capacity in which acting.

3. [I] [We] have read the Notes on the back of the application form and believe that [I] [we] [the applicant(s)] [am] [are] [is] entitled, in the capacity or respective capacities stated in the application, to apply for the registration under the Commons Registration Act 1965 of the right of common described in the application.

⁴Strike out this paragraph if there is no plan.
⁵Insert "marking" as on plan (see Note 6.)

4. ⁴The plan now produced and shown to me marked ⁵ " " is the plan referred to in part 4 of the application.

5. ⁴The plan now produced and shown to me marked ⁵ " " is the plan referred to in part 6 of the application.

And [I] [we] make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said }
..... }
..... }
..... }
at }
in the of }
this day of 19..... }

Before me,

Signature

Address

Qualification

REMINDER TO OFFICER TAKING DECLARATION: Please initial all alterations and mark any plan as an exhibit.

NOTES

1. Registration authorities

The applicant should take care to submit his application to the correct registration authority. This depends on the situation of the land over which rights of common are claimed. Except where there is an agreement altering the general rule (see below), the registration authority for land in an administrative county is the county council; for land in a county borough, it is the county borough council, and for land in Greater London, it is the Greater London Council.

In the case of land which is partly in the area of one registration authority and partly in that of another, the authorities may by agreement provide for one of them to be the registration authority for the whole of the land. Public notice is given of such agreements, but an applicant concerned with land lying close to the boundary of an administrative area, or partly in one area and partly in another, should, if in doubt, enquire whether an agreement has been made and, if so, which authority is responsible for that land.

It is not necessary for the land over which a right of common is exercisable to be registered before an application for the registration of the right itself is made: see Note 9.

2. Who may apply for registration

An application for the registration of a right of common may be made—

- (a) by the owner of the right;
- (b) where the right is attached to any land, and is comprised in a tenancy of the land, by the landlord, the tenant, or both of them jointly;
- (c) where the right belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

In a case where the landlord and the tenant of any land are both entitled to apply for the registration of a right of common attached to the land, they may consider it advisable to apply jointly, because—

- (a) If two separate applications relating to the same right are accepted for registration and differ in any material particular, a conflict arises, and each registration has to be treated as an objection to the other. Such a case would normally have to be referred to a Commons Commissioner for decision;
- (b) if a joint application is submitted, and is accepted for registration, both applicants will be entitled to appear before the Commons Commissioner in support of the registration, should any objection to it be referred to him;
- (c) a person entitled to make an application who is content to leave it to another person (independently so entitled) to make it will, on the other hand, have no right to appear at the hearing of any objection to the registration and may have no claim against that other person if for any reason the right is not registered or the registration does not become final, or becomes final with modification.

Where the Church Commissioners apply for the registration of a right belonging to a vacant benefice, the fact should be stated, and the name of the benefice given, in part 3.

Where the applicants are charity trustees, the fact should be stated, and the name of the charity given, in part 3.

3. Meaning of "rights of common"

Rights of common are not exhaustively defined in the Act, but it is provided that they include cattlegates or beastgates (by whatever name known) and rights of sole or several vesture or herbage or of sole or several pasture. They do not, however, include rights held for a term of years or from year to year. Further information is contained in the official explanatory booklet "Common Land", available free from local authorities, from which the following extract is taken:

"A right of common is generally taken to mean a right which a person may have (generally in *common with* someone else) to take part of the natural produce of another man's land; for example, a right to the herbage (a right of common of pasture); a right to take tree loppings or gorse, furze, bushes or underwood (a right of estovers); a right to take turf or peat (a right of common of turbarry); a right to take fish (a right of common of piscary); a right to turn out pigs to eat acorns and beechmast (pannage). There are various other types of rights of common, some existing only in particular areas, and it is impossible to give a complete list. The Act does not therefore attempt to give a comprehensive definition of the expression 'rights of common'."

This extract must not be taken as an authoritative statement of the law. Anyone who is not sure whether a right is registrable under the Act should seek legal advice.

4. Land descriptions

(a) *For purposes of part 4.* Except where the land has already been registered under the Act (as to which see below and Note 5), the particulars asked for at part 4 of the form must be given, and a plan must accompany the application. The particulars in part 4 are necessary to enable the registration authority to identify the land concerned, but the main description of the land will be by means of the plan. This must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration. (See Note 6.)

Where the land has already been registered and comprises *the whole of the land* in one or more register units, a plan is unnecessary provided the register and register unit number(s) are quoted (see Note 5). If the application concerns only part of the land comprised in a register unit, however, it will not always be possible to dispense with a plan. A plan will not be needed if the land can be described by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. . . . lying to the south of the road from A to B". Where this method is not practicable the land must be described by a plan prepared as mentioned above. In cases where the procedure of reference to an existing register unit is adopted, part 4 of the form should be adapted accordingly, and where no plan is submitted inappropriate references to a plan should be deleted.

(b) *For purposes of part 6.* If the right is attached to any farm, holding or other land, that land should be described in part 6. This may be done either by a plan prepared as explained in (a) above, or, alternatively, by reference to the numbered parcels on the most recent edition of the Ordnance map (quoting the edition), supplemented, where necessary to describe part of a parcel, or any land not numbered on the Ordnance map, by a plan prepared in accordance with (a) above. Sufficient particulars of the locality must in any case be given to enable the land to be identified on the Ordnance map.

If the right is held in gross, that is, not attached to any land, that fact should be stated in part 6.

5. Inspection and search of registers

To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of register entries affecting the land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for such search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. It is also possible that the land is exempt from registration: the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. If the land is exempt, the certificate will say so, and it will not be possible to register rights of common over it under the Act, but such rights as exist will not be prejudiced by non-registration.

6. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter "A". On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name of declarant) made this (date)

19 before me,

(Signature and qualification)

If there is more than one plan care should be taken to choose a different identifying letter for each.

7. Grazing rights

If the right of common consists of or includes a right to graze animals, or animals of any class, the application must state the number of animals, or the numbers of animals of different classes, to be entered in the register. This presents no difficulty where the right

to graze is already limited by number. However, for registration purposes grazing rights not limited by number (sometimes called rights "sans nombre", or without stint) must be quantified. This means that the applicant must enter in part 5 of the application form the number of animals, or the numbers of animals of different classes, which he believes himself entitled to graze. If the application is accepted, the right of grazing will be provisionally registered in accordance with the number or numbers which have been so entered. When the registration has become final the right of grazing will be exercisable in relation to animals not exceeding the number or numbers registered or such other number or numbers as Parliament may later determine. The applicant should not insert a figure higher than that which he believes himself entitled to. If he puts in an excessive figure the provisional registration is likely to be objected to. In that case, unless the registration authority permits it to be cancelled, or the objection is withdrawn, the matter will in due course be referred to a Commons Commissioner for decision, and if the Commissioner orders the figure to be reduced he may also order the applicant to pay the costs of the objector.

8. Submission of application: fees

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January 1967 and ends on 30th June 1968, and the second begins on 1st July 1968 and ends on 2nd January 1970.

There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5 unless—

(a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or

(b) the right of common did not become registrable until after 30th April 1968.

If (a) applies, the applicant should quote in part 7 of the form the number on the acknowledgment from the registration authority. If (b) applies, he should explain in part 7 why the right was not registrable until after 30th April 1968.

9. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be told whether the application has been accepted or rejected. If it is accepted, then—

(a) if the land over which the right of common is claimed to be exercisable is not already registered under the Act, it will be provisionally so registered, and the right of common will be provisionally registered as exercisable over it, or

(b) if that land is already registered under the Act, the right of common will be provisionally registered as exercisable over it.

The applicant will also in due course be told of any objection to the registration. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

10. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.

FORM 10

This section for official use only.

Official stamp of registration authority
indicating date of receipt

Application No.

Register Unit No.

COMMONS REGISTRATION ACT 1965

**Application for the registration of a
claim to ownership of land**

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority maintaining the register containing the registration of the land.

To the¹

Application is hereby made for the registration, in accordance with the particulars set out below, of a claim to the ownership of the under-noted land.

Part 1.

Give Christian names or forenames and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. See Notes 1 and 2 for information as to who may apply.)

Name and address of the applicant or (if more than one) of every applicant.

Part 2.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Name and address of solicitor, if any.

Part 3.

(Insert "Common Land" or "Town or Village Greens." See Notes 3 to 6.)

Register containing the registration of the land of which ownership is claimed.

Part 4.

(See Notes 4 and 8.)

Register unit number.

Part 5.

(Answer "Yes" or "No".)

Is ownership claimed of the whole of the land comprised in the above-mentioned register unit?

Part 6.

(See Note 8.)

If the answer to part 5 is "yes", leave this part blank. Otherwise, describe the portion of the land of which ownership is claimed (see Note 8). Where a plan is used the fact should be mentioned here, and the colouring used on the plan stated.

Part 7.

(See Note 11.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 11. If (a) applies, quote the number on the acknowledgment from the registration authority.

²The application must be signed by the applicant, or by every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case it must be signed by the secretary or some other duly authorised officer.

²Signature of applicant(s) or of person on his or their behalf.

Date 19.....

(See Note 9.)

Statutory Declaration in Support

To be made by the applicant, or every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

¹Insert full name(s).

[I] [We]¹
solemnly and sincerely declare as follows:

1. [I am] [We are] the person(s) who [has] [have] signed the foregoing application.

²Strike out this paragraph if it does not apply.
³Insert capacity in which acting.

2. ²I am³ to the applicant(s) and am authorised by the applicant(s) to make the foregoing application on [his] [their] behalf.

⁴Strike out this paragraph if there is no plan.
⁵Insert "marking" as on plan (see Note 9).

3. [I] [We] have read the Notes on the back of the application form and believe that [I] [we] [the applicant(s)] [am] [are] [is] entitled to apply for the registration under the Commons Registration Act 1965 of a claim to the ownership of the land described in the application.

⁴Strike out this paragraph if there is no plan.
⁵Insert "marking" as on plan (see Note 9).

4. ⁴The plan now produced and shown to me marked ⁵" " is the plan referred to in part 6 of the application.

And [I] [we] make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said }
..... }
..... }
..... }
at }
in the of }
this day of 19..... }

Before me,

Signature

Address

Qualification

REMINDER TO OFFICER TAKING DECLARATION: Please initial all alterations and mark any plan as an exhibit.

NOTES

1. Who may apply for registration

An application for the registration of a claim to the ownership of any land registered under the Act may be made by the owner of the land or, where the land belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

The owner of any land, for the purposes of the Act, is the owner of the legal estate in fee simple in that land. It follows that, in every case other than the special one of vacant benefice land, the names in part 1 must be those of the persons in whom the legal estate in fee simple is vested. Other persons, for example a lessee, a mortgagee, a person who has only an equitable interest, or charity trustees not having the legal estate in fee simple, are not entitled to apply for the registration of a claim to ownership. Anyone who is not sure whether he is entitled to apply should obtain legal advice.

Where the Church Commissioners apply with respect to land belonging to a vacant benefice, the fact should be stated, and the name of the benefice given, in part 1.

Where the applicants are charity trustees, the fact should be stated, and the name of the charity given, in part 1.

2. Effect of registration at H.M. Land Registry

Where the fee simple of land is registered under the Land Registration Acts 1925 and 1936 registration of claims to the ownership thereof under the Commons Registration Act 1965 is not permitted. The rights of the registered proprietor are not affected by the 1965 Act and his interest is not liable to be divested (see Note 10).

3. The land itself must first be registered

Two separate registers are maintained under the Commons Registration Act 1965 by each registration authority—a Register of Common Land and a Register of Town or Village Greens. Land must appear on one of those registers before a claim to its ownership can be registered, but an owner may apply to have his own land registered as common land or as a town or village green and thereafter (except as mentioned in Note 2) apply to have himself registered as owner. The ownership application must in any case be submitted to the registration authority maintaining the register which contains the registration of the land.

4. Inspection and search of registers

To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of the register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for such search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. It is also possible that the land is exempt from registration: the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. If the land is exempt, the certificate will say so, and it will not be possible to register a claim to ownership under the Act, but the owner's title will not be prejudiced by non-registration.

5. Conflicting ownership claims

Registration of a claim to ownership which conflicts with another registered ownership claim (in either register: see Note 6) will automatically result in the claims being treated as objections to each other to the extent to which they conflict: hence a person whose ownership claim has been registered has no need to make an objection to a conflicting ownership claim, whether earlier or later in date.

6. Double registration

It may happen during the process of registration that the same land becomes provisionally registered both in the Register of Common Land and in the Register of Town or Village Greens, resulting in each registration being treated as an objection to the other. In such a case the registration of an ownership claim in either register is deemed to be made in both; hence only one ownership claim need be made in respect of the land.

7. Objections to registration of land

A person who registers a claim to ownership does not thereby disable himself from objecting to the registration of the land as common land or as a town or village green, or both. If he does not consider that the land is common or green he should object to the registration during the appropriate objection period. (As to objections, see the official

explanatory booklet "Common Land", available free from local authorities.) Where the land appears in both registers, and the claimant to ownership considers that it should appear in neither, he must make a separate objection in respect of each registration.

8. Scope of application: land descriptions

Except as mentioned in Note 6, an application must relate to land comprised in one register unit and no more. If land in two or more register units is concerned, a separate application form must be used for each. In part 4, the register unit number should be quoted; the applicant should keep a note of this number, which will be used by the registration authority for reference. If the application relates to the whole of the land comprised in the register unit no further description than the register unit number is needed. If not, the land which is the subject of the application must be clearly identified. This can sometimes be done by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B." Where this cannot be done the land must be described by a plan, which must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 9).

9. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked "A" referred to in the statutory declaration of (name(s) of declarant(s)) made this (date) 19..... before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to use a different identifying letter for each.

10. Submission of application: effect of failure to register

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January 1967 and ends on 30th June 1968 and the second begins on 1st July 1968 and ends on 2nd January 1970. Land registered under the Act, but in respect of which a claim to ownership is not so registered, may in certain circumstances be liable to be divested unless the freehold title is registered under the Land Registration Acts 1925 and 1936.

11. Fees

There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless—

- (a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or
- (b) the land was not registered under the Act until after 30th April 1968.

12. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be told whether the application has been accepted or rejected. He will also in due course be told of any objections to the registration.

13. False statements: groundless applications

The making of a false statement to procure registration may render the maker liable to prosecution. Moreover, a registration which is objected to will, unless the registration authority permits it to be cancelled, or the objection is withdrawn, be referred to a Commons Commissioner. If, at the hearing before the Commissioner, the registration cannot be substantiated, it will be removed from the register, and the applicant may be ordered to pay the costs of the objector.

(Name of registration authority)

COMMONS REGISTRATION ACT 1965

NOTIFICATION OF DISPOSAL OF AN APPLICATION FOR REGISTRATION (LAND)

Application No..... Register.....

Short description of land.....

To (name of applicant).....or his solicitor.

Your Reference.....

- * 1. (Part) (The whole)* of the land has, pursuant to your application, been provisionally registered as (common land) (a town or village green)* under register unit No(s) (CL) (VG)*.....
- * 2. (The remainder) (The whole)* of the land having already been provisionally registered as (common land) (a town or village green)* under register unit No(s) (CL) (VG)*.....your application has been noted in the land section of (that) (those)* register unit(s).
- * 3. (Part) (The whole)* of the land provisionally registered (pursuant to your application) (as mentioned in paragraph 2 above)* had previously been provisionally registered as (common land) (a town or village green)* under register unit No(s) (CL) (VG)*.....and the registrations therefore conflict to the extent that they comprise the same land. To that extent each has to be treated as an objection to the other, and the registers have been so noted. If you consider that the registration made (pursuant to your application) (as mentioned in paragraph 2 above)* should be cancelled or modified, you may make a request to this effect to the Council as registration authority, and the Council may, if it thinks fit, cancel or modify it accordingly. Unless this registration, or the one with which it conflicts, is cancelled, the matter will be referred to a Commons Commissioner for decision, and you will be entitled to appear at the hearing before him. You will be notified of the time and place of the hearing, which will not in any case take place before 1st January 1971. If there are registrations during the second registration period affecting the land the hearing will not take place before 1st July 1972.

Official Stamp of registration authority

* Delete as necessary.

(Name of registration authority)

COMMONS REGISTRATION ACT 1965

NOTIFICATION OF DISPOSAL OF AN APPLICATION FOR REGISTRATION (RIGHTS)

Application No..... Register.....

Short description of land over which right exercised.....

To (name of applicant)..... or his solicitor.

Your reference.....

1. The right of common described in the application has been provisionally registered under the following No(s):—

Register unit No.	Entry No.
.....
.....

(A register unit number with the prefix CL indicates a registration in the Register of Common Land. If the prefix is VG the registration is in the Register of Town or Village Greens.)

*2. The right of common described in the application has already been provisionally registered under the following No(s):—

Register unit No.	Entry No.
.....
.....

*(Your application has accordingly been noted on the register. This means that you will receive notice of any objection to the registration, and that the registration may not be cancelled or modified, except by direction of a Commons Commissioner, without your written consent).

(and the registrations conflict. Each, therefore, has to be treated as an objection to the other, and the registers have been so noted. If you consider that the registration(s) made pursuant to your application should be cancelled or modified, you may make a request to this effect to the Council as registration authority, and the Council may, if it thinks fit, and subject to any necessary consents, cancel or modify (it) (them) accordingly. Unless (this) (these)* registration(s), or (the one) (those)* with which (it) (they)* conflict(s), (is) (are)* cancelled, the matter will be referred to a Commons Commissioner for decision, and you will be entitled to appear at the hearing before

him. You will be notified of the time and place of the hearing, which will not in any case take place before 1st January 1971. If there are registrations during the second registration period affecting the land the hearing will not take place before 1st July 1972).

* Delete as necessary.

Official Stamp of
registration authority



(Name of registration authority)

COMMONS REGISTRATION ACT 1965

NOTIFICATION OF DISPOSAL OF AN APPLICATION FOR REGISTRATION (OWNERSHIP)

Application No..... Register.....

Short description of land.....

To (name of applicant).....or his solicitor.

Your reference.....

1. The claim to ownership described in this application has been provisionally registered under Register unit No..... Entry No..... (A register unit number with the prefix CL indicates a registration in the Register of Common Land. If the prefix is VG the registration is in the Register of Town or Village Greens.)

2. (A claim) (Claims)* to the ownership of (part) (the whole)* of the land comprised in this application (has) (have)* already been provisionally registered under the following No(s):—

Register unit No.	Entry No.
.....
.....
.....

and the registrations therefore conflict to the extent that they comprise the same land. To that extent, each has to be treated as an objection to the other, and the register(s) (has) (have) *been so noted. If you consider that the registration made pursuant to your application should be cancelled or modified, you may make a request to this effect to the Council as registration authority, and the Council may, if it thinks fit, cancel or modify it accordingly. Unless this registration, or any with which it conflicts, is cancelled, the matter will be referred to a Commons Commissioner for decision, and you will be entitled to appear at the hearing before him. You will be notified of the time and place of the hearing, which will not in any case take place before 1st January 1971. If there are registrations during the second registration period affecting the land the hearing will not take place before 1st July 1972.

Official Stamp of registration authority

* Delete as necessary.

(Name of registration authority)

COMMONS REGISTRATION ACT 1965

NOTICE OF CONFLICTING REGISTRATIONS

To the person (if any) on whose application was made the registration (referred to below as the old registration) Entry No.....
in the (land) (rights) (ownership)* section of register unit number.....
in the register of (Common Land) (Town or Village Greens)* and to any person whose application is noted on the register in respect thereof.

PLEASE TAKE NOTICE that a new registration has been made, of which particulars are given below, and that this new registration conflicts with the old registration. Each registration must, therefore, to the extent of the conflict, be treated as an objection to the other, and the register(s) (has) (have) *been noted accordingly.

If you consider that the old registration should be cancelled or modified, you may make a request to this effect to the Council as registration authority, and the Council may, if it thinks fit, (and subject to any necessary consents), ‡ cancel or modify it accordingly.

Unless either the old or the new registration is cancelled the matter will be referred to a Commons Commissioner for decision, and you will be entitled to appear at the hearing before him. You will be notified of the time and place of the hearing, which will not in any case take place before 1st January 1971. If there are registrations during the second registration period affecting the land the hearing will not take place before 1st July 1972.

Official Stamp of registration authority

* Delete whichever does not apply.

‡ The words in brackets are for use only in the case of a rights registration: see regulation 12(7).

PARTICULARS OF THE NEW REGISTRATION

Register

Register unit No.

Entry No.

Type of registration—(Land) (Rights) (Ownership)*

Name(s) and address(es) of person(s) on whose application the registration was made:

.....
.....
.....
.....
.....

* Delete whichever does not apply.



FORM 15

(Name of registration authority)

COMMONS REGISTRATION ACT 1965

NOTICE OF (CANCELLATION) (MODIFICATION)* OF REGISTRATION

NOTICE IS HEREBY GIVEN that the registration in register unit numberof the register of (Common Land) (Town or Village Greens)* has been (cancelled) (modified)*.

A copy of the registration, as it stood in the (land) (rights) (ownership)* section of the register prior to (cancellation) (modification)* is set out below.

; paragraph is to be
l only where there
been a modification.

In order that the effect of the modification may be seen, the registration as it now appears in the register is also set out below.

Official Stamp of
registration authority

COPY OF REGISTRATION AS IT STOOD IN THE REGISTER
PRIOR TO (CANCELLATION) (MODIFICATION)*

* Delete inapplicable wording.

For use only where there has been a modification.

COPY OF REGISTRATION AS NOW MODIFIED

PARTICULARS OF LAND AFFECTED

For use only where the cancelled or modified registration was in the rights or ownership section of the register.

The land affected by the above-mentioned (cancellation) (modification) is (part of)* that comprised in the above-mentioned register unit. Shc particulars are as follows:—



* Delete inapplicable wording.

FORM 16

This section for official use only

Official stamp of registration authority

indicating date of receipt

Application No.

Register Unit No.

COMMONS REGISTRATION ACT 1965

**Application for a note to be
made in a register**

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority maintaining the register containing the registration of the land.

To the¹

Application is hereby made for the entry in the undermentioned register of a note of the right or interest of which particulars are set out below.

Part 1.

(Give Christian names or forenames and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. Only a person entitled to the relevant right or interest may apply, except where the Church Commissioners apply with respect to a right or interest belonging to a vacant benefice, in which case the fact should be stated here, and the name of the benefice given.)

Name and address of the applicant or (if more than one) of every applicant.

Part 2.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Name and address of solicitor, if any.

Part 3.

(Insert "Common Land" or "Town or Village Greens". See Notes 2 to 5.)

Register containing the registration of the land against which the note is to be made.

Part 4. Register unit number.

(See Notes 3 and 5.)

[Faint, illegible text in this section, possibly bleed-through from the reverse side of the page]

Part 5. Particulars of the right or interest to be noted.

(See Note 1.)

[Faint, illegible text in this section, possibly bleed-through from the reverse side of the page]

[Faint, illegible text in this section, possibly bleed-through from the reverse side of the page]

[Faint, illegible text in this section, possibly bleed-through from the reverse side of the page]

[Faint, illegible text in this section, possibly bleed-through from the reverse side of the page]

Declaration by Applicant(s)

²Delete inapplicable wording.

²[I] [We] declare that the particulars given in this application are true to the best of [my] [our] knowledge and belief, and [I] [we] believe ([I am] [we are] [the applicant(s)] [is] [are] entitled to the right or interest mentioned above) (that the right or interest described in the application belongs to the benefice therein mentioned, and that the said benefice is vacant).

Date.....19.....

³The application must be signed by the applicant, or by every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case it must be signed by the secretary or some other duly authorised officer.

Signature(s) of
applicant(s) or of
person on his or
their behalf³

.....
.....
.....
.....

NOTES

1. Rights and interests which may be noted

A note of any of the following rights or interests in, over, or relating to land registered under the Act may be entered in the register:—

- (a) easements;
- (b) profits *à prendre* other than rights of common;
- (c) franchises;
- (d) rights and interests of the lord of the manor (in that capacity) other than the ownership of the land;
- (e) where the ownership of any minerals in or under the land is severed from the ownership of the surface, the ownership of those minerals and all rights incident thereto;
- (f) rights of the lessee or licensee under any mineral lease or licence;
- (g) rights acquired by statutory undertakers for the purposes of their undertakings.

Any note entered pursuant to this application will have no legal effect but will be for information only. It will also be general rather than specific. No plan should be submitted with the application, since no reference to a plan will appear in the note if entered and no marking will appear on the register map.

2. The land itself must first be registered

Two separate registers are maintained under the Commons Registration Act 1965 by each registration authority—a Register of Common Land and a Register of Town or Village Greens. The land affected by the right or interest must appear on one of those registers before an application in this form can be entertained. The application must be submitted to the registration authority maintaining the register which contains the registration of the land.

3. Inspection and search of registers

To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of the register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for such search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number. If it is exempt from registration, the certificate will say so, and it will not be possible for an application in this form to be entertained.

4. Double registration

It may happen during the process of registration that the same land becomes provisionally registered both in the Register of Common Land and in the Register of Town or Village Greens, resulting in each registration being treated as an objection to the other. In such a case it is better not to submit an application in this form until one of the registrations has become final, although an application in respect of each registration may be made if desired.

5. Scope of application

An application must relate to land comprised in one register unit and no more. If land in two or more register units is concerned, a separate application form must be used for each. In part 4, the register unit number should be quoted; the applicant should keep a note of this number, which may be used by the registration authority for reference.

6. Action by registration authority

The registration authority will in due course inform the applicant whether his application has been accepted or rejected. If it is accepted, he will be supplied with a copy of the note as entered in the register. If it is rejected, he will be told of the reasons for the rejection. The registration authority has a discretion to reject an application where it appears to the authority that the right or interest is of a trivial, obvious or transitory nature, or that an entry relating to it would be likely to cause confusion or inconvenience or unlikely to add substantially to the information obtainable from an inspection of the land. There may, of course, be other reasons for rejection, such as that the right or interest is not one of those mentioned in Note 1 above.

FORM 17

Official stamp of registration authority

Application No.....

indicating date of receipt

Register Unit No.....

(Above this line for official use only)

COMMONS REGISTRATION ACT 1965

Section 13

Application for the removal of land from a register

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

To the¹.....

Application is hereby made for the amendment of the register mentioned in Part 3 below by the removal therefrom of the under-noted land.

Part 1. Name and address of the applicant or (if more than one) of every applicant. (Give Christian names or forenames and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. See Note 1 for information as to who may apply.)

Part 2. Name and address of solicitor, if any. (This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Part 3. Register containing the registration of the land. (Insert "Common Land" or "Town or Village Greens". See Notes 2 and 3.)

Part 4. Register unit number. (See Notes 2 and 5.)

Part 5. Is the whole of the land comprised in the above-mentioned register unit sought to be removed from the register? (Answer "Yes" or "No".)

Part 6. If the answer to part 5 is "yes", leave this part blank. Otherwise, describe the portion of the land sought to be removed from the register (see Note 5). Where a plan is used the fact should be mentioned here, and the colouring used on the plan stated.

Part 7. On what date did the land cease to be common land or a town or village green?

Part 8. How did the land cease to be common land or a town or village green? (See Note 6.)

Date.....19.....

Signature(s) of }
applicant(s) or of }
person on his or }
their behalf ² }
.....

¹ Insert name of registration authority maintaining the register containing the registration of the land.

² The application must be signed by the applicant, or by every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case it must be signed by the secretary or some other duly authorised officer.

STATUTORY DECLARATION IN SUPPORT (see Note 7)

To be made by the applicant, or every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

(I) (We) ¹

solemnly and sincerely declare as follows:—

1. (I am) (We are) the person(s) who (has) (have) signed the foregoing application.

2. ² I am ³ to the applicant(s) and am authorised by the applicant(s) to make the foregoing application on (his) (their) behalf.

3. (I) (We) have read the Notes on the back of the application form and believe that ((I) (we) (the applicant(s)) (am) (are) (is) the owner of the legal estate in fee simple in the land described in the application), (that the land described in the application belongs to the benefice therein mentioned, that the said benefice is vacant), and that the said land ceased to be (common land) (a town or village green) on the date and in the manner therein stated.

4. ⁴ The plan now produced and shown to me marked ⁵ “ ” is the plan referred to in part 6 of the application.

And (I) (we) make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said.....
.....
.....
.....
.....
at.....
in the.....of.....
this.....day of.....19.....

Before me,

Name

Address

Qualification

Reminder to officer taking declaration: Please initial all alterations and mark any plan as an exhibit.

- ¹ Insert full name(s).
- ² Strike out this paragraph if it does not apply.
- ³ Insert capacity in which acting.
- ⁴ Strike out this paragraph if there is no plan.
- ⁵ Insert “marking” as on plan (see Note 7).

NOTES

1. Who may apply for the removal of land from a register

An application for the removal of land from a register maintained under the Act may be made by the owner of the land or, where the land belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

The owner of any land, for the purposes of the Act, is the owner of the legal estate in fee simple in that land. It follows that, in every case other than the special one of vacant benefice land, the names in part 1 must be those of the persons in whom the legal estate in fee simple is vested. Other persons, for example a lessee, a mortgagee, a person who has only an equitable interest, or charity trustees not having the legal estate in fee simple, are not entitled to apply.

Where the Church Commissioners apply with respect to land belonging to a vacant benefice, the fact should be stated, and the name of the benefice given, in part 1.

Where the applicants are charity trustees, the fact should be stated, and the name of the charity given, in part 1.

2. Inspection and search of registers

The registration particulars of the land must be ascertained in order to complete parts 3 and 4 of the application. Two separate registers are maintained under the Act by each registration authority—a Register of Common Land and a Register of Town or Village Greens. To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of the register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for such search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number and whether any rights of common and claims to ownership are registered. If the land is exempt from registration, the certificate will say so; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11.

3. Double registration

It may happen during the process of registration that the same land becomes provisionally registered both in the Register of Common Land and in the Register of Town or Village Greens, and rights of common exercisable over the land may then be registered in either register or both. When double registration has occurred, removal of the land from one register will have no effect on the other, and it is therefore advisable to search both registers.

4. Objections and removal applications contrasted

An application to remove land from a register where the registration is still provisional is not an alternative to the making of an objection to the registration of the land. An application for removal, to be successful, must show that events *subsequent to the registration* have caused the land concerned to cease to be common land or a town or village green. The registration, on the other hand, relates to the state of affairs existing at the date when it was made, and a person who considers it should not have been made should object to it during the appropriate objection period. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.)

5. Scope of application: land descriptions

An application must relate to land comprised in one register unit and no more. If land in two or more register units is concerned, a separate application form must be used for each. In part 4, the register unit number should be quoted; the applicant should keep a note of this number, which may be used by the registration authority for reference. If the application relates to the whole of the land comprised in the register unit no further description than the register unit number is needed. If not, the land which is the subject of the application must be clearly identified. This can sometimes be done by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No..... lying to the south of the road from A to B". Where this cannot be done the land must be described by a plan, which must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 7).

6. Grounds of application: evidence

In part 8 should be set out, as concisely as possible, a statement of the facts relied on to show that the land has ceased to be common land or a town or village green. The statement should include particulars of every Act of Parliament, statutory order, order of court, deed or other instrument, and of every act or event, which is material for the purpose. The registration authority has power to call for such further evidence in support of the application as it may reasonably require.

7. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked 'A' referred to in the statutory declaration of (name(s) of declarant(s)) made this (date) before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to use a different identifying letter for each.

8. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment postcard. If this is not received within 10 days the applicant should communicate with the authority. Publicity will be given to the application and objections invited. Thereafter, the applicant will be informed whether the application has been accepted or rejected. If it is accepted the registration will be amended in the prescribed manner, and the applicant will be supplied with particulars of the amendment. If it is rejected, the applicant or his solicitor will be notified of the reasons for the rejection.

9. False Statements

The making of a false statement for the purposes of this application may render the maker liable to prosecution.

FORM 18

(Name of registration authority)

COMMONS REGISTRATION ACT 1965

Notice of Application for Amendment of Register

Land ceasing to be (Common Land)

(Town or Village Green)*

Application has been made to the (name of registration authority) by (name and address of applicant) for the amendment of the Register of (Common Land) (Town or Village Greens)* by the removal of the land described below, which it is claimed ceased to be (common land) (a town or village green)* on the (date given in part 7 of Form 17) in the following circumstances:—

(Account of the circumstances summarised from part 8 of Form 17)

Any person wishing to object to the proposed amendment should, within forty days of the date of this notice, send a written and signed statement of the facts upon which he bases his objection to:—

(Name and address of registration authority.)

Dated.....19.....

(Signature on behalf of registration authority.)

DESCRIPTION OF THE LAND referred to above

* Delete whichever is inapplicable.

Official stamp of registration authority

Application No.....

indicating date of receipt

Register Unit No.....

(Above this line for official use only)

COMMONS REGISTRATION ACT 1965

Section 13

Application for the amendment of a register in relation to a right of common

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

To the ¹

Application is hereby made for the amendment of the register mentioned in part 3 below, in relation to the undernoted right of common, in accordance with the particulars set out hereunder.

Part 1. Name and address of the applicant or (if more than one) of every applicant. (Give Christian names or forenames and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. See Note 2 for information as to who may apply.)

Part 2. Name and address of solicitor, if any. (This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Part 3. Register containing the registration of the land. (Insert "Common Land" or "Town or Village Greens". See Notes 3 to 5.)

Part 4. Register unit number. (See Note 4.)

Part 5. Rights section entry number. (Give the number of the entry in the rights section of the register unit relating to the right of common sought to be amended. Previous (cancelled) entries relating to the same right of common, if any, should be disregarded.)

Part 6. Nature of applicant's interest in the proposed amendment. (Read Note 2 and insert, e.g. "as owner of the soil", "as transferee" or as the case may be.)

Part 7. Nature of change in the right of common. (See Note 7.)

Part 8. On what date did the change take place?

Part 9. How did the change take place? (See Note 8.)

Date.....19.....

Signature(s) of }
applicant(s) or of }
person on his or }
their behalf ² }

¹ Insert name of registration authority maintaining the register containing the registration of the land.

² The application must be signed by the applicant, or by every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case it must be signed by the secretary or some other duly authorised officer.

STATUTORY DECLARATION IN SUPPORT (see Note 10)

To be made by the applicant, or every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout; in particular, all references to a benefice should be struck out except where the Church Commissioners are the applicants.

(I) (We) ¹

solemnly and sincerely declare as follows:—

1. (I am) (We are) the person(s) who (has) (have) signed the foregoing application.

2. ² I am ³ to the applicant(s) and am authorised by the applicant(s) to make the foregoing application on (his) (their) behalf.

3. (I) (We) have read the Notes on the back of the application form and believe that (I) (we) (the applicant(s)) (the benefice mentioned in the application) (am) (are) (is) entitled to the interest stated in the application, (that the said benefice is vacant) and that, by reason of the facts therein stated, the register to which the application relates ought to be amended accordingly.

4. ⁴ The plan now produced and shown to me marked ⁵ is the plan referred to in part 7 of the application.

And (I) (we) make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said.....
.....
.....
.....
at.....
in the.....of.....
this.....day of.....19.....

Before me,

Name

Address

Qualification

Reminder to officer taking declaration: Please initial all alterations and mark any plan as an exhibit.

- ¹ Insert full name(s).
- ² Strike out this paragraph if it does not apply.
- ³ Insert capacity in which acting.
- ⁴ Strike out this paragraph if there is no plan.
- ⁵ Insert "marking" as on plan (see Note 10).

NOTES

1. What amendments should be registered

Application should be made to have the register amended where a registered right of common, whether or not attached to land, has been apportioned, varied, extinguished or released or, if it is a right in gross, (that is, not attached to any land) has been transferred. With regard to attached rights, it is important to remember that, so long as the land to which a right is attached remains a single holding, no case for amendment of the register arises, no matter how many times the holding may be sold or otherwise transferred, unless and until the right is apportioned. On the other hand, every transfer of the freehold ownership of a right held *in gross* should be recorded in the register. Changes in the tenancy of a holding to which a right is attached do not necessitate amendment of the register.

2. Who may apply

An application may be made—

- (a) by any person having an interest under the apportionment, variation, extinguishment, release or transfer;
- (b) where such an interest belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

“Having an interest” means having gained a benefit or advantage by the transaction. Thus, for example, in the case of an apportionment, each of the persons entitled to any part of the apportioned right would be entitled to apply. In the case of an extinguishment or release, the applicant would generally be the soil owner. In the case of a variation, any person benefited by the variation, and in the case of a transfer the transferee, would be entitled to apply.

Where the Church Commissioners apply with respect to land belonging to a vacant benefice, the fact should be stated, and the name of the benefice given, in part 1.

Where the applicants are charity trustees, the fact should be stated, and the name of the charity given, in part 1.

3. Scope of application

An application may not relate to more than one registered right of common. If more than one right requires amendment on the register a separate form must be used for each right.

4. Inspection and search of registers

The registration particulars of the right of common must be ascertained in order to complete parts 3 and 4 of the application. Two separate registers are maintained under the Act by each registration authority—a Register of Common Land and a Register of Town or Village Greens, and rights of common may be registered as exercisable over land registered in either register. To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of the register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for such search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number and whether any rights of common and claims to ownership are registered. If the land is exempt from registration the certificate will say so; the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. The certificate will not, however, disclose the entry number required for part 5 of the application. If this is not known the register or copy entries must be inspected personally, or special inquiry made of the registration authority. To enable the authority to answer such inquiry, sufficient details of the register entry must be given to enable it to be identified.

5. Double registration

It may happen during the process of registration that the same land becomes provisionally registered both in the Register of Common Land and in the Register of Town or Village Greens, in which case registrations of rights of common may appear in either register. It is therefore advisable to search both registers. However, where double registration has occurred, only one amendment application in respect of a right of common over the land need be made.

6. Objections and removal applications contrasted

An application for the amendment of a registration of a right of common where the registration is still provisional is not an alternative to the making of an objection to the registration. An application for amendment, to be successful, must show that events *subsequent to the registration* have caused the right concerned to have become altered, e.g., by apportionment. The registration, on the other hand, relates to the state of affairs existing at the date when it was made, and a person who considers it should not have been made should object to it during the appropriate objection period. (As to objections, see the official explanatory booklet “Common Land”, available free from local authorities.)

7. Nature of change

The applicant should state whether the right has been apportioned, extinguished, released, varied or transferred. Full details must be given of any apportionment or variation. Where there has been a transfer, the names and addresses of the transferees must be given.

8. Grounds of application

In part 9 should be set out, as concisely as possible, a statement of the facts relied on as showing how the change in the right of common has occurred. It is not possible to give a complete list of all the events which could give rise to an application for amendment of the register and the following are given only as examples:—

- (a) apportionment may occur, in the case of a right attached to land, when part of that land is sold and part retained;
- (b) extinguishment can occur, e.g. by merger, as where the owner of the right becomes the owner of the land over which it is exercised or vice versa;
- (c) release, variation or transfer are usually effected by deed, but may occur in other ways, as where a bankrupt's property vests in his trustee in bankruptcy or where rights are altered by or under an Act of Parliament;

The statement should include particulars of every Act of Parliament, statutory order, order of court, deed or other instrument, and of every act or event, which is material for the purpose. The registration authority has power to call for such further evidence in support of the application as it may reasonably require.

9. Land descriptions

It may be necessary, for the purposes of the application, to describe an area of land. There may, for example, have been some alteration in the area of land over which the right is exercisable, or (if the right is attached to a farm or other land) in the area of the land to which it is attached. It is permissible to describe land by reference to the register and to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B." Where this cannot be done, then unless the land to be described is land to which the right is attached, it must be described by a plan, which must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 10). Where the land to be described is land to which the right is attached, the description may be either by a plan prepared as already explained, or, alternatively, by reference to the numbered parcels on the most recent edition of the ordnance map (quoting the edition), supplemented, where necessary to describe part of a parcel, or any land not numbered on the ordnance map, by a plan as above. Sufficient particulars of the locality must in any case be given to enable the land to be identified on the ordnance map.

10. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked "A" referred to in the statutory declaration of (name(s) of declarant(s)) made this (date) before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to use a different identifying letter for each.

11. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment postcard. If this is not received within 10 days the applicant should communicate with the authority. Publicity will be given to the application and objections invited. Thereafter, the applicant will be informed whether the application has been accepted or rejected. If it is accepted the registration will be amended in the prescribed manner, and the applicant will be supplied with particulars of the amendment. If it is rejected, the applicant or his solicitor will be notified of the reasons for the rejection.

12. False Statements

The making of a false statement for the purposes of this application may render the maker liable to prosecution.

(Name of registration authority)

COMMONS REGISTRATION ACT 1965

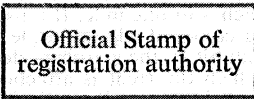
Notice of Application for Amendment of Register

Rights of Common

Application has been made to the (name of registration authority) by (name and address of applicant) for the amendment of the Register of (Common Land) (Town or Village Greens)* in relation to the registered right of common of which particulars are given in part 1 of the Annex hereto. It is claimed that, by reason of the matters mentioned in part 2 of that Annex, the register ought to be amended as indicated in part 3 thereof.

Any person receiving this notice who wishes to object to the proposed amendment should, within forty days of the date of this notice, send a written and signed statement of the facts upon which he bases his objection to:—

(Name and address of registration authority.)



ANNEX

PART 1

Particulars of the right of common the registration of which is sought to be amended

PART 2

Acts and events leading to amendment

PART 3

Nature of proposed amendment

* Delete whichever is inapplicable.

COMMONS REGISTRATION ACT 1965
REGISTER OF [COMMON LAND] [TOWN OR VILLAGE GREENS]

Requisition for an official search

A separate requisition must be made in respect of each parcel of land except as explained overleaf

¹Insert name of registration authority
Delete inappropriate wording in brackets

To the¹
A search in the Register of [Common Land] [Town or Village Greens] maintained by you is required in respect of the land at.....

²Insert date on which certificate is to be issued

..... shown edged or coloured..... on the enclosed plan [furnished in duplicate] up to and including the².....19..... A [cheque] [postal order] [money order] for £ s. d. the prescribed fee is enclosed herewith.

Signature of applicant (or his solicitor).....

For Notes and Fees see overleaf

N.B.—The duplicate of this form must also be filled up. (A carbon copy will suffice.)

This space must be filled in

Name and address in **BLOCK LETTERS** to which the certificate is to be sent

Official Certificate of Search

For the use of the registration authority

Note: Inappropriate wording in this certificate should be deleted

A search in the above-mentioned register reveals that, of the land specified in the plan accompanying the above requisition:

- (a) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is [provisionally] [finally] registered under register unit No(s).....
- (b) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is subject to [provisionally] [finally] registered rights of common.
- (c) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is the subject of [provisional] [final] ownership registration under the Commons Registration Act 1965.
- (d) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is stated to be registered under the Land Registration Acts 1925 and 1936.
- (e) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is exempt from registration.

Signature on behalf of registration authority.....

Official stamp of registration authority indicating date of issue of certificate

NOTES

1. A requisition for an official search may be made only on this form. It should be completed together with the duplicate attached hereto and sent by post or delivered personally to the registration authority for the area in which the land concerned is situated. In the absence of any special local arrangements, the registration authority for land outside Greater London is the council of the administrative county or county borough in which the land lies, and for land in Greater London it is the Greater London Council.

2. A separate requisition must be made in respect of each register required to be searched, and also in respect of each parcel of land against which a search is requested, except where for the purposes of a single registration or of a single transaction a certificate is required in respect of two or more parcels of land which have a common boundary or are separated only by a road, railway, river, stream or canal.

3. "Parcel of land" means a piece of land in separate occupation or separately rated at the time of the requisition for search. For the purpose of this definition any land which is neither occupied nor rated is deemed to be occupied by the person who receives the rackrent therefor, whether on his own account or as agent or trustee for any other person, or who would so receive it if the land were let at a rackrent.

4. A plan must be supplied, and sufficient particulars of the situation of the land must also be given to enable the registration authority to identify it. Only one plan need be furnished if the applicant does not require a plan to be returned, but unless two plans are furnished it will not be possible to indicate what part of the land is affected by any entries not affecting the whole.

5. A certified copy of any entry in a register maintained under the Act may be obtained on payment of the appropriate fee (see Table below).

6. An official certificate of search includes registrations made up to and including the date of issue, but takes no account of pending applications and confers no protection on a purchaser or intending purchaser.

FEES

Official search in either register, including issue of certificate	7s. 6d.
and in addition, but subject to a maximum additional fee of forty shillings, in respect of each parcel of land above one, where several parcels are included in the same requisition (see note 2 above)	2s. 6d.
Certified copy of any entry in a register, or certified copy or extract of or from any register map	<i>Such reasonable fee as may be fixed by the registration authority according to the time and labour involved</i>
	<i>All fees must be prepaid</i>

COMMONS REGISTRATION ACT 1965

REGISTER OF [COMMON LAND] [TOWN OR VILLAGE GREENS]

Requisition for an official search

A separate requisition must be made in respect of each parcel of land except as explained overleaf

To the
A search in the Register of [Common Land] [Town or Village Greens] maintained by you is required in respect of the land at.....
..... shown edged or coloured..... on the enclosed plan [furnished in duplicate] up to and including the19..... A [cheque] [postal order] [money order] for £ s. d. the prescribed fee is enclosed herewith.
Signature of applicant (or his solicitor).....

This space must be filled in
Name and address in BLOCK LETTERS to which the certificate is to be sent

Official Certificate of Search

For the use of the registration authority

A search in the above-mentioned register reveals that, of the land specified in the plan accompanying the above requisition:

- (a) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is [provisionally] [finally] registered under register unit No(s).....
- (b) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is subject to [provisionally] [finally] registered rights of common.
- (c) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is the subject of [provisional] [final] ownership registration under the Commons Registration Act 1965.
- (d) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is stated to be registered under the Land Registration Acts 1925 and 1936.
- (e) [The whole] [part (indicated on the duplicate plan returned herewith)] [none] is exempt from registration.

Signature on behalf of registration authority.....

Official stamp of registration authority indicating date of issue of certificate

SCHEDULE 2

Reg. 2

PART 1

MODEL ENTRIES

No. 1

For general part of register.

By an agreement made the 14th February 1966 between the Basset County Council and the Barchester County Borough Council under section 2 of the Commons Registration Act 1965 the Barchester County Council became the registration authority in relation to the whole of the area known as Alington Common, which may be found in the upper right hand quarter of sheet 2 of the register map immediately above the 'T' in 'BARSET'.

No. 2

For general part of register: an example of an entry relating to an order under section 11 of the Act. Where land is exempt under the section itself a statement to that effect is all that is necessary, e.g.: "The registration provisions of the Commons Registration Act 1965 do not apply to X Forest, of which part lies in the area of the registration authority."

By an order of the Minister of Land and Natural Resources made the 7th September 1966 under section 11 of the Commons Registration Act 1965, the land known as Whitminster Moor, which appears on sheet 10 of the register map distinguished by a yellow verge line inside the boundary and the word EXEMPTED, was exempted from the registration provisions of the Act.

No. 3

For general part of register.

By the Counties of Wessex and Basset Order 19— (S.I. 19— No. 34817), made by the Minister of Housing and Local Government on 21st January 1966, responsibility for maintaining the Registers of Common Land and of Town or Village Greens so far as they relate to land in the rural districts of Nutfield and Rushton will be transferred, with effect from the 1st July 1967, from the Basset County Council to the Barchester County Borough Council.

No. 4

For land section of register: an example of a registration pursuant to an application in Form 7 or 8. In the case of a registration under section 4(2)(b) of the Act, the phrase "pursuant to application No. 14" would be replaced by "in consequence of application No. 14 (rights)".

No. and date of entry	Description of the land, reference to the register map, registration particulars, etc.
1 10 Jan. 1967	The tract of about 705 acres called Sheepwash Common in the parishes of Nutfield, Gilderdale and East Poppington, Basset, as marked with a green verge line inside the boundary on sheet 8 of the register map and distinguished by the number of this register unit. Registered pursuant to application No. 14 made 2nd January 1967 by The Commons, Open Spaces and Footpaths Preservation Society, Suite 4, 166, Shaftesbury Avenue, London, W.C.2. (Registration provisional.)

No. 5

For land section of register: an example of a registration under section 4(2)(a) of the Act.

1 2 May 1967	The piece of land called Goose Green containing 2.75 acres or thereabouts in the parish of Lowood, Basset, numbered 617 on the ordnance map (2nd edition, 1907) of that parish, as marked with a green verge line inside the boundary on sheet 2 of the register map and distinguished by the number of this register unit. Registered by the registration authority without application. (Registration provisional.)
--------------------	---

No. 6*For Notes, land or rights section of register.*

The application of A.B. of etc. No..... made the (date) is noted in respect of the registration at entry No.....

Nos. 7, 8 and 9*For rights section of register.*

	1 No. and date of entry	2 No. and date of applica- tion	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
No. 7	1 10 March 1967	289 4 March 1967	Jonathan Lotherington, Thatcham Farm, Fursdon, Basset. Owner.	To graze— (a) 20 head of cattle; or (b) 100 sheep; or (c) sheep and cattle together to a limit of 100 gates, each head of cattle counting as 5 gates and each sheep as 1 gate; over the whole of the land com- prised in this register unit ex- cept the detached portion to the south of the Grand Junction Canal. (Registration provisional)	Thatcham Farm, Fursdon, Basset, comprising O.S. Nos. 284, 285, 287, 301, 302, 302a, 317, 322, 348 and 349 on the O.S. map (2nd edition 1907) of the parish of Fursdon, Basset, and also the land in that parish shown hatched blue on the sup- plemental map bearing the num- ber of this registration.
No. 8	2 14 March 1967	292 7 March 1967	Henry Proudlock, Cockenhatch Garth, Reephham, Basset. Tenant.	To cut and take peat over the whole of the land comprised in this register unit. (Registration provisional)	Cockenhatch Garth, Reephham, Basset, (includ- ing the Far Cottages on the Fursdon Road); comprising O.S. Nos. 12, 12a, 12b and 12c on the O.S. Map (2nd edition 1907) for the parish of Reephham, Basset.
No. 9	3 22 March 1967	301 14 March 1967	The Church Commissioners, 1, Millbank, Westminster, S.W. 1. In respect of the vacant benefice of St. Peter, Reephham, Basset.	To cut and take peat over the whole of the land comprised in this register unit. (Registration provisional)	Glebe of the bene- fice of St. Peter, Reephham, Basset; O.S. No. 10 on the O.S. Map (2nd edition 1907) of the parish of Reephham, Basset.

Nos. 10, 11 and 12

For ownership section of register. (If a registration similar to that at No. 12 is made pursuant to application by the Church Commissioners under regulation 7(3)(b), mention should be made of the fact in col. 3.)

	1 No. and date of entry	2 No. and date of application	3 Name and address of person registered as owner	4 Particulars of the land to which the registration applies
No. 10	1 21 April 1967	306 15 April 1967	Francis Romford, Abbeyfield Hall, Firfield, Basset. (Registration pro- visional.)	The part of the land comprised in this register unit lying west of the line A-B on the register map.
No. 11	2 18 May 1967	312 10 May 1967	Josiah Burlinson, Beldon Hall, Dalberry Lees, Basset. (Registration pro- visional.)	The part of the land comprised in this register unit lying east of the line A-B and north of the line C-D on the register map.
No. 12	3 17 June 1968	2001 1 June 1968	The incumbent for the time being of the bene- fice of St. Peter, Reepham, Basset. (Registration pro- visional.)	The part of the land comprised in this register unit lying east of the line A-B and south of the line C-D on the register map.

No. 13

For Notes, land section of register. (If the land is regulated by a local Act, this example may be adapted accordingly.)

The land comprised in this register unit (or, so much of the land comprised in this register unit as lies within the rural district of) is regulated by a scheme made etc. (date and details) confirmed by etc. under and by virtue of the (citation of enabling Act).

No. 14

For Notes, land section of register.

The rights of public access under section 193 of the Law of Property Act 1925 over the land comprised in this register unit are subject to the limitations and conditions mentioned in an Order made under proviso (b) to subsection (1) of that section by (title of Minister) on etc.

No. 15

For Notes, land section of register.

(The land comprised in this register unit) (The part of the land comprised in this register unit to which entry No. in the ownership section relates)* is stated by the Trustees of the X Charity to be held for charitable purposes (as follows:—)*

No. 16

For Notes, land section of register.

A B of etc. claims to be entitled in fee simple to all rights of sporting over the land comprised in this register unit.

No. 17

For Notes, land section of register.

A B of etc. claims the right or franchise of holding a fair every year on Whit Sunday, the two days before Whit Sunday and the two days after, and also upon Michaelmas Day, the two days before Michaelmas Day and the two days after, upon the smaller of the two pieces of land comprised in this register unit.

No. 18

For Notes, land section of register.

A B of etc. claims to be the owner in fee simple of the beds or seams of (mineral) in or under the land comprised in this register unit with the right to work the same by surface and underground workings and other rights incident thereto as more fully specified in a conveyance dated etc. and made etc.

No. 19

For Notes, land section of register.

The Z Electricity Board claims the right, under and by virtue of (instrument, etc.) to maintain an overhead electric power line across the land comprised in this register unit, and to enforce the restrictions contained in the said (instrument, etc.) on the user of land lying within 50 yards of the power line.

* Delete inappropriate wording.

Nos. 20 and 21

For rights section of register.

	1 No. and date of entry	2 No. and date of application	3 Name and address of every applicant for registration, and the capacity in which he applied	4 Particulars of the right of common, and of the land over which it is exercisable	5 Particulars of the land (if any) to which the right is attached
	2 14 March 1967	292 7 March 1967	Henry Proudlock, Cockenhatch Garth, Reepham, Barsest. Tenant.	To cut and take peat over the whole of the land comprised in this register unit. (Registration provisional) (See entries Nos. 4 to 6 below.)	Cockenhatch Garth, Reepham, Barsest, (including the Far Cottages on the Fursdon Road); comprising O.S. Nos. 12, 12a, 12b and 12c on the O.S. Map (2nd edition 1907) for the parish of Reepham, Barsest.
	3 12 April 1967	301 3 April 1967	John Dale, Orley Farm, Nutfield, Barsest. Tenant.	To graze 20 sheep over the whole of this land comprised in this register unit. (Registration provisional) (See entry No. 7 below.)	Orley Farm, Nutfield, Barsest, as shown edged red and tinted pink on the supplemental map bearing the number of this registration.
No. 20	4 13 Dec. 1968	420 1 Nov. 1968	Registration amended by entries Nos.	Registration amendment: entry No. 5 and 6 below.	2 above is replaced
	5 13 Dec. 1968	420 1 Nov. 1968	Sir Jasper Murgatroyd Bt., Murgatroyd Hall, Cauldron Heath, Barsest. Owner.	To cut and take peat over the whole of the land comprised in this register unit. (Registration amendment.)	Cockenhatch Garth, Reepham, Barsest, (not including the Far Cottages on the Fursdon Road); comprising O.S. Nos. 12, 12a and 12b on the O.S. Map (2nd edition 1907) for the parish of Reepham, Barsest.
	6 13 Dec. 1968	420 1 Nov. 1968	James Hartopp, Thrushcross Grange, Steeplewell, Barsest. Owner.	To cut and take peat over the whole of the land comprised in this register unit. (Registration amendment.)	The Far Cottages, Fursdon Road, Reepham, Barsest; O.S. No. 12c on the O.S. Map (2nd edition 1907) for the parish of Reepham, Barsest.
No. 21	7 14 Dec. 1968	427 2 Nov. 1968	Registration amended at entry No. 1968.	Registration amendment: the right of common registered at entry No. 3 above was extinguished on 1 Nov.	

PART II
STANDARD ENTRIES

No. 1

For land section of register.

(This registration) (The registration at entry No..... above)* includes the minerals so far as necessary for giving effect to any subsisting registration affecting minerals in the rights section of this register unit.

No. 2

For Notes, any section of register.

The registration at entry No..... above is in conflict with the registration at entry No..... (above) (in the section of the Register of register unit No.....)* and each of those registrations is accordingly to be treated as an objection to the other to the extent of the conflict.

No. 3

For Notes in each section of register.

(Part) (The whole)* of the land comprised in this register unit is also provisionally registered in the Register of (Common Land) (Town or Village Greens)* under register unit No(s), and any entry relating to minerals in the land section, and every entry in the rights and ownership sections, of this register unit is deemed, so far as it relates to the land so registered in both registers, also to be made in the corresponding section of the other register; and this register unit is deemed to contain entries of the above-mentioned classes affecting that land which appear in the other register.

No. 4

For Notes, ownership section of register.

The part of the land comprised in this register unit lying south of the line A-B-C on the register map has been registered under the Land Registration Acts 1925 and 1936.

No. 5

For Notes, ownership section of register.

The registration at entry No. 1 overleaf has been deleted under section 12 of the Act, the land to which it applied having been registered under the Land Registration Acts 1925 and 1936.

(The registration referred to in Standard Entry 5 should be deleted, and a cross-reference to the Notes entry made, as follows.)

1 No. and Date of entry	2 No. and Date of application	3 Name and address of person registered as owner	4 Particulars of the land to which the registration applies
1 24 April 1967	306 15 April 1967	Francis Gilroy Romford, Abbeyfield Hall, Firfield, Barsct. (Registration provisional) Registration deleted 11/12/67: see notes entry No..... overleaf.	The whole of the land comprised in this register unit except that shown hatched blue on inset 'A' to sheet 4 of the register map.

* Delete inapplicable wording.

No. 6

For land section of register.

	No. and date of entry	Description of the land, reference to the register map, registration particulars, etc.
	1 10 Jan. 1967	The tract of about 705 acres called Sheepwash Common in the parishes of Nutfield, Gilderdale and East Poppington, Basset, as marked with a green verge line inside the boundary on sheet 8 of the register map and distinguished by the number of this register unit. Registered pursuant to application No. 14 made 2nd January 1967 by The Commons, Open Spaces and Footpaths Preservation Society, Suite 4, 166, Shaftesbury Avenue, London, W.C. 2 (Registration provisional)
No. 6	2 25 June 1969	Registration amendment: (the whole) (the part)* of the land comprised in this register unit (which lies to the south of the road from Nutfield to Rushton)* ceased to be (common land) (town or village green)* on the 30th April 1969, and is removed from the register pursuant to application made the 3rd May 1969 by the Barchester County Borough Council, Council Offices, 3, Cathedral Green, Barchester.

* Delete inappropriate wording.

No. 7

For land section of register.

The land comprised in the registration at entry No..... became (common land) (a town or village green)* on (date) in substitution for the land removed from the register at entry No..... (above) (below)* by virtue of (cite enactment and order of exchange, compulsory purchase order, etc.), and became, on (date when rights of common shifted to substituted land), subject to the rights of common (if any) which were, immediately before the said (date) exercisable over the said removed land.

* Delete inapplicable wording.

SCHEDULE 3

Reg. 34

FEEs FOR SEARCHES, ETC.

Item	Fee <i>s. d.</i>
Official search (including issue of official certificate of search) in either register	7 6
And in addition, but subject to a maximum additional fee of forty shillings, in respect of each parcel of land above one, where several parcels are included in the same requisition under regulation 32(4) above	2 6
Copy of any entry in a register, certified as correct by the registration authority, or copy or extract so certified of or from any map forming part of a register	Such reasonable fee as may be fixed by the registration authority according to the time and labour involved.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe the form of the registers of common land and of town or village greens to be maintained by registration authorities from 2nd January 1967 under the Commons Registration Act 1965. They also prescribe the forms and lay down the procedure for the initial stages of the registration process, and provide for certain other information to be entered in the registers, and for the amendment of the registers under section 13 of the Act.

Part I of the Regulations deals with preliminary matters. Part II deals with the form of the registers themselves and with provisional registration, i.e. registration under section 4 of the Act. Part III provides for provisional register maps showing land registered in each register, and for supplemental maps where necessary to show land to which rights of common are attached.

Part IV provides for the entering in the registers of certain other information, relating, for example, to schemes of regulation, to charitable interests and to various private rights such as easements and mineral interests. Part V lays down the procedure for the amendment of the registers under section 13 of the Act where land has ceased to be common land or a town or village green, and where certain changes have occurred with regard to registered rights of common.

Part VI provides, among other things, for the issue of official certificates of search and of certified copies of and extracts from the register or any register map, on payment of the prescribed fees, and for the correction of errors and omissions in the registers.

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