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OFFERYNNAU STATUDOL  
CYMRU

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**2007 Rhif 2396 (Cy.198 )**

**TIROEDD COMIN, CYMRU**

Rheoliadau Tiroedd Comin  
(Cofrestru Meysydd Tref neu  
Bentref) (Trefniadau Interim)  
(Cymru) 2007

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

Mae adran 15 o Ddeddf Tiroedd Comin 2006 ("Deddf 2006") yn darparu sail ddiwygiedig dros ofyn am gofrestru tir yn faes tref neu bentref.

Yn rhannol yn unig y daethpwyd â Rhan I o Ddeddf 2006 i rym. Yn benodol, nid yw adrannau 1 i 3 mewn grym eto. Nes i hynny ddigwydd, nid oes modd cynnwys meysydd newydd yn y gofrestr o feysydd tref neu bentref sydd i'w chynnal yn unol â Deddf 2006. Tan hynny, mae'r Rheoliadau hyn yn galluogi'r awdurdodau cofrestru i gofrestru tir, sy'n bodloni'r meini prawf cofrestru sydd wedi'u nodi yn adran 15(1) neu 15(8) o Ddeddf 2006, yn y gofrestr o feysydd tref neu bentref sy'n cael ei chynnal yn unol â Deddf Cofrestru Tiroedd Comin 1965 ("Deddf 1965").

Mae'r Rheoliadau hyn yn pennu-

- (a) y weithdrefn ar gyfer gwneud cais am gofrestru tir yn faes tref neu bentref (rheoliad 3);
- (b) y weithdrefn ar gyfer ymdrin â cheisiadau am gofrestru (rheoliadau 4 i 7); ac
- (c) dull cofrestru tir yn faes tref neu bentref ar ôl i gais gael ei ganiatáu (rheoliad 8).

Mae'r Rheoliadau hyn yn disodli'r darpariaethau perthnasol yn Rheoliadau Cofrestru Tiroedd Comin (Tir Newydd) 1969 (O.S. 1969/1843) ("Rheoliadau 1969") ar gyfer cofrestru meysydd tref neu bentref newydd o dan Ddeddf 1965. Er hynny, mae Rheoliadau 1969 yn parhau mewn grym er mwyn i

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WELSH STATUTORY  
INSTRUMENTS

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**2007 No. 2396(W.198 )**

**COMMONS, WALES**

The Commons (Registration of  
Town or Village Greens) (Interim  
Arrangements) (Wales)  
Regulations 2007

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Section 15 of the Commons Act 2006 ("the 2006 Act") provides a revised basis for seeking registration of land as a town or village green.

Part I of the 2006 Act has only been partially brought into force. In particular, sections 1 to 3 are not yet in force. Until that happens, new greens cannot be entered onto the register of town or village greens to be maintained pursuant to the 2006 Act. Until that time, these Regulations enable registration authorities to register land, which meets the criteria for registration set out in section 15(1) or 15(8) of the 2006 Act, in the register of town or village greens maintained pursuant to the Commons Registration Act 1965 ("the 1965 Act").

These Regulations specify-

- (a) the procedure for applying to register land as a town or village green (regulation 3);
- (b) the procedure for dealing with applications for registration (regulations 4 to 7); and
- (c) the method of registration of land as a town or village green following the granting of an application (regulation 8).

These Regulations replace the relevant provisions in the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843) ("the 1969 Regulations") for the registration of new town or village greens under the 1965 Act. However, the 1969 Regulations remain in force to enable the registration of new greens and new

feysydd newydd a thiroedd comin newydd gael eu cofrestru at y dibenion a bennir yn yr arbedion a geir yn erthygl 4(1) o Orchymyn Deddf Tiroedd Comin 2006 (Cychwyn Rhif 1, Darpariaethau Trosiannol ac Arbedion) (Cymru) 2007 (O.S. 2007/2386) (Cy.197) (C.88).

common land for the purposes specified in the savings contained in article 4(1) of the Commons Act 2006 (Commencement No.1, Transitional Provisions and Savings) (Wales) Order 2007 (S.I. 2007/2386) (W.197) (C.88).

**2007 Rhif 2396 (Cy. 198)**

**TIROEDD COMIN, CYMRU**

Rheoliadau Tiroedd Comin  
(Cofrestru Meysydd Tref neu  
Bentref) (Trefniadau Interim)  
(Cymru) 2007

*Wedi'u gwneud* 12 Awst 2007  
*Wedi'u gosod gerbron Cynulliad  
Cenedlaethol Cymru* 14 Awst 2007  
*Yn dod i rym* 6 Medi 2007

Mae Gweinidogion Cymru, drwy arfer y pŵer a roddwyd i'r awdurdod cenedlaethol priodol gan adrannau 24 a 59 o Ddeddf Tiroedd Comin 2006(1) ac adran 26 o Ddeddf yr Iaith Gymraeg 1993(2), yn gwneud y Rheoliadau canlynol(3):

**Enwi, cychwyn a chymhwyso**

1.-1) Enw'r Rheoliadau hyn yw Rheoliadau Tiroedd Comin (Cofrestru Meysydd Tref neu Bentref) (Trefniadau Interim) (Cymru) 2007.

(2) Daw'r Rheoliadau hyn i rym ar 6 Medi 2007.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

**Cwmpas a Dehongli**

2.-(1) Mae'r Rheoliadau hyn yn gymwys i geisiadau a wneir i awdurdod cofrestru o dan adran 15(1) neu (8) o Ddeddf 2006 am gofrestru tir yn faes tref neu bentref.

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(1) 2006 p.26.

(2) 1993 p.38.

(3) *Gweler* adran 61(1) o Ddeddf 2006 i gael ystyr "awdurdod cenedlaethol priodol" ("appropriate national authority"), y mae ei swyddogaethau yn arferadwy erbyn hyn, o ran Cymru, gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32), a pharagraff 30 o Atodlen 11 iddi.

**2007 No. 2396 (W.198 )**

**COMMONS, WALES**

The Commons (Registration of  
Town or Village Greens) (Interim  
Arrangements) (Wales)  
Regulations 2007

*Made* 12 August 2007  
*Laid before the National  
Assembly for Wales* 14 August 2007  
*Coming into force* 6 September 2007

The Welsh Ministers, in exercise of the power conferred on the appropriate national authority by sections 24 and 59 of the Commons Act 2006(1) and section 26 of the Welsh Language Act 1993(2), make the following Regulations(3):

**Title, commencement and application**

1.-(1) The title of these Regulations is the Commons (Registration of Town or Village Greens) (Interim Arrangements) (Wales) Regulations 2007.

(2) These Regulations come into force on 6 September 2007.

(3) These Regulations apply in relation to Wales.

**Scope and Interpretation**

2.-(1) These Regulations apply to applications made to a registration authority under section 15(1) or (8) of the 2006 Act to register land as a town or village green.

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(1) 2006 c.26.

(2) 1993 c.38.

(3) *See* section 61(1) of the 2006 Act for the meaning of "appropriate national authority", the functions of which are now exercisable, in relation to Wales, by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

(2) Yn y Rheoliadau hyn-

ystyr "awdurdod cofrestru" ("*registration authority*") yw awdurdod cofrestru tiroedd comin;

ystyr "awdurdod o dan sylw" ("*concerned authority*"), mewn perthynas â chais i awdurdod cofrestru, yw awdurdod lleol (heblaw'r awdurdod cofrestru) y mae unrhyw ran o'r tir y mae'r cais yn effeithio arno yn gorwedd yn ei ardal; ac ystyr "awdurdod lleol" ("*local authority*") yw cyngor sir, cyngor bwrdeistref sirol neu gyngor cymuned;

ystyr "Deddf 2006" ("*the 2006 Act*") yw Deddf Tiroedd Comin 2006;

ystyr "ffurflen 44" ("*form 44*") a "ffurflen 45" ("*form 45*") yw'r ffurflenni sy'n dwyn y rhifau hynny yn yr Atodlen i'r Rheoliadau hyn neu'r ffurflenni hynny ac unrhyw amrywiadau y mae eu hangen o dan yr amgylchiadau; ac

ystyr "y Rheoliadau Cyffredinol" ("*the General Regulations*") yw Rheoliadau Cofrestru Tiroedd Comin (Cyffredinol) 1966(1); ac ystyr "Rheoliad Cyffredinol" ("*General Regulation*") a rhif ar ei ôl yw'r rheoliad sy'n dwyn y rhif hwnnw yn y Rheoliadau Cyffredinol.

(3) Pan fo cyfreithiwr wedi'i gyfarwyddo at ddibenion cais, bernir bod unrhyw ofyniad bod rhaid i awdurdod cofrestru anfon unrhyw beth at "y ceisydd" wedi'i fodloni drwy ei anfon at y cyfreithiwr neu, os oes dau neu ragor o bersonau wedi gwneud cais ar y cyd ac nad oes cyfreithiwr wedi'i gyfarwyddo, at y person y gwelir ei enw yn gyntaf ar y ffurflen gais.

(4) Mae gofyniad bod rhaid i awdurdod cofrestru stampio unrhyw ddogfen yn ofyniad iddo osod argraff ei stamp swyddogol arni yn unol â'r disgrifiad yn Rheoliad Cyffredinol 3, sef stamp swyddogol y mae'n rhaid iddo gynnwys y dyddiad a grybwyllir yn y gofyniad neu (os na chyfeirir at ddyddiad) y dyddiad y gosodwyd y stamp.

(5) Caniateir i Ffurflen 44 fod yn y Gymraeg neu'r Saesneg, neu yn y ddwy iaith.

(6) Rhaid i Ffurflen 45 fod yn y Gymraeg a'r Saesneg.

### Cais am gofrestru tir yn faes tref neu bentref

3.-(1) Rhaid i gais am gofrestru tir yn faes tref neu bentref gael ei wneud yn unol â'r Rheoliadau hyn.

(1) O.S. 1966/1471, fel y'i diwygiwyd gan O.S. 1968/658, 1968/989, 1969/1843, 1980/1195, 1982/210, 1989/2167, 1990/311, 1994/2567 a 2003/994 (Cy.143) ac fel y'i newidiwyd gan O.S. 1991/2684.

(2) In these Regulations-

"the 2006 Act" means the Commons Act 2006;

"concerned authority", in relation to an application to a registration authority, means a local authority (other than the registration authority) in whose area any part of the land affected by the application lies; and "local authority" means a county, county borough or community council;

"form 44" and "form 45" mean the forms so numbered in the Schedule to these Regulations or those forms with any variations that the circumstances may require;

"the General Regulations" means the Commons Registration (General) Regulations 1966(1); and "General Regulation" followed by a number means the regulation so numbered in the General Regulations; and

"registration authority" means a commons registration authority.

(3) Any requirement for a registration authority to send anything to "the applicant" is, where a solicitor has been instructed for the purposes of an application, deemed to be satisfied by sending it to the solicitor or, where two or more persons have jointly made an application and no solicitor has been instructed, to the person whose name appears first on the application form.

(4) A requirement for a registration authority to stamp any document is a requirement to cause an impression of its official stamp as described in General Regulation 3 to be affixed to it, which must bear the date mentioned in the requirement or (where no date is mentioned) the date when it was affixed.

(5) Form 44 may be in the English or Welsh language, or both.

(6) Form 45 must be in both the English and Welsh language.

### Application to register land as a town or village green

3.-(1) An application for the registration of land as a town or village green must be made in accordance with these Regulations.

(1) S.I. 1966/1471, as amended by S.I. 1968/658, 1968/989, 1969/1843, 1980/1195, 1982/210, 1989/2167, 1990/311, 1994/2567 and 2003/994 (W.143) and as modified by S.I. 1991/2684

(2) Rhaid i gais-

- (a) cael ei wneud ar ffurflen 44;
- (b) cael ei lofnodi gan bob ceisydd sy'n unigolyn a chan ysgrifennydd pob ceisydd sy'n gorff corfforaethol neu anghorfforaethol neu ryw swyddog arall iddo sydd wedi'i awdurdodi'n briodol;
- (c) cael ei gyflwyno ynghyd â phob dogfen sy'n ymwneud â'r mater sydd ym meddiant y ceisydd neu o dan ei reolaeth, neu y mae gan y ceisydd hawl i'w dangos, neu ynghyd â chopi neu grynoded digonol o bob dogfen o'r fath; ac
- (ch) cael ei ategu-
  - (i) â datganiad statudol fel y'i nodir yn ffurflen 44, gydag unrhyw addasiadau y mae eu hangen yn ôl gofynion yr achos, a
  - (ii) ag unrhyw dystiolaeth arall y mae'n rhesymol i'r awdurdod cofrestru ofyn amdani, ar unrhyw adeg cyn iddo benderfynu'n derfynol ar y cais.

(3) Rhaid i ddatganiad statudol i ategu cais gael ei wneud-

- (d) gan y ceisydd, neu gan un o'r ceiswyr os oes mwy nag un;
- (dd) gan y person a lofnododd y cais ar ran ceisydd sy'n gorff corfforaethol neu anghorfforaethol; neu
- (e) gan gyfreithiwr sy'n gweithredu ar ran y ceisydd.

#### **Y weithdrefn ar ôl i geisiadau ddod i law**

4.-(1) Ar ôl i gais ddod i law, rhaid i'r awdurdod cofrestru-

- (a) rhoi rhif adnabod i'r cais a'i farcio â'r rhif hwnnw; a
- (b) stampio'r ffurflen gais i nodi'r dyddiad y daeth i law.

(2) Rhaid i'r awdurdod cofrestru anfon derbynneb at y ceisydd ar gyfer y cais a honno'n cynnwys datganiad o'r rhif a roddwyd iddo; ac mae Ffurflen 6, o'i defnyddio at y diben hwnnw, yn ddigonol.

(3) Yn y rheoliad hwn, ystyr "Ffurflen 6" yw'r ffurflen sy'n dwyn y rhif hwnnw yn y Rheoliadau Cyffredinol.

#### **Y weithdrefn ar gyfer ceisiadau y mae adran 15(1) o Ddeddf 2006 yn gymwys iddynt**

5.-(1) Pan wneir cais o dan adran 15(1) o Ddeddf 2006 am gofrestru tir yn faes tref neu bentref, yn ddarostyngedig i baragraff (4), ar ôl i gais ddod i law, rhaid i'r awdurdod cofrestru-

(2) An application must be-

- (a) made on form 44;
- (b) signed by every applicant who is an individual and by the secretary or some other duly authorised officer of every applicant which is a body corporate or unincorporate;
- (c) accompanied by, or by a copy or sufficient abstract of, every document relating to the matter of which the applicant has possession or control, or to which the applicant has a right to production; and
- (d) supported by-
  - (i) a statutory declaration as set out in form 44, with such adaptations as the case may require, and
  - (ii) such further evidence as, at any time before finally disposing of the application, the registration authority may reasonably require.

(3) A statutory declaration in support of an application must be made by-

- (a) the applicant, or one of the applicants if there is more than one;
- (b) the person who signed the application on behalf of an applicant which is a body corporate or unincorporate; or
- (c) a solicitor acting on behalf of the applicant.

#### **Procedure on receipt of applications**

4.-(1) On receiving an application, the registration authority must-

- (a) allot a distinguishing number to the application and mark it with that number; and
- (b) stamp the application form indicating the date it was received.

(2) The registration authority must send the applicant a receipt for the application containing a statement of the number allotted to it; and Form 6, if used for that purpose, is sufficient.

(3) In this regulation, "Form 6" means the form so numbered in the General Regulations.

#### **Procedure in relation to applications to which section 15(1) of the 2006 Act applies**

5.-(1) Where an application is made under section 15(1) of the 2006 Act to register land as a town or village green, the registration authority must, subject to paragraph (4), on receipt of an application-

- (a) anfon hysbysiad, drwy'r post, ar ffurflen 45 at bob person (heblaw'r ceisydd) y mae gan yr awdurdod cofrestru reswm dros gredu (boed drwy wybodaeth a roddwyd gan y ceisydd neu fel arall) ei fod yn berchennog, prydleswr, tenant neu feddiannwr ar unrhyw ran o'r tir y mae'r cais yn effeithio arno, neu ei fod yn debyg o ddymuno gwrthwynebu'r cais;
- (b) cyhoeddi yn yr ardal o dan sylw, ac arddangos, yr hysbysiad a ddisgrifiwyd yn is-baragraff (a) ac anfon yr hysbysiad a chopi o'r cais at bob awdurdod o dan sylw; ac
- (c) gosod yr hysbysiad ar ryw wrthrych amlwg ar unrhyw ran o'r tir sy'n agored, heb ei gau a heb ei feddiannu, oni bai ei bod yn ymddangos i'r awdurdod cofrestru na fyddai gweithredu felly yn rhesymol ymarferol.

(2) Rhaid i'r dyddiad sydd i'w fewnosod mewn hysbysiad o dan baragraff (1)(a) yn ddyddiad pryd y mae'n rhaid i ddatganiadau ysgrifenedig i wrthwynebu cais gael eu cyflwyno i'r awdurdod cofrestru ganiatáu cyfnod o nid llai na chwe wythnos ar ôl yr olaf o'r canlynol-

- (a) y dyddiad y mae'n rhesymol disgwyl i'r hysbysiad gael ei draddodi yng nghwrs arferol y post i'r personau y mae wedi'i anfon atynt o dan baragraff (1)(a); neu
- (b) y dyddiad y cyhoeddir yr hysbysiad a'i arddangos gan yr awdurdod cofrestru.

(3) Rhaid i bob awdurdod o dan sylw sy'n cael hysbysiad a chopi o gais o dan y rheoliad hwn-

- (a) arddangos copïau o'r hysbysiad ar unwaith; a
- (b) cadw'r copi o'r cais ar gael i'w archwilio gan y cyhoedd ar bob adeg resymol nes i'r awdurdod cofrestru roi gwybod bod y cais wedi'i benderfynu.

(4) Pan fo'n ymddangos i'r awdurdod cofrestru ar ôl ystyriaeth ragarweiniol nad yw cais wedi'i wneud yn briodol, caiff yr awdurdod ei wrthod heb gydymffurfio â pharagraff (1), ond, os yw'n ymddangos i'r awdurdod y gallai unrhyw gam gan y ceisydd adfer y cais i drefn, rhaid i'r awdurdod beidio â gwrthod y cais o dan y paragraff hwn heb roi cyfle rhesymol yn gyntaf i'r ceisydd gymryd y cam hwnnw.

(5) Yn y rheoliad hwn, ystyr "ardal o dan sylw" yw ardal sy'n cynnwys ardal pob un o'r awdurdodau o dan sylw.

(6) Mae gofyniad i awdurdod cofrestru gyhoeddi hysbysiad mewn unrhyw ardal yn ofyniad iddo beri i'r ddogfen gael ei chyhoeddi mewn un neu ragor o bapurau newydd sy'n cylchredeg yn yr ardal honno y mae'n ymddangos i'r awdurdod eu bod yn ddigonol i sicrhau cyhoeddusrwydd digonol iddo.

- (a) send, by post, a notice in form 45 to every person (other than the applicant) whom the registration authority has reason to believe (whether from information supplied by the applicant or otherwise) to be an owner, lessee, tenant or occupier of any part of the land affected by the application, or to be likely to wish to object to the application;
- (b) publish in the concerned area, and display, the notice described in sub-paragraph (a) and send the notice and a copy of the application to every concerned authority; and
- (c) affix the notice to some conspicuous object on any part of the land which is open, unenclosed and unoccupied, unless it appears to the registration authority that such a course would not be reasonably practicable.

(2) The date to be inserted in a notice under paragraph (1)(a) as the date by which written statements in objection to an application must be submitted to the registration authority must be such as to allow an interval of not less than six weeks from the latest of the following-

- (a) the date on which the notice may reasonably be expected to be delivered in the ordinary course of post to the persons to whom it is sent under paragraph (1)(a); or
- (b) the date on which the notice is published and displayed by the registration authority.

(3) Every concerned authority receiving under this regulation a notice and a copy of an application must-

- (a) immediately display copies of the notice; and
- (b) keep the copy of the application available for public inspection at all reasonable times until informed by the registration authority of the disposal of the application.

(4) Where an application appears to the registration authority after preliminary consideration not to be duly made, the authority may reject it without complying with paragraph (1), but, where it appears to the authority that any action by the applicant might put the application in order, the authority must not reject the application under this paragraph without first giving the applicant a reasonable opportunity of taking that action.

(5) In this regulation, "concerned area" means an area including the area of every concerned authority.

(6) A requirement upon a registration authority to publish a notice in any area is a requirement to cause the document to be published in one or more newspapers circulating in that area as appears to the authority sufficient to secure adequate publicity for it.



(7) Mae gofyniad i arddangos hysbysiad neu gopiâu o hysbysiadau yn ofyniad i'w drin, at ddibenion adran 232 o Ddeddf Llywodraeth Leol 1972 (hysbysiadau cyhoeddus)(1), fel pe bai'n hysbysiad cyhoeddus o fewn ystyr yr adran honno.

### Ystyried gwrthwynebiadau

6.- (1) Pan wneir cais o dan adran 15(1) o Ddeddf 2006 am gofrestru tir yn faes tref neu bentref, cyn gynted ag y gellir ar ôl y dyddiad pryd y mae'n ofynnol i ddatganiadau sy'n gwrthwynebu cais gael eu cyflwyno, rhaid i'r awdurdod cofrestru fwrw ymlaen i ystyried y cais ymhellach, ac i ystyried y datganiadau (os oes rhai) sy'n gwrthwynebu'r cais hwnnw, yn unol â'r darpariaethau canlynol yn y rheoliad hwn.

(2) Mae'r awdurdod cofrestru-

- (a) yn gorfod ystyried pob datganiad ysgrifenedig sy'n gwrthwynebu cais ac sy'n dod i law cyn y dyddiad y mae'n bwrw ymlaen i ystyried y cais ymhellach o dan baragraff (1); a
- (b) yn cael ystyried unrhyw ddatganiad o'r fath sy'n dod i law ar neu ar ôl y dyddiad hwnnw a chyn iddo benderfynu'n derfynol ar y cais.

(3) Rhaid i'r awdurdod cofrestru anfon copi at y ceisydd o bob datganiad y mae'n ofynnol o dan baragraff (2) i'r awdurdod cofrestru ei ystyried ac o bob datganiad y caniateir i'r awdurdod cofrestru ei ystyried ac y mae'n bwriadu ei ystyried.

(4) Rhaid i'r awdurdod cofrestru beidio â gwrthod y cais heb roi cyfle rhesymol i'r ceisydd ymdrin-

- (a) â'r materion a gynhwyswyd mewn unrhyw ddatganiad yr anfonwyd copiâu ohono at y ceisydd o dan baragraff (3); a
- (b) unrhyw fater arall mewn perthynas â'r cais y mae'n ymddangos i'r awdurdod ei fod yn cynnig seiliau posibl dros wrthod y cais.

### Y weithdrefn ar gyfer ceisiadau y mae adran 15(8) o Ddeddf 2006 yn gymwys iddynt

7. Pan wneir cais o dan adran 15(8) o Ddeddf 2006 am gofrestru tir yn faes tref neu bentref, rhaid i'r awdurdod cofrestru ganiatáu'r cais ar yr amod bod yr awdurdod cofrestru wedi'i fodloni-

- (a) mai'r ceisydd yw perchennog y tir; a
- (b) bod unrhyw gydsyniadau y mae'n ofynnol eu sicrhau o dan adran 15(9) o Ddeddf 2006 wedi eu sicrhau.

(7) A requirement to display a notice or copies thereof is a requirement to treat it, for the purposes of section 232 of the Local Government Act 1972 (public notices)(1), as if it were a public notice within the meaning of that section.

### Consideration of objections

6.-(1) Where an application is made under section 15(1) of the 2006 Act to register land as a town or village green, the registration authority must, as soon as possible after the date by which statements in objection to an application have been required to be submitted, proceed to the further consideration of the application, and the consideration of statements (if any) in objection to that application, in accordance with the following provisions of this regulation.

(2) The registration authority-

- (a) must consider every written statement in objection to an application it receives before the date on which it proceeds to the further consideration of the application under paragraph (1); and
- (b) may consider any such statement it receives on or after that date and before it finally disposes of the application.

(3) The registration authority must send the applicant a copy of every statement which it is required under paragraph (2) to consider and of every statement which it is permitted to consider and intends to consider.

(4) The registration authority must not reject the application without giving the applicant a reasonable opportunity of dealing with-

- (a) the matters contained in any statement of which copies are sent to the applicant under paragraph (3); and
- (b) any other matter in relation to the application which appears to the authority to afford possible grounds for rejecting the application.

### Procedure in relation to applications to which section 15(8) of the 2006 Act applies

7.-(1) Where an application is made under section 15(8) of the 2006 Act to register land as a town or village green, the registration authority must grant the application provided it is satisfied that-

- (a) the applicant is the owner of the land; and
- (b) any consents which are required by section 15(9) of the 2006 Act have been obtained.

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(1) 1972 p.70.

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(1) 1972 c.70.

## Dull cofrestru

8.-(1) Pan fo'r awdurdod cofrestru yn caniatáu cais, rhaid iddo wneud y gwaith cofrestru angenrheidiol, gan ddilyn mor agos ag y gellir Gofnod Enghreifftiol Rhif 4 gydag unrhyw amrywiadau ac addasiadau y mae eu hangen o dan yr amgylchiadau, ond gan roi yn lle'r geiriau "(Registration provisional.)", y geiriau "(Registration under section 15 of the Commons Act 2006.)".

(2) Mae darpariaethau paragraffau (2) i (6) o Reoliad Cyffredinol 10 yn gymwys i gofrestru o dan y Rheoliadau hyn fel y maent yn gymwys i gofrestru yn unol â'r Rheoliadau Cyffredinol gyda'r addasiadau canlynol-

- (a) ym mharagraff (2), ar ôl y geiriau "Form 2, and", mewnosoder ", to the extent required,"; a
- (b) ym mharagraff (5), nid yw'r geiriau "for the Register of Common Land shall bear the prefix CL, and every such number" yn gymwys.

(3) Mae darpariaethau rheoliad 9 o Reoliadau Cofrestru Tiroedd Comin (Gwrthwynebiadau a Mapiau) 1968(1) (newidiadau ynglyn â mapiau cofrestru dros dro) yn gymwys at ddibenion adran 15 o Ddeddf 2006 fel y maent yn gymwys at ddibenion adran 4 o Ddeddf Cofrestru Tiroedd Comin 1965(2) gyda'r addasiadau canlynol-

- (a) nid yw paragraffau (1), (2) a (3) yn gymwys;
- (b) ystyr "new map" yw unrhyw fap a ddefnyddir at ddibenion y rheoliad hwn; ac
- (c) ym mharagraff (4), yn lle'r geiriau "six inches to one mile", rhodder "1:2,500".

(4) Rhaid i bob map newydd a ddefnyddir gael ei stampio gan yr awdurdod cofrestru, a'i lofnodi ar ran yr awdurdod cofrestru, ac mae'n ffurfio rhan o'r gofrestr.

(5) Pan fo'r tir sy'n destun cais eisoes wedi'i gofrestru yn dir comin yn y gofrestr o dir comin, rhaid i'r awdurdod cofrestru, hefyd,-

- (a) pan fo hawliau comin wedi'u cofnodi yn y gofrestr honno, wneud cofnod cyfatebol yn y gofrestr o feysydd tref neu bentref; a
- (b) addasu'r cofnod yn y gofrestr o diroedd comin fel bod y tir sy'n destun y cais yn peidio â chael ei gofrestru mwyach yn dir comin.

(6) Pan fo awdurdod cofrestru wedi cofrestru o dan y rheoliad hwn, rhaid iddo ffeilio'r ffurflen gais ac unrhyw gynllun a dychwelyd pob dogfen arall a gafwyd gyda'r cais i'r ceisydd.

## Method of registration

8.-(1) Where the registration authority grants an application, it must make the necessary registration, following as closely as possible Model Entry No 4 with such variations and adaptations as the circumstances may require, but with the substitution, for the words "(Registration provisional.)", of the words "(Registration under section 15 of the Commons Act 2006.)".

(2) The provisions of paragraphs (2) to (6) of General Regulation 10 apply to registrations under these Regulations as they apply to registrations made pursuant to the General Regulations with the following modifications-

- (a) in paragraph (2), after the words "Form 2, and", insert ", to the extent required,"; and
- (b) in paragraph (5), the words "for the Register of Common Land shall bear the prefix CL, and every such number" do not apply.

(3) The provisions of regulation 9 of the Commons Registration (Objections and Maps) Regulations 1968(1) (changes as to provisional register maps) apply for the purposes of section 15 of the 2006 Act as they apply for the purposes of section 4 of the Commons Registration Act 1965(2) with the following modifications-

- (a) paragraphs (1), (2) and (3) do not apply;
- (b) "new map" means any map taken into use for the purpose of this regulation; and
- (c) in paragraph (4), for the words "six inches to one mile", substitute "1:2,500".

(4) Each new map taken into use must be stamped by, and signed on behalf of, the registration authority, and forms part of the register.

(5) Where the land which is the subject of an application is already registered as common land in the register of common land, the registration authority must, in addition,-

- (a) where rights of common are entered in that register, make a corresponding entry in the register of town or village greens; and
- (b) modify the entry in the register of common land so that the land which is the subject of the application ceases to be registered as common land.

(6) Where a registration authority has made a registration under this regulation, it must file the application form and any plan and return all other documents which accompanied the application to the applicant.

(1) O.S. 1968/989, fel y'i diwygiwyd gan O.S. 1969/1843, 1970/384 a 1990/311.

(2) 1965 p.64.

(1) S.I. 1968/989, as amended by S.I. 1969/1843, 1970/384 and 1990/311.

(2) 1965 c.64.



(7) Yn y rheoliad hwn-

- (a) ystyr "Cofnod Enghreifftiol Rhif 4" ("*Model Entry No.4*") yw'r cofnod enghreifftiol sy'n dwyn y rhif hwnnw yn Rhan I o Atodlen 2 i'r Rheoliadau Cyffredinol; a
- (b) mae "cofrestr o diroedd comin" ("*register of common land*") a "cofrestr o feysydd tref neu bentref" ("*register of town or village greens*") yn cyfeirio at y cofrestrau sy'n cael eu cynnal gan awdurdod cofrestru yn unol ag adran 3 o Ddeddf 1965(1).

### Gwybodaeth am benderfynu ar geisiadau, a'r weithdrefn ar ôl i gais gael ei wrthod

9.-(1) Pan fo'r awdurdod cofrestru wedi penderfynu ar gais ac, os yw wedi caniatáu'r cais, pan yw wedi gwneud y gwaith cofrestru angenrheidiol, rhaid iddo roi hysbysiad ysgrifenedig ynglyn â'r ffaith-

- (a) i bob awdurdod o dan sylw;
- (b) i'r ceisydd; ac
- (c) i bob person y mae ei gyfeiriad yn hysbys i'r awdurdod cofrestru ac a wrthwynebod y cais.

(2) Rhaid i'r hysbysiad hwnnw gynnwys, pan fo'r awdurdod cofrestru wedi caniatáu'r cais, fanylion y cofrestru a, pan fo wedi gwrthod y cais, y rhesymau dros ei wrthod.

(3) Bernir bod person wedi gwrthwynebu cais at ddibenion paragraff (1) os cyflwynodd y person hwnnw ddatganiad o wrthwynebiad i'r cais y bu'n ofynnol i'r awdurdod cofrestru ei ystyried o dan baragraff (2) o reoliad 6 neu a ystyriodd yr awdurdod cofrestru o dan y paragraff hwnnw.

(4) Pan fo'r awdurdod cofrestru wedi gwrthod cais, rhaid iddo ddychwelyd y ffurflen gais a'r holl ddogfennau a gafwyd gyda hi i'r ceisydd.

### Disgrifiadau tir

10.-(1) Mae'r rheoliad hwn yn gymwys i ddisgrifiad unrhyw dir sy'n destun cais am gofrestru yn faes tref neu bentref.

(2) Rhaid i dir gael ei ddisgrifio at ddibenion unrhyw gais-

- (a) drwy gyfrwng map Ordnans sy'n cyd-fynd â'r cais ac y cyfeirir ato yn y cais hwnnw; neu

(7) In this regulation-

- (a) "Model Entry No 4" means the specimen entry so numbered in Part I of Schedule 2 to the General Regulations; and
- (b) "register of common land" and "register of town or village greens" refer to the registers maintained by a registration authority pursuant to section 3 of the 1965 Act(1).

### Information about disposal of applications, and procedure on rejection

9.-(1) When the registration authority has disposed of an application and, if it has granted the application, has made the necessary registration, it must give written notice of the fact to-

- (a) every concerned authority;
- (b) the applicant; and
- (c) every person whose address is known to the registration authority and who objected to the application.

(2) Such notice must include, where the registration authority has granted the application, details of the registration and, where it has rejected the application, the reasons for the rejection.

(3) A person is deemed to have objected to an application for the purposes of paragraph (1) if that person submitted a statement in objection to the application which the registration authority was required to consider under paragraph (2) of regulation 6 or which it did consider under that paragraph.

(4) Where the registration authority has rejected an application, it must return the application form and all accompanying documents to the applicant.

### Land descriptions

10.-(1) This regulation applies to the description of any land which is the subject of an application for registration as a town or village green.

(2) Land must be described for the purposes of any application-

- (a) by an Ordnance map accompanying the application and referred to in that application; or

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(1) Yn ôl erthygl 4(1) o Orchymyn Deddf Tiroedd Comin 2006 (Cychwyn Rhif 1, Darpariaethau Trosiannol ac Arbedion) (Cymru) 2007 (O.S. 2007/2386) (Cy.197) (C.88), mae maes sy'n cydymffurfio â'r meini prawf o dan adran 15 o Ddeddf 2006 i'w gofnodi yn y gofrestr sy'n cael ei chynnal gan awdurdod cofrestru yn unol â Deddf 1965.

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(1) By article 4(1) of the Commons Act 2006 (Commencement No. 1, Transitional Provisions and Savings) (Wales) Order 2007 (S.I. 2007/2386) (W.197) (C.88), a green complying with the criteria under section 15 of the 2006 Act is to be entered in the register maintained by a registration authority pursuant to the 1965 Act.

- (b) yn achos tir sydd eisoes wedi'i gofrestru yn dir comin, os yw'r cais yn ymwneud â'r cyfan o'r tir mewn uned yn y gofrestr, drwy gyfeirio at yr uned honno yn y gofrestr.
- (3) Rhaid i unrhyw fap Ordnans sy'n cyd-fynd â chais-
- (a) bod ar raddfa o ddim llai nag 1:2,500;
  - (b) dangos y tir sydd i'w ddisgrifio drwy gyfrwng lliw amlwg; ac
  - (c) cael ei farcio fel arddangosyn i'r datganiad statudol o blaid y cais.
- (4) Yn y rheoliad hwn, mae i "uned yn y gofrestr" yr un ystyr ag sydd i "register unit" yn y Rheoliadau Cyffredinol.

- (b) in the case of land already registered as common land, if the application relates to the whole of the land in a register unit, by a reference to that register unit.
- (3) Any Ordnance map accompanying an application must-
- (a) be on a scale of not less than 1:2,500;
  - (b) show the land to be described by means of distinctive colouring; and
  - (c) be marked as an exhibit to the statutory declaration in support of the application.
- (4) In this regulation, "register unit" has the same meaning as in the General Regulations.

*Jane Davidson*

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, un o Weinidogion Cymru

Minister for Sustainability and Housing, one of the Welsh Ministers

12 Awst 2007

12 August 2007

## Ffurflenni

Ffurflen 44

Deddf Tiroedd Comin 2006: Adran 15

**Cais am gofrestru tir yn Faes Tref neu Bentref**

Stamp swyddogol yr awdurdod cofrestru sy'n dangos dyddiad dod i law dilys:

Rhif y cais:

Rhif(au) uned yn y gofrestr:

Rhif VG a roddwyd wrth gofrestru:

(Y CRA i lenwi hon os yw'r cais yn llwyddiannus yn unig)

**Cynghorir y ceiswyr i ddarllen y 'Nodiadau Cyfarwyddyd ar lenwi Cais am gofrestru tir yn Faes Tref neu Bentref' a nodi'r canlynol:**

- Dylai pob ceisydd lenwi cwestiynau 1 i 6 a 10 ac 11.
- Dylai ceiswyr sy'n gwneud cais am gofrestru o dan adran 15(1) o Ddeddf 2006 lenwi cwestiynau 7 ac 8 fel y bo'n briodol hefyd. Mae adran 15(1) yn galluogi unrhyw berson i wneud cais am gofrestru tir yn faes pan fo'r meini prawf ar gyfer cofrestru yn adran 15(2), (3) neu (4) yn gymwys.
- Dylai ceiswyr sy'n gwneud cais am gofrestru gwirfoddol o dan adran 15(8) lenwi cwestiwn 9 hefyd.

**Nodyn 1**  
*Rhowch enw'r awdurdod cofrestru.*

**1. Awdurdod Cofrestru**

At

**Nodyn 2**

*Os oes mwy nag un ceisydd, rhestrwch bob enw. Defnyddiwch ddalen ar wahân os oes angen un. Rhowch deitl llawn y sefydliad os yw'n gorff corfforaethol neu anghorfforaethol.*

*Os na lenwir cwestiwn 3, anfonir yr holl ohebiaeth a'r holl hysbysiadau at y ceisydd cyntaf a enwir.*

**Nodyn 3**

*Dylai'r cwestiwn hwn gael ei lenwi os oes cyfreithiwr wedi'i gyfarwyddo at ddibenion y cais. Os oes, anfonir yr holl ohebiaeth a'r holl hysbysiadau at y person neu'r ffyrm a enwir yma.*

**2. Enw a chyfeiriad y ceisydd**

Enw:

Cyfeiriad post llawn:

Cod post
----------

Rhif ffôn:  
(gan gynnwys y cod deialu)

Rhif ffacs:  
(gan gynnwys y cod deialu)

Cyfeiriad e-bost:

**3. Enw a chyfeiriad y cyfreithiwr, os oes un**

Enw:

Ffyrm:

Cyfeiriad post llawn:

Cod post
----------

Rhif ffôn:  
(gan gynnwys y cod deialu)

Rhif ffacs:  
(gan gynnwys y cod deialu)

Cyfeiriad e-bost:

**Nodyn 4**

*I gael rhagor o gyngor ar y meini prawf a'r dyddiadau ar gyfer cofrestru gweler adran 4 o'r Nodiadau Cyfarwyddyd.*

*\* Mae adran 15(6) yn caniatáu i unrhyw gyfnod cau statudol pan waherddir mynediad i'r tir gael ei anwybyddu wrth bennu'r cyfnod o 20 mlynedd.*

**4. Sail y cais am gofrestru a'r meini prawf cymhwyso**

Os chi yw perchennog y tir a'ch bod am gofrestru'ch tir o'ch gwirfodd, ticiwch y blwch hwn ac ewch i gwestiwn 5.

Cais yn cael ei wneud o dan **adran 15(8)**:

Os yw'r cais yn cael ei wneud o dan **adran 15(1)** o'r Ddeddf, **ticiwch un** o'r blychau canlynol i ddangos pa is-adran a pha faen prawf cymhwyso penodol sy'n gymwys i'r achos.

Mae **adran 15(2)** yn gymwys:

Mae **adran 15(3)** yn gymwys:

Mae **adran 15(4)** yn gymwys:

Os yw **adran 15(3) neu (4)** yn gymwys, nodwch ar ba ddyddiad y daeth y defnydd hwnnw fel mater o hawl i ben yn eich barn chi.

Os yw **adran 15(6)\*** yn gymwys, nodwch y cyfnod cau statudol (os oes un) y mac angen ei anwybyddu.

**Nodyn 5**

*Rhaid i'r map sy'n cyd-fynd â'r disgrifiad fod ar raddfa o 1:2,500 o leiaf a dangos y tir mewn lliw amlwg er mwyn iddo gel ei adnabod yn glir.*

*\*I'w lenwi dim ond os yw'r tir wedi'i gofrestru yn dir comin eisoes.*

**Nodyn 6**

*Efallai y gellir dangos lleoliad y maes drwy gyfeirio at ardal weinyddol, megis cyngor cymuned neu dref, ward etholiadol neu ardal arall sydd wedi'i diffinio'n ddigonol wrth ei enw (megis pentref neu stryd). Os na ellir gwneud hyn, dylid darparu map y mae lleoliad neu gymdogaeth wedi'u marcio arno'n glir.*

**5. Disgrifiad a manylion y darn tir y mae'r cais am gofrestru yn cael ei wneud mewn perthynas ag ef**

Enw arferol y darn tir:

Lleoliad:

Wedi'i ddangos mewn lliw ar y map sydd wedi'i farcio ac wedi'i atodi i'r datganiad statudol.

Rhif yr uned yn y gofrestr o diroedd comin (os yw'n berthnasol) \*

**6. Y lleoliad neu'r gymdogaeth yn y lleoliad y mae'r cais yn cael ei wneud mewn perthynas ag ef neu hi**

Dangoswch y lleoliad neu'r gymdogaeth yn y lleoliad y mae'r maes honedig yn ymwneud ag ef neu hi, naill ai drwy ysgrifennu enw'r ardal weinyddol neu'r ardal ddaearyddol isod, neu drwy atodi map y mae'r ardal wedi'i marcio arno'n glir:

Ticiwch yma os oes map wedi'i atodi:



**7. Y cyfiawnhad dros y cais am gofrestru'r tir yn faes tref neu bentref**

**Nodyn 7**

*Dylai'r ceiswyr roi  
crynodeb o'r achos  
o blaid cofrestru yma  
ac amgáu datganiad  
llawn ar wahân a phob  
tystiolaeth arall gan  
gynnwys unrhyw  
ddatganiadau gan  
dystion i ategu'r cais.*

*Nid oes angen yr  
wybodaeth hon os oes  
perchennog tir yn  
gwneud cais am  
gofrestru'r tir yn  
faes o dan adran 15(8).*



**Nodyn 8**

*Defnyddiwch ddalen ar wahân os oes angen un.*

*Pan fo'n berthnasol, cynhwyswch gyfeiriad at rifau teitl yn y gofrestr teitlau sy'n cael ei chadw gan y Gofrestrfa Tir.*

*Os nad oes neb wedi'i enwi yn yr adran hon, dylech ysgrifennu "neb".*

*Nid oes angen yr wybodaeth hon os oes perchennog tir yn gwneud cais am gofrestru'r tir yn faes o dan adran 15(8).*

**Nodyn 9**

*Rhestrwch bob datganiad o'r fath sy'n cyd-fynd â'r cais. Os nad oes angen yr un, ysgrifennwch "dim".*

*Nid oes angen yr wybodaeth hon os oes cais yn cael ei wneud am gofrestru'r tir yn faes o dan adran 15(1).*

**Nodyn 10**

*Rhestrwch bob dogfen ategol a map sy'n cyd-fynd â'r cais. Os nad oes yr un, ysgrifennwch "dim".*

*Defnyddiwch ddalen ar wahân os oes angen un.*

**8. Enw a chyfeiriad pob person y mae'r ceisydd yn credu ei fod yn berchennog, lesddeiliad, tenant neu feddiannydd ar unrhyw ran o'r tir yr honnir ei fod yn faes tref neu bentref**

**9. Cofrestru gwirfoddol - datganiadau cydsyniad gan 'lesddeiliad perthnasol', a pherchennog unrhyw 'bridiant perthnasol' dros y tir**

**10. Dogfennau ategol**

**Nodyn 11**

*Os oes unrhyw faterion  
eraill y dylid tynnu sylw'r  
awdurdod cofrestru  
atynt (yn benodol  
os disgwylir i berson sydd  
â buddiant yn y tir herio'r  
cais am gofrestru, dylid  
rhoi'r manylion  
llawn yma neu ar ddalen  
ar wahân os oes angen un.*

**11. Unrhyw wybodaeth arall am y cais**

Dyddiad:	<input style="width: 100%;" type="text"/>
----------	---

**Nodyn 12**

*Rhaid i'r cais gael ei  
lofnodi gan bob ceisydd  
unigol, neu gan swyddog  
awdurdodedig  
i geisydd sy'n gorff  
corfforaethol neu  
anghorfforaethol.*

Llofnodion:

--

**I ATGOFFA'R CEISYDD**

**Fe'ch cynghorir i gadw copi o'r cais a'r holl ddogfennau sy'n gysylltiedig â'r cais.**

**Dylai'r ceiswyr fod yn ymwybodol bod llofnodi'r datganiad statudol yn llw eich bod yn datgan y gwir wrth gyflwyno'r cais a'r dystiolaeth sy'n cyd-fynd ag ef. Gall gwneud datganiad ffug at ddibenion y cais hwn olygu bod y sawl sy'n ei wneud yn agored i'w erlyn.**

**Deddf Diogelu Data 1998**

*Ni ellir trin y cais nac unrhyw sylwadau fel pe baent yn gyfrinachol. Er mwyn penderfynu ar y cais bydd yn angenrheidiol i'r awdurdod cofrestru ddatgelu gwybodaeth y mae wedi'i chael oddi wrthyh chi i eraill, sy'n gallu cynnwys awdurdodau lleol eraill, Adramau o'r Llywodraeth, cyrff cyhoeddus, sefydliadau eraill ac aelodau o'r cyhoedd.*

## Datganiad Ategol Statudol

I'w wneud gan y ceisydd, neu gan un o'r ceiswyr, neu gan gyfreithiwr y ceisydd neu'r ceiswyr, neu, os corff corfforaethol neu anghorfforaethol yw'r ceisydd, gan gyfreithiwr y corff hwnnw, neu gan y person a lofnododd y cais.

<sup>1</sup> *Rhowch yr enw llawn (a'r cyfeiriad os nad yw wedi'i roi yn y ffurflen gais).*

Yr wyf fi.....<sup>1</sup> yn datgan yn ddifrifol ac yn ddiffuant fel a ganlyn:

<sup>2</sup> *Dileer ac addaser yn ôl yr angen.*

1.<sup>2</sup> Fi yw ((y person (un o'r personau) sydd wedi llofnodi'r cais uchod)) ((cyfreithiwr (y ceisydd) (<sup>3</sup> un o'r ceiswyr)).

<sup>3</sup> *Rhowch yr enw os yw'n gymwys.*

2. Mae'r ffeithiau a nodwyd yn y ffurflen gcais hyd eithaf fy ngwybodaeth a'm cred wedi'u datgan yn llawn ac yn wir ac nid wyf yn ymwybodol o unrhyw ffaith arall y dylid tynnu sylw'r awdurdod cofrestru ati am ei bod yn debyg o effeithio ar benderfyniad yr awdurdod cofrestru ar y cais hwn, nac am unrhyw ddogfen sy'n ymwneud â'r mater heblaw'r rhai (os oes rhai) sydd wedi'u crybwyll yn Rhannau 10 ac 11 o'r cais.

3. Y map sydd yn awr yn cael ei gyflwyno fel rhan o'r datganiad hwn yw'r map y cyfeirir ato yn Rhan 5 o'r cais.

<sup>4</sup> *I'w lenwi yn achos cofrestru gwirfoddol yn unig (i'w ddileu os nad yw hyn yn berthnasol)*

4.<sup>4</sup> Yr wyf drwy hyn yn gwneud cais o dan adran 15(8) o Ddeddf Tiroedd Comin 2006 am gofrestru yn faes y tir a nodwyd ar y map a bod hwnnw o dan fy mherchnogaeth i. Yr wyf wedi darparu'r datganiadau cydsyniad angenrheidiol canlynol:

- (i) datganiad am berchnogaeth y tir;
- (ii) datganiad bod pob cydsyniad angenrheidiol gan y lesddeiliad priodol neu gan berchennog unrhyw bridiant perthnasol dros y tir wedi dod i law

Parhad/

Parhad

a'u bod yn cael eu harddangos gyda'r datganiad hwn; neu  
(iii) os nad oes angen cydsyniadau o'r fath, datganiad i'r perwyl hwnnw.

Ac yr wyf yn gwneud y datganiad difrifol hwn, gan gredu'n gydwybodol  
ei fod yn wir, ac yn rhinwedd Deddf Datganiadau Statudol 1835.

Datganwyd gan y	a enwyd)	
	)	
yn	)	<i>Llofnod y Datganwr</i>
	)	
y	)	
dydd hwn o	)	

Ger fy mron i \*

Llofnod:

Cyfeiriad:

Cymhwyster:

**\* Rhaid i'r datganiad statudol gael ei wneud gerbron ynad heddwch, cyfreithiwr sy'n ymarfer, comisiynydd llwon neu notari cyhoeddus.**

**Mae llofnodi'r datganiad statudol yn llw eich bod yn datgan y gwir wrth gyflwyno'r cais a'r dystiolaeth sy'n cyd-fynd ag ef.**

**I ATGOFFA'R SWYDDOG SY'N CYMRYD Y DATGANIAD:**

*Rhowch lythrennau blaen eich enw gyferbyn â phob newid a marciwch unrhyw fap fel arddangosyn*

**DEDDF TIROEDD COMIN 2006 - ADRAN 15(1)****Hysbysiad o gais am gofrestru tir yn Faes Tref neu Bentref**

I bob perchennog, lesddeiliad, tenant neu feddiannydd ar unrhyw ran o'r tir a ddisgrifir isod, ac i bawb arall a fynno wybod.

Mae cais wedi'i wneud i (*enw a chyfeiriad yr awdurdod cofrestru*) gan (*enw a chyfeiriad y ceisydd*) o dan adran 15(1) o Ddeddf Tiroedd Comin 2006 ac yn unol â Rheoliadau Tiroedd Comin (Cofrestru Meysydd Tref neu Bentref) (Trefniadau Interim) (Cymru) 2007 ("Rheoliadau 2007"). Mae'r cais yn gofyn am gynnwys yn y gofrestr o feysydd tref a phentref y tir a ddisgrifir yn yr Atodlen isod yr honnir ei fod yn gymwys i'w gofrestru'n faes tref neu bentref ar (*y cyfnod a roddwyd yng nghwestiwn 4 o Ffurflen 44*) oherwydd (*crynodeb o'r achos a roddwyd yng nghwestiwn 7 o Ffurflen 44*).

Gellir archwilio'r cais, sy'n cynnwys cynllun y tir a gynigiwyd i'w gofrestru yn y swyddfa ganlynol ..... rhwng .....(*y cyfeiriad a'r amserau y bydd papurau'r cais ar gael*). Gellir archwilio copïau o'r dogfennau hefyd yn swyddfeydd yr awdurdodau lleol canlynol (*rhowch fanylion yr awdurdodau lleol o dan sylw os oes rhai*).

Os yw'r awdurdod cofrestru wedi'i fodloni bod y tir a ddisgrifir isod yn gymwys i'w gofrestru'n faes tref neu bentref, fe fydd yn cofrestru'r tir fel y cyfryw.

Dylai unrhyw berson sy'n dymuno gwrthwynebu cofrestru'r tir yn faes tref neu bentref anfon datganiad o'r ffeithiau y seilir y gwrthwynebiad arnynt i (*enw a chyfeiriad yr awdurdod cofrestru*) ar neu cyn (*rhowch y dyddiad - heb fod yn llai na chwe wythnos ar ôl dyddiad cyhoeddi ac arddangos yr hysbysiad neu ddyddiad ei draddodi yn unol â rheoliad 5(2) o Reoliadau 2007, p'un bynnag yw'r olaf*). [Caiff yr Awdurdod anwybyddu datganiadau sy'n dod i law ar ôl y dyddiad hwnnw os yw wedi bwrw ymlaen i ystyried y cais]. Ni ellir trin unrhyw ddatganiadau y mae'r awdurdod i'w cymryd i ystyriaeth wrth wneud penderfyniad ar y cais fel pe baent yn gyfrinachol ac anfonir copïau ohonynt at y ceisydd i gael ei sylwadau a gellir eu datgelu i bartion eraill sydd â buddiant yn hyn o beth.

Dyddiad

Llofnod (*llofnod ar ran yr awdurdod cofrestru*)

**Atodlen**

Disgrifiad o'r tir yr honnir ei fod yn gymwys i'w gofrestru yn faes tref neu bentref



Forms

Form 44

Commons Act 2006: Section 15

## Application for the registration of land as a Town or Village Green

Official stamp of registration authority indicating valid date of receipt:

Application number:

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

**Applicants are advised to read the ‘Guidance Notes for the completion of an Application for the registration of land as a Town or Village Green’ and to note the following:**

- All applicants should complete questions 1 to 6 and 10 and 11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7 and 8 as appropriate. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for the voluntary registration under section 15(8) should, in addition, complete question 9.

**Note 1**  
*Insert name of registration authority.*

**1. Registration Authority**

To the

**Note 2**

*If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.*

*If question 3 is not completed all correspondence and notices will be sent to the first named applicant.*

**Note 3**

*This question should be completed if a solicitor is instructed for the purposes of the application. If so, all correspondence and notices will be sent to the person or firm named here.*

**2. Name and address of the applicant**

Name:

Full postal address:

Postcode
----------

Telephone number:  
(incl. national dialling code)

Fax Number:  
(incl. national dialling code)

E-mail address:

**3. Name and address of solicitor, if any**

Name:

Firm:

Full postal address:

Postcode
----------

Telephone number:  
(incl. national dialling code)

Fax Number:  
(incl. national dialling code)

E-mail address:

**Note 4**

*For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.*

*\* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.*

**4. Basis of application for registration and qualifying criteria**

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under **section 15(8)**:

If the application is made under **section 15(1)** of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

**Section 15(2)** applies:

**Section 15(3)** applies:

**Section 15(4)** applies:

If **section 15(3) or (4)** applies, please indicate the date on which you consider that use as of right ended.

If **section 15(6)\*** applies please indicate the period of statutory closure (if any) which needs to be disregarded.

**Note 5**

*The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.*

*\*Only complete if the land is already registered as common land.*

**Note 6**

*It may be possible to indicate the locality of the green by reference to an administrative area, such as that of a community or town council, electoral ward or other area sufficiently defined by name (such as a village or street). If this is not possible, a map should be provided on which a locality or neighbourhood is marked clearly.*

**5. Description and particulars of the area of land in respect of which application for registration is made**

Name by which usually known:

Location:

Shown in colour on the map which is marked and attached to the statutory declaration.

Common land register unit number (if relevant) \*

**6. Locality or neighbourhood within a locality in respect of which the application is made**

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Tick here if map attached:

**7. Justification for application to register the land as a town or village green**

**Note 7**

*Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application.*

*This information is not needed if a landowner is applying to register the land as a green under section 15(8).*

**Note 8**

*Please use a separate sheet if necessary.*

*Where relevant include reference to title numbers in the register of title held by the Land Registry.*

*If no one has been identified in this section you should write "none".*

*This information is not needed if a landowner is applying to register the land as a green under section 15(8).*

**Note 9**

*List all such declarations that accompany the application. If none is required, write "none".*

*This information is not needed if an application is being made to register the land as a green under section 15(1).*

**Note 10**

*List all supporting documents and maps accompanying the application. If none, write "none".*

*Please use a separate sheet if necessary.*

**8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green**

**9. Voluntary registration – declarations of consent from ‘relevant leaseholder’, and of the proprietor of any ‘relevant charge’ over the land**

**10. Supporting documentation**



**Note 11**

*If there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration).*

*Full details should be given here or on a separate sheet if necessary.*

**11. Any other information relating to the application**

**Note 12**

*The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.*

Date:

Signatures:

**REMINDER TO APPLICANT**

**You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.**

***Data Protection Act 1998***

*The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.*

## Statutory Declaration in Support

To be made by the applicant, or by one of the applicants, or by the applicant's or applicants' solicitor, or, if the applicant is a body corporate or unincorporated, by its solicitor, or by the person who signed the application.

<sup>1</sup> *Insert full name (and address if not given in the application form).*

I.....,<sup>1</sup> solemnly and sincerely declare as follows:

<sup>2</sup> *Delete and adapt as necessary.*

1.<sup>2</sup> I am ((the person (one of the persons) who (has) (have) signed the foregoing application)) ((the solicitor to (the applicant) (<sup>3</sup> one of the applicants))).

<sup>3</sup> *Insert name if applicable.*

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in Parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in Part 5 of the application.

<sup>4</sup> *Complete only in the case of voluntary registration (strike through if this is not relevant).*

4.<sup>4</sup> I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent :

- (i) a declaration of ownership of the land;
- (ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have

Cont/

Continued

been received and are exhibited with this declaration; or  
(iii) where no such consents are required, a declaration to that effect.

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 )  
 )  
 )  
this )  
 day of )

*Signature of Declarant*

Before me\*

Signature:

Address :

Qualification :

**\* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.**

**Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.**

**REMINDER TO OFFICER TAKING DECLARATION:**

*Please initial all alterations and mark any map as an exhibit*

**COMMONS ACT 2006 - SECTION 15(1)****Notice of an application for the registration of land as a Town or Village Green**

To every reputed owner, lessee, tenant or occupier of any part of the land described below, and to all others whom it may concern.

Application has been made to the *(name and address of the registration authority)* by *(name and address of applicant)* under section 15(1) of the Commons Act 2006 and in accordance with the Commons (Registration of Town or Village Greens) (Interim Arrangements) (Wales) Regulations 2007 ("the 2007 Regulations"). The application seeks the inclusion in the register of town and village greens of the land described in the Schedule below which is claimed to have qualified for registration as a town or village green on *(period given in question 4 of Form 44)* by virtue of *(summary of case given in question 7 of Form 44)*.

The application, which includes a plan of the land proposed for registration may be inspected at the following office ..... between the hours of .....*(address and timings where and when application papers are available)*. Copies of the documents may also be inspected at the following local authority offices *(insert details of concerned local authorities if any)*.

If the registration authority is satisfied that the land described below qualifies for registration as a town or village green, it will so register the land.

Any person wishing to object to the registration of the land as a town or village green should send a statement of the facts on which the objection is based to *(name and address of registration authority)* on or before *(insert date - not less than 6 weeks from the later of the date the notice is published and displayed or the date on which it is delivered pursuant to regulation 5(2) of the 2007 Regulations)*. Any statements that are to be taken into account by the Authority in reaching a decision on the application cannot be treated as confidential and will be copied to the applicant for comment and may be disclosed to other interested parties.

Dated

Signed *(signature on behalf of the registration authority)*

**Schedule**

Description of the land claimed to have qualified for registration as a town or village gre

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