



Application to deregister and exchange common land or town or village greens

Commons Act 2006: Section 16

Return completed application to:

Planning Inspectorate Wales
Cathays Park
Cardiff
CF10 3NQ

Phone: 029 20823866

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E-mail: wales@pins.gsi.gov.uk

Application to deregister and exchange common land

- Answer all the questions on this form in full and only use a separate sheet where there is insufficient space for your answer.
- Refer to the separate “**Notes for completing an application to deregister and exchange common land or town or village greens**” (the “Notes”) when applying.
- Consult informally and widely about your ideas before developing a formal proposal.
- References throughout this form to ‘Common Land’ apply equally to ‘town or village green’
- From 1st April 2013, the Countryside Council for Wales ceased to operate in Wales, and its functions were taken over by Natural Resources Wales.

SECTION A – The common land (or village green) – to be deregistered – the “release land”

(see Notes 1, 2, 3, 4 and 5)

SECTION A1 – The Common:

1. Name of Common CL/VG No.
2. Located in the:
- (a) Community/Town of
- (b) Borough/County Borough/City/County of
3. Commons Registration Authority

Section A2 – The owner (see Note 1):

4. Title (e.g. Mr/Mrs/Miss/Ms/Dr)
- (a) Forename (s)
- (b) Surname
- (c) Position/Organisation (if appropriate)

5. Full Postal Address

Postcode

Telephone number

Mobile No

Fax Number

E-mail address

julian.golunski@coark.com

I prefer to be contacted by

Email

Post

Please note that unless you tell us otherwise, we will send all correspondence to the person named above – not to the owner of the replacement land shown in Section B2.

Please tick as appropriate:

Please send all correspondence to the owner above in question 4.....

Please copy all correspondence to the person named in question 15...

Section A3 – Area of common and common rights:

6. What is the total area of common as registered?
(see Note 2)

1065.50 acres

7. What common rights, if any, are registered (e.g. number and type)? If the land is a town or village green, to what recreational use is it put?

8,000 (sheep) and cottage rights (3 cattle, 9 sheep, 9 pigs, 9 goats or 24 geese pro rata).

8. If common rights are registered, are they ever exercised?.

Yes

No

9. If **Yes**, to what extent (e.g. which commoners are active, which rights are exercised, and how frequently)?

There are 4 active graziers who turn out limited numbers of livestock in accordance with All Wales Habitat Scheme (see para 3.12 of the Common land report).

Section A4 – Other rights over the common:

10. Give details of any relevant leaseholders, other occupiers, or those holding any relevant charges over the release land (**see Note 4**) and enclose copies of their written consent to this application (**see Note 3**).

N/A.

Section A5 – Description of the release land:

11. Area of release land (m² or hectares)

12. Description (including location) of release land **(see Note 5)**

Please see para 3.4 of the Common land report of Jeremy Liley and the plan appended to show the location of the release land.

Section B – The land to be given in exchange – the ‘replacement land’ (see Notes 6,7,8 and 9)

13. Are you proposing to provide replacement land in exchange for the release land?

Yes No

If **Yes**, go to question 14. If **No**, please explain here why you are not providing replacement land (see note 6) and then go to Question 22

N/A

Section B1 – Location of the replacement land:

14. Name, if any of the replacement land

The replacement land is located in the:

(a) Community/Town of

(b) Borough/County Borough/City/County of

Section B2 – The owner of the replacement land (see Note 1)

15. Title (e.g. Mr/Mrs/Miss/Ms/Dr)

(a) Forename (s)

(b) Surname

(c) Position/Organisation
(if appropriate)

16. Full Postal Address

c/o Cooke & Arkwright
7/8 Windsor Place
Cardiff

Postcode

Telephone number

Mobile No

Fax Number

E-mail address

I prefer to be contacted by E-mail Post

Please note that unless you tell us otherwise, we will send all correspondence to the person shown in Section A2.

Section B3 – Description of replacement land:

17. Area of land proposed as replacement land (hectares)

18. Description (including location) of land proposed as replacement land **(see Note 5)**

Several permanent pasture fields as described in para 4.2 of the Common land report.

19. Please confirm that the proposed replacement land is not already registered as common land or town or village green **(See Note 7)**

20. Is the proposed replacement land subject to any other formal designation (for example, as public open space)? **(See Note 8)** Yes No

If **Yes**, give full details:

21. Give details of any relevant leaseholders, or other occupiers, or those holding any relevant charges over the replacement land: **(see Note 9).**

The replacement land is currently let under a farm business tenancy to commoners on the adjoining common (CL21). See para 4.3 of the Common land report.

SECTION C – Access arrangements and current features of the lands (see Notes 10, 11 and 12)

For questions 22 to 28 complete both parts of each question if replacement land is being provided. If no replacement land is being provided, complete part (a) of each question.

Section C1 – Access to the lands:

22. To what extent is there public access over the lands to be exchanged?

(a) The release land

There is public access to the proposed release land under the Coity Wallia Commons Act 1976 and s193 of the Law of Property Act 1925.

(b) The replacement land

There is no public access currently on the proposed replacement land.

23. What will the access arrangements be after the exchange?

(a) The release land

The release land will not have public access after exchange save that once construction has been completed the actual area used for infrastructure will be 4.01 ha. The remaining release land will be available for public access.

(b) The replacement land

There will be public access to the replacement land after the exchange as per the existing public access rights on the common.

Section C2 – Current condition of the lands:

24. Describe the current condition and use of the:

(a) release land

See the Common land report.

(b) replacement land

See the common land report.

25. What structures, (e.g. buildings, bridleways, footpaths, walls, fences or other constructions currently exist on the:

(a) release land

None.

(b) replacement land

Fences and a section of poorly formed native hedgerow.

26. What boundary features e.g. fences, hedges, walls (and access points such as stiles and gates) currently exist on (or on land immediately adjoining) the:

(a) release land

None.

(b) replacement land

There is an existing boundary fence maintained by Dunraven Estates.

27. What, if any, boundary features are proposed to be removed or erected as part of the exchange?

(a) release land

None.

(b) replacement land

All fences and the section of poorly formed native hedgerows between the replacement land and the adjoining common will be removed.

28. Are any works or other things to be done by any party as part of the exchange?

.....Yes No

If **Yes**, give details

(a) release land

N/A.

(b) replacement land

New fences will be constructed to provide a boundary between the replacement land and the retained land of the Dunraven Estate and Third Party land owners.

29. Are any of the lands subject to any other rights or easements not already mentioned on this form?.....Yes No

If **Yes**, give full details:

N/A.

SECTION D – Details of the exchange or deregistration, and any informal consultations (see Notes 13, 14 and 15)

30. What are the reasons for the exchange or deregistration and the circumstances surrounding it?

The land is required for the construction of 7 turbines and associated infrastructure on the common. Please see the Common land report for details of the proposed scheme.

31. It is strongly recommended that you consult informally on your proposals at an early stage in their development see ‘Common Land Guidance – General Overview’ note. What **informal**

consultation (e.g. with local inhabitants) have you carried out? Give details below and provide written evidence.

The applicant has consulted with the Commoners Association, the Board of Conservators, and with the active graziers, as well as with the relevant Community Councils and Bridgend County Borough Council. Please see para 3.14 (et seq) of the Common land report.

SECTION E – Designations (see Notes 16 and 17)

32. Are any of the lands subject to this application in or near a site of Special Scientific Interest (SSSI), a Special Area of conservation (SAC), a Special Protection Area (SPA), or Wetland listed in accordance with the Ramsar Convention?Yes No

If **Yes**, please give details, identify on the map (**see section J**), and provide evidence of any consultation you have carried out with Natural Resources Wales (**see Note 16**).

33. Do any of the lands contain a Scheduled Ancient Monument? Yes No

If **Yes**, give details, identify on the map (see section J), and provide evidence of any consultation you have carried out with Cadw (**see Note 17**)

N/A.

34. Are any of the lands subject to this application in a National Park or Area of Outstanding Natural Beauty? Yes No

If **Yes**, give details any consultation you have carried out with the National Park Authority or Natural Resources Wales.

N/A.

SECTION F – Adjacent Common Land (see Note 18)

35. Does any area of common land or village green, of a different registration number, adjoin the common land or green subject to this application?
..... Yes No

If **Yes**, give details and identify them on the map (see Section J):

SECTION G – Public Access (see Notes 19, 20, and 21)

36. Do the public have a right of access to the release land for air and exercise under section 193 of the Law of Property Yes No

37. Is the release land subject to an Order of Limitation made under section 193? Yes No

If **Yes**, give its date and other details, and send us a copy:

SECTION H – Scheme of management and local Acts (see Note 22)

38. Is there a Scheme of Management for the release land, made under the Metropolitan Commons Act 1866 or the Commons Act 1899? Yes No

39. Is the release land subject to any other regulatory Scheme or Act (e.g. a Provisional Order Confirmation Act made under the Commons Act 1876) ? Yes No

If **Yes**, to either question, give its date and other details below, and send us a copy of the Scheme or Act. Do you wish to seek any special arrangements to be made in relation to any of these provisions?

Coity Wallia Commons Act 1976.

SECTION I – Advertisement and Consultation (see Notes 23, 24 and 25)

You must advertise your proposal in one main local newspaper and at the main points of entry to the lands within 7 days of making your application. Use the draft notice at Annex B of the Notes.

You must also send a copy of the notice (using the letter at Annex D of the Notes) to the following:

- the commoners council or association (if there is one)
- all known commoners
- others with an interest in the lands e.g. tenants, those with easements or other rights over the lands
- any relevant community/town, borough/county borough, city or county council
- Natural Resources Wales
- Cadw (if applicable)
- National Park Authority (if the lands are in a National Park)
- Open Spaces Society (see Note 25)

40. Which newspaper will the advertisement appear in, and on what date?

TBC.

SECTION J – Maps (see Note 26)

You must include with your application two copies of a map which fully meets the requirements set out in Note 26.

41. Two copies of the map that meets the requirements set out in Note 26 are enclosed

.....



SECTION K – Public inquiry or hearing (see Note 27)

42. Give the name and address of a suitable place in the locality for holding a public local inquiry or hearing, should this be needed.

TBC.

Contact name/Telephone number:

Checklist (tick to confirm)

I have read the **Notes** in full

I have:

- answered all the questions on this form in full
- enclosed two copies of the map that meets the requirements of Section J
- enclosed a copy of the commons register in respect of this common (i.e. details of the land, rights, and ownership, and the register map)
- enclosed a copy of any document mentioned in answering the questions on this form (e.g. scheme of management, written permission of any relevant leaseholders, letters from informal committees etc)
- understood that any of the application papers may be copied to interested parties on request, and have informed people as necessary

I will, within 7 days:

- advertise the proposal in one local newspaper
- post a copy of the notice at the main entry points to the lands
- send a copy of the notice to all those listed in Section 1
- place a copy of the notice, map and application at the inspection point .

I will write to you as soon as possible, using the letter at **Annex D** of the **Notes**, to confirm that the advertising requirements have been met.

SECTION L - Declaration

I/We hereby declare that:

- (a) I/We am/are the owner/s of the land/s to be deregistered/exchanged as detailed in this application.
- (b) No person is a relevant leaseholder, or holds a relevant charge, over any of the land/s to be deregistered/exchanged

Or

I/We enclose the written consent of every person who is a relevant leaseholder, or holds a relevant charge, over any of the lands to be deregistered/exchanged

- (c) The contents of this application are true and complete to the best of my/our knowledge and belief.

Signatures of the parties to the deregistration/exchange:

Release Land:

Signature of owner

Signature of co-owner
(if applicable)

Name
(in BLOCK letters)

Name of co-owner
(if applicable)

Date

Date

Replacement Land:

Signature of owner

Signature of co-owner (if applicable)

Name
(in BLOCK letters)

Name of co-owner (if applicable)

Date

Date

You must keep a copy of your completed form

Data Protection Act

To process your application, we may need to disclose information we receive from you to others, including other Central Government Departments, public bodies, local authorities, other organisations and members of the public.