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Sent: 09 January 2014 14:06

Subject: Commons Act 2006 Implementation Update No.28

9 January 2014

This is number 28 in a series of emails to update you on the implementation of the Commons Act 2006 ('the 2006 Act'). In this update:

- ***Implementation of Part 1 of the Commons Act 2006***

Please feel free to circulate this to colleagues or other interested people — or just hit 'reply' and say 'no thanks' if you want to have your name removed from this distribution list (we won't be offended!). This update is also sent to members of the National Common Land Stakeholder Group.

Implementation of Part 1 of the Commons Act 2006

Defra ministers announced today via a Written Ministerial Statement published in Parliament that there will be a further implementation of Part 1 of the Commons Act 2006 in England. Part 1 allows for applications to be made to amend, correct and bring up-to-date the registers of common land and town and village greens.

There are two elements to the plan: firstly, to implement Part 1 in Cumbria and North Yorkshire. These authorities have the highest amount of commons and greens in the country so the opening of the registers would have the greatest impact in those areas. This will mean, when including the seven pioneer authorities already subject to Part 1, that 70% of the registered commons and greens in England is subject to Part 1.

The second element is to commence throughout England both section 19(2)(a) and Schedule 2, paragraphs 6 to 9, to allow for the correction of mistakes made by commons registration authorities and the removal of land that was wrongly registered as common or green under the Commons Registration Act 1965. When the registers were compiled in the late 1960s many properties were wrongly registered but have remained on the register ever since. The Government wants those anomalies to be resolved as soon as possible.

It will be possible to make applications in relation to both elements above from October this year.

Unfortunately Defra does not have sufficient resource to implement Part 1 across England. The further commencement of Part 1 will be reconsidered as soon as there are sufficient resources, which probably will be during the next Parliament at the earliest.

The Written Ministerial Statement can be found here: www.parliament.uk/business/publications/hansard/commons/todays-written-statements/

Further information

More information about the 2006 Act is available at:

www.gov.uk/common-land-management-protection-and-registering-to-use

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