

# COMMONS REGISTRATION

Helen Gilbert

Commons Registration Officer



SURREY

# COMMONS REGISTRATION ACT 1965

- Required the registration of common land and village greens
- Established Commons Registration Authorities to maintain the commons registers



# Common Land in Surrey

- 24,483 acres (approx.)
  - Commons: 416
  - Village Greens: 69



# COMMONS ACT 2006

- To update and correct the commons register
- Achieved Royal Assent in June 2006
- Not yet fully implemented in Surrey



# The Law and Common Land

- Law of Property Act 1925 - Section 193
- Road Traffic Act 1988 - Section 34
- Countryside and Rights of Way Act 2000
- gives rights of access over Common Land in certain circumstances
- makes it an offence to drive over Common Land without lawful authority
- gives access rights over open country as shown on the access maps. It also regulates the grant of easements over Common Land



# The Law and Common Land

## Commons Act 2006:

- Section 15
  - enables any person to apply to the commons registration authority to register land as a town or village green
- Section 38
  - requires consent from the Planning Inspectorate (PINS) for works on Common Land. The County Council has powers to deal with unauthorised works.
- Section 19
  - to correct a mistake made by the commons registration authority when it made or amended an entry in the register



# The Law and Common Land

## Commons Act 2006:

- Paragraphs 6 & 7 of Schedule 2
- Paragraphs 8 & 9 of Schedule 2
- to remove buildings and other land wrongly registered as common land
- to remove buildings and other land wrongly registered as village greens



# Issues

- Applications for land to be registered as a new village green
- Action under Section 38 of the Commons Act 2006
- Applications for updating the registers – corrective applications





# Village Greens

## Definition

"a significant number of the inhabitants of the locality or a neighbourhood within the locality have indulged as of right in lawful sports and pastimes for at least 20 years...."



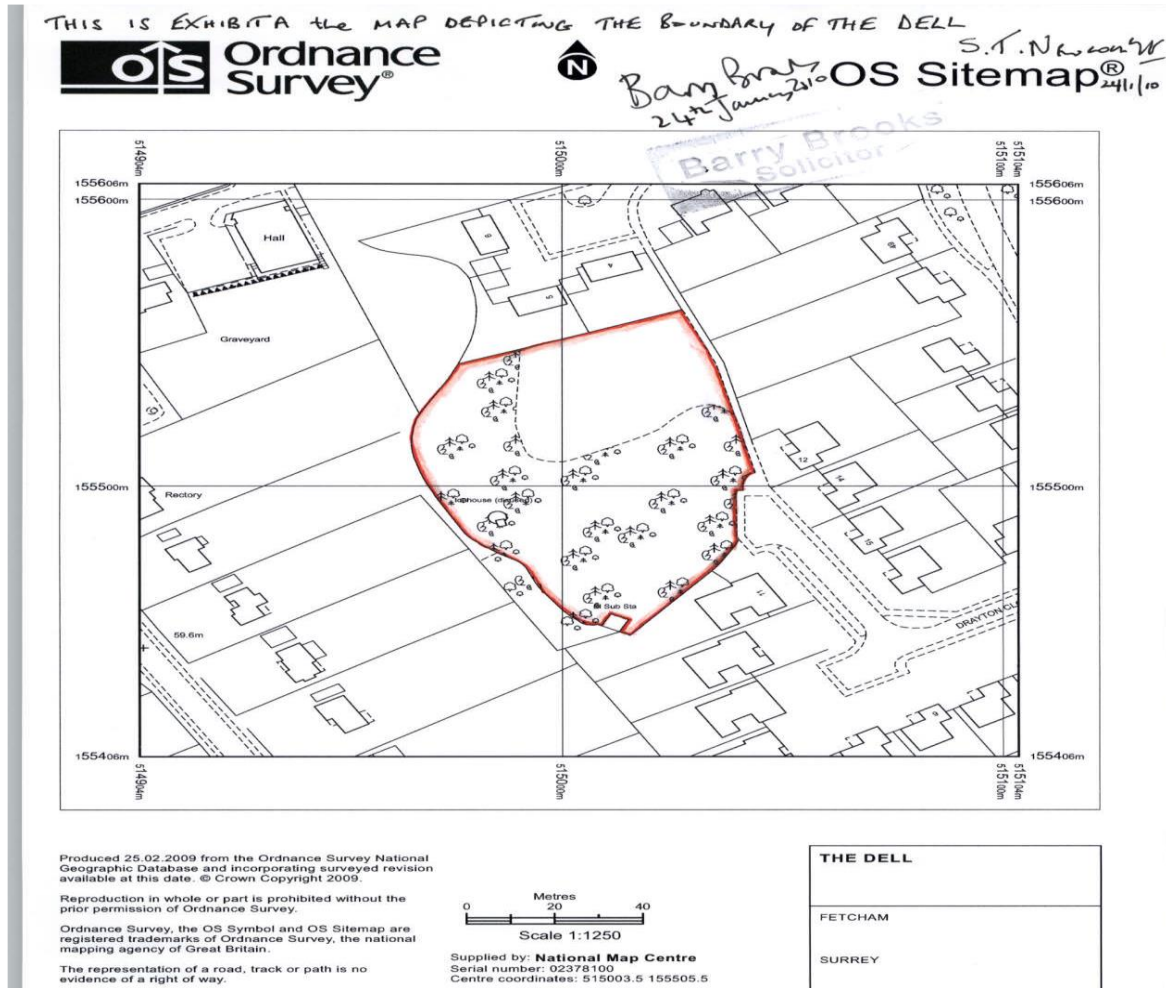
# Village Greens

The Commons (Registration of  
Town/Village Greens) (Interim  
Arrangements) (England)  
Regulations 2007



SURREY

# Land at The Dell, Fetcham



# Land at Bookham Fields

Map A "Plan of the Land"



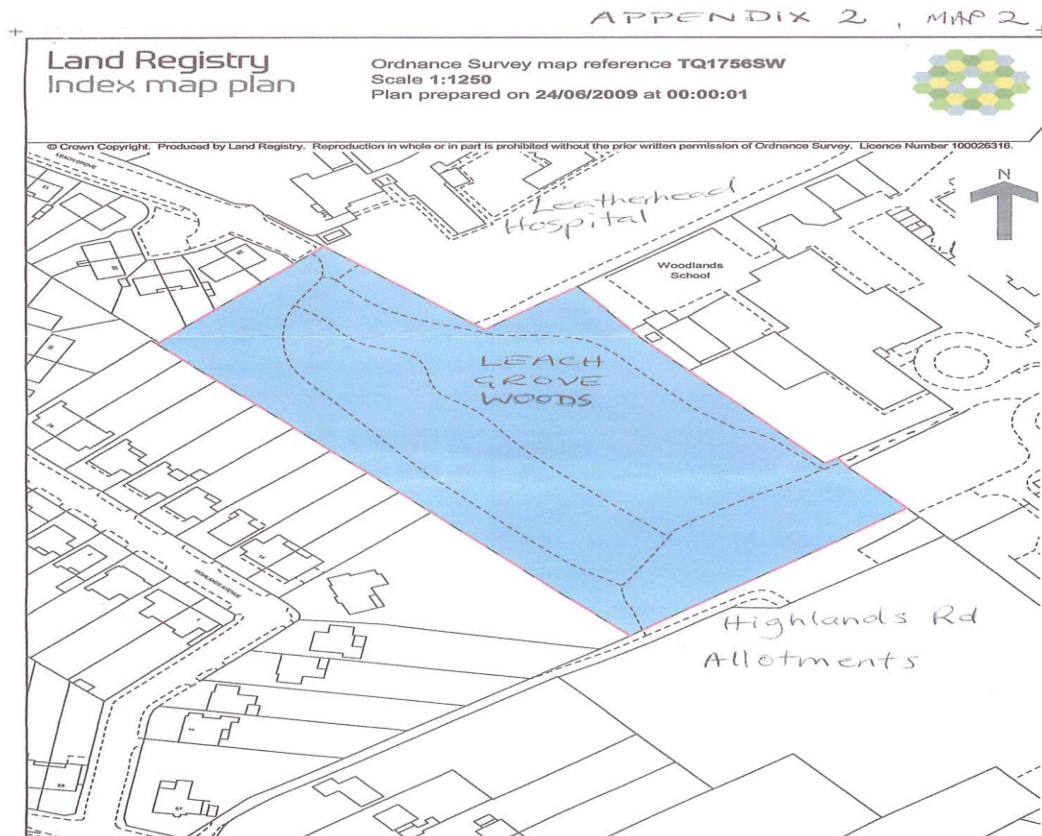
Exhibit Marked A"  
referred to in the Statutory Declaration  
by Martin Pearson made this 30th September 2009  
before me James Clewley

*Handwritten signature*



SURREY

# Land at Leach Grove Woods, Leatherhead



This is the exhibit referred to in Section 7: Justification for application to register the land as a town or village green.  
*before me* *EMMA MOORE* *EMMA MOORE*  
*SOLICITOR*

# Corrective Applications

- Section 19 – correcting CRA mistake
- Paras 6 to 9 od Schedule 2 – removing wrongly registered land and/or buildings



# Corrective Applications

The Commons (Correction of  
Registration) (Interim  
Arrangements) (England)  
Regulations 2014



# Any Questions?



SURREY