

Note

National Common Land Stakeholder Group Fri 6 June 2014, Nobel House, London

Attendees	Apologies
Tom Surrey (Chair) Defra ACRA Moorlands Association Natural Resources Wales Countryside and Community Research Institute/Foundation for Common Land Dartmoor Commoners National Trust OSS Defra Defra Defra, by phone Defra Defra NE NE BHS NFU RICS Central Association of Agricultural Valuers CLA Federation of Yorkshire Commoners and Moorland Graziers	Friends of Lake District Solicitor RSPB Welsh Government OSS NE Foundation for Common Land Wildlife Trusts Federation of Cumbria commoners

[Previous agenda items removed as they are irrelevant]

6 Implementation of Part 1 of the Commons Act 2006

Defra announced in January its plan for further implementation of Part 1, which is comprised of two components: (a) full implementation of Part 1 in Cumbria and North Yorks and (b) implementation of 5 types of corrective applications across England. Corrective applications are: section 19(2)(a) which allows for the correction of mistakes made by the registration authority; and paras 6 to 9 of Schedule 2 (to the Act) which allow for the removal of wrongly registered land from the commons and TVG registers. It would be possible to make applications across England from October this year.

The regulations, which were still being drafted, would largely replicate the 2008 pioneer regulations with some notable changes: application forms would be prescribed; no cap for application fees (NB a cap of £1000 currently in the pioneer areas); and a modification of the current requirement to refer certain applications to the Planning Inspectorate (PINS) for determination so that in future referral should take place only where objections are received from persons with a legal interest in the land. This is because PINS suggested that it has dealt with a number of

applications at great expense to the public purse that nobody has shown any interest in (i.e. no objections), so there is no need for a higher level of transparency in reaching decisions.

Cumbria and North Yorks had received training on the 'background' tasks. These are tasks which can take place in advance of dealing with applications. The pioneer authorities said Defra had expected too much of authorities during the pioneer and that it would be better to start certain tasks before it was possible for people to begin submitting applications. Training for all authorities for dealing with applications would be provided in Sept by ACRA. The guidance to authorities would need to be simplified due to the 'smarter guidance' drive across Government. It was suggested that the people responsible for approving the amended guidance be invited to NCLSG to discuss whether the amended guidance meets user needs. Defra would do its best to retain as much of the current content as possible.

[name removed] raised concerns about waste land of the manor applications in West Cornwall which were causing concern amongst CLA members. [name removed] flagged that the OSS did not support partial implementation as they felt it was unfairly balanced towards taking land off the registers rather than registering new land.

[Following agenda items removed as they are irrelevant]