**Annex B**

**Form of Notice advertising your proposals**

**Section 16 of the Commons Act 2006**

**Proposed deregistration of common land/town or village green at:**

**…………...... COMMON/TOWN OR VILLAGE GREEN\***

*(\*insert CL/VG unit registration number)*

[Insert name(s) of applicant or joint applicants] has/have\* applied to the Secretary of State for Environment, Food and Rural Affairs under section 16 of the Commons Act 2006 for land forming part of the above-mentioned registered common land/village green\* (the “release land”) to cease to be so registered. The Planning Inspectorate will decide the application on behalf of the Secretary of State.

The purpose of this application is to enable [insert details of project].

[*Include the following paragraph if replacement land is to be offered:*]

It is proposed that land (the “replacement land”) be registered as common land/town or village green\* in place of the release land.

The release land is described in the First Schedule to this notice, [and the replacement land is described in the Second Schedule].

A copy of the application form and accompanying documents can be inspected at ………………………(give the full address including postcode) between the hours of [list opening times, which must include all normal office hours] until ... [insert date at least 28 days after the publication of the newspaper].A copy of the application may be obtained by writing to [give address].

Any representations in respect of the proposed deregistration [and exchange] should be sent in writing ON or BEFORE that date to: Common Land Team, The Planning Inspectorate, 3A Temple Quay House, Temple Quay, Bristol BS1 6PN or commonlandcasework@planninginspectorate.gov.uk.

Representations sent to The Planning Inspectorate **cannot be treated as confidential**. They will be copied to the applicant and possibly to other interested parties. To find out more about how the Planning Inspectorate uses and manages personal data, please go to the [privacy notice](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fplanning-inspectorate-privacy-notices&data=04|01|rob.davis%40planninginspectorate.gov.uk|8a7aec6ca160477d104f08d8e3df9ce9|5878df986f8848ab9322998ce557088d|0|0|637509896835988027|Unknown|TWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D|1000&sdata=xayjhNa5XbSJDVSXujuwSVbqp8XGkGh9IT0F92O733U%3D&reserved=0).

**FIRST SCHEDULE**

(The release land)

[Include the location and area in square metres]

**SECOND SCHEDULE**

(The replacement land)

[Include the location and area in square metres]

***(Insert name and address of person making the application)***

***(Insert date)***

*\* delete whichever does not apply*

**Annex C**

FORM OF LETTER TO SEND TO CONSULTEES ENCLOSING A COPY OF THE DRAFT NOTICE (allow 5 days for postal delays)

**COMMONS ACT 2006 – SECTION 16**

I am/We\* are applying to the Secretary of State for Environment, Food and Rural Affairs (Defra) under section 16 of the Commons Act 2006 to deregister an area of [Name of] Common/Village Green [and to provide replacement land in exchange for the land to be deregistered]. The Planning Inspectorate will decide the application on behalf of the Secretary of State.

I am/We\* are required to you give notice of our proposals and am/are\* sending you a copy of the attached notice in order to comply with that requirement.

Section 16 of the Commons Act 2006 enables the owner of land registered as common land or a town or village green to apply to Defra for the land or part of the land to be released from registration. If the “release land” is more than 200 square metres in area, an application must be made at the same time to register “replacement land” as common land or a green in its place. If the release land is smaller than 200 square metres, a proposal for replacement land may (but need not) be included.

The decision will be based on the merits of the proposal, and will balance all the interests in the common, taking account of all views expressed. Regard must be given to the criteria set out in section 16 of the Act. These are:

(a) the interests of persons having rights in relation to, or occupying, the release land (and in particular persons exercising rights of common over it);

(b) the interests of the neighbourhood;

(c) the public interest, which includes the public interest in:

* nature conservation
* the conservation of the landscape
* the protection of public rights of access to any area of land, and
* the protection of archaeological remains and features of historic interest;

(d) any other matter considered relevant.

These criteria will be viewed in the light of the overriding objective of protecting, maintaining or improving the common, and of ensuring that the overall stock of common land is not diminished. This will enable the diversity, variety, and overall extent, of common land to be safeguarded.

Any objections or representations about the proposal should be sent to The Planning Inspectorate by the closing date specified in the notice.

*\* delete whichever does not apply*

**Annex D**

FORM OF LETTER WHICH SHOULD ACCOMPANY YOUR APPLICATION CONFIRMING THAT THE ADVERTISING REQUIREMENTS HAVE BEEN MET

**COMMONS ACT 2006 – SECTION 16**

**Application dated [insert date]**

**[insert name of common]**

I confirm that:

A. I have published the notice in (*give the name of the main local newspaper in which the notice was published*) on (*give the date of the advert*). **A copy of the extract from the newspaper is enclosed.** *(This should be the entire sheet, including the extract itself, but also showing the name and date of the newspaper)*.

B. I have sent a letter based on the one at Annex C of the guidance notes to all those listed in Section H of the application form (you must use only the specified email addresses for Natural England and Open Spaces Society). **A copy of the letter sent is attached.** Those consulted were as follows:

(*list all those consulted, including, for organisations, the name of the contact*)

C. I posted a notice of application at the principal places of entry to (or, if there are no such places, at a conspicuous place on the boundary of)— (i) the release land; and (ii) the replacement land (if any) on (give the date) and I will maintain them there until the end of the objection period.

D. I have placed a copy of the complete application, including the notice and map, at the inspection point given in the notice. These documents will remain there until the end of the objection period.