

Commons Act 2006: section 19

Application to correct the register

Applicants are advised to read 'the Guide to the Commons Act 2006 (Correction, Non-Registration or Mistaken Registration) (Wales) Regulations 2017: Guidance for applicants' and to note:

- All applicants should complete boxes 1-8.
- Any person can apply under section 19 of the Commons Act 2006.
- You will be required to pay a fee unless your application is to correct a mistake made by the registration authority (section 19(2)(a)) or to remove a duplicate entry (section 19(2)(c)). Please ask the registration authority for details. You will have to pay a separate fee should your application be referred to the Planning Inspectorate, unless it is to correct a mistake made by the local authority or to remove a duplicate entry.

This section is for office use only

Official stamp



Application Number

20-001 CA

1. Commons Registration Authority

Insert name of commons registration authority.

To the: Powys County Council

Tick one of the following boxes to confirm that you have:



enclosed the appropriate fee for this application

or



applied under section 19(2)(a) or (c) for a mistake made by the local authority.

2. Name and address of the applicant

If there is more than one applicant, list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation or business if you are applying on behalf of such a body. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via an email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant.

Name: Mr Derek Morgan

Address: Safn y Coed, Llangurig, Llanidloes, Powys

Postcode: SY18 6RY

Telephone Number:

Email address:

3. Name and address of representative, if any

This box should be completed if a representative, such as a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or organisation / business named here. If you supply an email address in the box provided, the representative may receive communications from the registration authority or other persons (e.g. objectors) via email.

Name: Mr Aled Jones

Address: FUW, Llys Amaeth, Plas Gogerddan, Aberystwyth, Ceredigion

Postcode: SY23 3BT

Telephone Number: 01970820820

Email address: aled.jones@fuw.org.uk

4. Basis of application for registration and qualifying criteria

For further details of the requirements of an application refer to Schedule 1 to the Commons Act 2006 (Correction, Non-Registration or Mistaken Registration) (Wales) Regulations 2017.

Specify the register unit number to which this application relates:

RADNOR CL36 ENTRY 30

Specify the rights number to which this application relates (if relevant):

Tick one of the following boxes to indicate the purpose (described in section 19(2) of the Commons Act 2006 or refer to the guidance) of your application. Are you applying to:

- Correct a mistake made by the commons registration authority
- Correct any other eligible mistake
- Remove a duplicate entry from the register
- Update the details of any name or address referred to in an entry
- Record accretion or diluvion

5. Describe the purpose for applying to correct the register and the amendment sought

Explain why the register should be amended and how you think it should be amended

475 Sheep rights were registered to Safn y Coed in 1968 with a total of 157 acres stated on the application. However some field numbers were missed in error on the original application. The error has only come to light when Mr Morgan sold 2 fields (SN9273 4162 & 7236) in 2019. The fields were sold with grazing rights as it had always been believed that the 475 sheep rights were attached to the whole farm, however when it came to apportioning the rights it was found that the fields were not listed in the field list of the original registration along with several other fields. This was a genuine mistake in the original application as the registration states that it was made as the 'Farm known as Safn-y-coed' and was listed as 157 acres. The farm has remained approximately 156-157 acres with no changes up to the date the 2 fields were sold in 2019. Mr Morgan wishes to correct this mistake so that rights can be apportioned. We would like to amend the entry in the commons register to include all the fields marked within the boundary in red on the copy of the map provided from the title plan WA23651 held on H M Land Registry.

6. Supporting documentation

List all supporting consents, documents and maps accompanying the application, including evidence of the mistake in the register. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

Official copy of Register of Title and Title Map WA23651.
Official copy of Register of Title and Title Map of land sold CYM768608.
Letter from Cwmduddwr Commons Association.
Statement from Philip Andrew Bridger, Solicitor.
2018 Summary of Single Application Form showing 63.24 Ha total land.

7. Any other information relating to the application

List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

8. Signature

The application must be signed by each individual applicant, or by the authorised officer on behalf of an (organisation or business)

Signatures:

Date: 15th JANUARY 2020.

REMINDER TO APPLICANT

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted. You are advised to keep a copy of the application and all associated documentation.

Data Protection Act 1998: The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public. A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.