

FORM CA13 W

11 OCT 2017

## Commons Act 2006: Schedule 2

**Application to correct non-registration  
or mistaken registration**

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

Any person can apply under Schedule 2 to the Commons Act 2006.

All applicants should complete boxes 1-10.

Applications must be submitted by a prescribed deadline. From that date onwards no further applications can be submitted. Ask the registration authority for details.

You will be required to pay a fee unless your application is submitted under paragraph 2, 3, 4 or 5 of Schedule 2. Ask the registration authority for details. You will have to pay a separate fee should your application relate to any of paragraphs 6 to 9 of Schedule 2 and be referred to the Planning Inspectorate.

**This section is for office use only**

Official stamp



Application Number

17-001CR

Register unit number allocated at registration

MCL76 'Y'

**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



have applied under paragraph 2,  
3, 4 or 5, so no fee has been enclosed:

**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 email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant.

Name: (Mrs) JANE MARGARET WILKINS.

Address: 55, CHURCH ROAD,  
WHITCHURCH, CARDIFF.

Postcode: CF14 2DY.

Telephone Number: [REDACTED]

Email address: [REDACTED]

### 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 / Organisation:	
Address:	
Postcode:	Telephone Number:
Email address:	

### 4. Basis of application for correction 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

Tick one of the following boxes to indicate the purpose for which you are applying under Schedule 2 of the Commons Act 2006.

- To register land as common land (paragraph 2)
- To register land as a town or village green (paragraph 3)
- To register waste land of a manor as common land (paragraph 4)
- To deregister common land as a town or village green (paragraph 5)
- To deregister a building wrongly registered as common land (paragraph 6)
- To deregister any other land wrongly registered as common land (paragraph 7)
- To deregister a building wrongly registered as town or village green (paragraph 8)
- To deregister any other land wrongly registered as town or village green (paragraph 9)

**For waste land of a manor (paragraph 4), tick one of the following boxes to indicate why the provisional registration was cancelled.**

- The Commons Commissioner refused to confirm the registration having determined that the land was no longer part of a manor (paragraph 4(3))
- The Commons Commissioner had determined that the land was not subject to rights of common but did not consider whether it was waste land of a manor (paragraph 4(4))
- The applicant requested or agreed to cancel the application (whether before or after its referral to a Commons Commissioner) (paragraph 4(5))

Please specify the register unit number(s) (if any) to which this application relates:

The land is lettered Y of Unit No. MCL 76 on Grid No. SN.89 NE of the Commons Registration Map register (it is understood the land is field no. CYM 133947)

### 8. Supporting documentation

List all supporting documents and maps accompanying the application, including if relevant any written consents. This will include a copy of any relevant enactment referred to in paragraphs 2(2)(b) or 3(2) (a) of Schedule 2 to the Commons Act 2006 or, in relation to paragraph 4 (waste land of a manor) evidence which shows why the provisional registration was cancelled. 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

1. Copy conveyance dated 20.01.1922 of Rhugrafel made between Margaret Francis (1) Margaret Jane Jones (2) Thomas Henry Huger Vaughan the (3) the Reverend Evan Griffith Jones & the Reverend David Cunliffe Davies (4) & Richard Jones (5)

2. Statutory Declaration of Gerraint Wigley dated


### 9. 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

The Ramblers Association who had applied to have the land registered as Common Land but subsequently agreed it was not. The Solicitor then acted for my father (the then owner of the land) failed to apply for that the land to be de-registered: hence the current application.

### 10. Signature

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

Signatures: 

Date: 10.10.2017

### 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.

## 5. Description of the reason for applying to correct the register

Explain why the land should be registered or, as the case may be, deregistered.

Rhiwgrïaf of which the area of land subject to this Application forms part was acquired by my grandfather in 1922 and is now owned by me. Enclosed with this Application is a copy of the Conveyance <sup>dated 20.01.1922</sup> of Rhiwgrïaf to my grandfather and includes the freehold of the land subject to this Application. I am now therefore now the freeholder & am entitled to have such land removed from the Register of Common Land.

## 6. Description of land

You must provide an Ordnance map of the land relevant to your application. The relevant area must be hatched in a distinctive colour (e.g. Red). The map must be at a scale of at least 1:2,500, or 1:10,000 if the land is wholly or predominantly moorland. Give a grid reference or other identifying detail.

Name by which the land is usually known:

Land forming part of Rhiwgrïaf, Dwyf Salywern, Machynlleth.

Location:

Salywern, Machynlleth.



Tick the box to confirm that you have attached an Ordnance map of the land

## 7. Declarations of consent

This can include any written declarations sent to the applicant (i.e. a letter), and any such declaration made on the form itself. If your application is to register common land or a town or village green and part of the land is covered by a building or is within the curtilage of a building, you will need to obtain the consent of the landowner.

~~Statutory~~  
Statutory Declaration of Geraint Wigley dated  
16 October 2017.