

**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL
SCHEDULE 3 TO THE COMMONS ACT 2006**

The Commons Registration Act 1965 did not require the registers of common land and town or village green prepared under that Act to be kept up-to-date. Provision was made to register certain events, but compliance was optional. Many events affecting entries in the registers (or calling for new entries in the registers), have had effect since the registers were compiled, but many of these have to be captured in consequential amendments to the registers.

Schedule 3 to the Commons Act 2006 and Part 4 of the Commons Registration (England) Regulations 2008 made provision for updating the commons registers during a transitional period to capture events since 1970 which have not yet been registered, so as to ensure that the registers are accurate and reliable records as a basis for improved management.

The events which may be registered during the transitional period are:

- (i) the creations, surrender, variation apportionment, transfer or extinguishments of a right of common;
- (ii) legal events affecting registered land or registered rights of common, such as a compulsory purchase order, and the giving of any land in exchange.

The transitional period will begin in the county of Herefordshire on 1st October 2008 and end on 30th September 2010. **The transitional application period**, during which applications may be made without charge, will begin on 1st October 2008 and end on 30th September 2009.

Failure to register any qualifying events may result in:

- (i) a fee becoming payable for any application made after the end of the transitional period;
- (ii) refusal to register a qualifying event pursuant to an application made after the end of the transitional application period, if it would be unfair to grant the application by reason of any reliance placed on the registers since the end of that period; and
- (iii) the extinguishment of any unregistered rights of common, or the revival of any rights previously surrendered or extinguished.

Applications to amend the register must be made on the appropriate application form, available from the address below or from the commons registration pages of the Council's website: www.herefordshire.gov.uk. Guidance Notes to applicants are available from defras's website:

www.defra.gov.uk/wildlife-countryside/issues/common/registration/index.htm

Further information may be obtained from:

Commons Registration Office, Franklin House, 4 Commercial Road, Hereford, HR1 2BB or tel. 01432 261991