

Form CA2

Commons Act 2006: section 7

Application for the variation of a registered right of common

This section is for office use only

Official stamp

Application number

Register unit number
allocated at registration (for
new commons only)

Applicants are advised to read the 'Part 1 of the Commons Act 2006 (changes to the commons registers): Guidance to applicants in the pilot implementation areas'* and to note the following:

- All applicants should complete parts 1–5 and 8-13. In addition any applicant seeking to vary a right so that it ceases to become exercisable over existing land should complete part 6. Similarly, any applicant seeking to vary a right so that it becomes exercisable over new land should complete part 7.
- Only the following persons can apply under section 7: the owner of any part of the land over which the right is already exercisable or will become exercisable, or the person who owns the land to which the right is attached (the dominant tenement), or the owner of a right of common in gross.
- If your application relates to only part of a right then you must also submit an application under section 8 to apportion the right.
- The application must be accompanied by a fee. Ask the registration authority for details of the fee.

Note	Part
<p>Note 1</p> <p>Insert name of commons registration authority.</p>	<p>1. Commons Registration Authority</p> <p>To the:</p> <p>Tick the box to confirm that you have enclosed the appropriate fee for this application: <input type="checkbox"/></p>

* <http://www.defra.gov.uk/wildlife-countryside/issues/common/registration/pdf/guide-applicant-pilot.pdf>

<p>Note 2</p> <p>If there is more than one applicant, list all names. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or unincorporate. 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 part 3 is not completed all correspondence and notices will be sent to the first named applicant.</p>	<p>2. Name and address of the applicant</p> <p>Name:</p> <p>Full postal address:</p> <p>Telephone number (incl. national dialling code):</p> <p>Fax number (incl. national dialling code):</p> <p>E-mail address:</p>
<p>Note 3</p> <p>This part should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, they may receive communications from the registration authority or other persons (e.g. objectors) via email.</p>	<p>3. Name and address of representative, if any</p> <p>Name:</p> <p>Firm:</p> <p>Full postal address:</p> <p>Telephone number (incl. national dialling code):</p> <p>Fax number (incl. national dialling code):</p> <p>E-mail address:</p>
<p>Note 4</p> <p>For further details of the requirements of an application refer to Schedule 4, paragraph 2 to the Commons Registration (England) Regulations 2008. If the application relates to only part of a right, this application must be accompanied by application to apportion rights under section 8.</p>	<p>4. Basis of application for registration and qualifying criteria</p> <p>Common land register unit number:</p> <p>Common land rights entry number:</p> <p>Tick one of the following boxes to indicate the capacity in which you are applying. Are you the owner of:</p> <p>any part of the land over which the right of common is exercisable: <input type="checkbox"/></p> <p>the land over which the right will be exercisable in consequence of the variation: <input type="checkbox"/></p> <p>the land to which the right is attached: <input type="checkbox"/></p> <p>a right in gross: <input type="checkbox"/></p> <p>Tick this box if you have submitted an application to apportion the right under section 8: <input type="checkbox"/></p>

<p>Note 5</p> <p>Describe in detail how the right is to be varied in terms of what of what can be done by virtue of the right. A varied right cannot be exercised over new land that is registered town or village green. A right registered in the register of town and village greens cannot be varied if the variation is to extend what can be done by virtue of the right.</p>	<p>5. Description of the variation to be recorded</p> <p>Tick one or more, if appropriate, of the following boxes. Are you applying:</p> <p>So that the right becomes exercisable over new land instead of all or part of the land over which the right has been exercised previously (if so, go to Part 6): <input type="checkbox"/></p> <p>So that the right becomes exercisable over new land in addition to the land over which the right has been exercised previously (if so, omit Part 6 and go to Part 7): <input type="checkbox"/></p> <p>To vary what can be done by virtue of the right (if so, describe in detail in the space below how the right is to be varied, and then go to Part 8): <input type="checkbox"/></p>
<p>Note 6</p> <p>State the name of the common where known. The authority will use this and the common land register unit number given under part 4 to identify the existing common. The accompanying map must be at a scale of at least 1:2,500, or 1:10,560 if wholly or predominantly moorland, and show the land by means of distinctive colouring within an accurately identified boundary.</p>	<p>6. Description of land over which the right is to cease to be exercisable</p> <p>Name by which usually known:</p> <p>Location:</p> <p>Tick the box to confirm that you have attached a map of the land: <input type="checkbox"/></p>
<p>Note 7</p> <p>This section is to identify the common over which the right will be exercisable following variation. The accompanying map must be at a scale of at least 1:2,500, or 1:10,560 if wholly or predominantly moorland, and show the land by means of distinctive colouring within an accurately identified boundary.</p>	<p>7. Description and particulars of the area of land over which the varied right will be exercisable</p> <p>Name by which usually known:</p> <p>Location:</p> <p>Tick the box to confirm that you have attached a map of the land: <input type="checkbox"/></p>
<p>Note 8</p> <p>If the application relates to a right of common which is attached to land you must supply a map of the dominant tenement at a scale of at least 1:10,560 and show the land by means of distinctive colouring within an accurately identified boundary. Give a grid reference or other identifying detail such as the Land Registry title number.</p>	<p>8. Description of the land to which the right is attached</p> <p>Name by which the land to which the right is attached (the dominant tenement) is usually known:</p> <p>Location:</p> <p>Tick the box to confirm that you have attached a map of the land: <input type="checkbox"/></p>

<p>Note 9</p> <p>State the Land Registry title number where known. Use a separate sheet if necessary.</p>	<p>9. Name and address of every person (other than the applicant) whom the applicant believes to be an owner of any part of the land over which the right was exercisable either prior to the variation or becomes so as a consequence of it, any "relevant leaseholder" of any such land, and the proprietor of any "relevant charge" over any such land, any owner of the land to which the right is attached or owner of the right of common in gross.</p>
<p>Note 10</p> <p>List or enter in the form all such declarations that accompany the application. This can include any written declarations sent to the applicant (i.e. a letter), and also any such declarations made on the form itself.</p>	<p>10. Declarations of consent from every person listed under Part 9</p>
<p>Note 11</p> <p>List all supporting documents and maps accompanying the application, including evidence of your capacity to apply and, if this application relates to a right to graze an animal, evidence that the common can sustain the varied right along with all other rights which exist on that common. 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.</p>	<p>11. Supporting documentation</p>
<p>Note 12</p> <p>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.</p>	<p>12. Any other information relating to the application</p>

<p>Note 13</p> <p>The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.</p>	<p>13. Signature</p> <p>Date:</p> <p>Signatures:</p>
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The completed application form and fee must be sent to:

**Commons Registration ,
Herefordshire Council
Franklin House
4 Commercial Road
Hereford
HR1 2BB**

Cheques should be made payable to "Herefordshire Council"

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 will be used for the purposes of determining your application and 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.

The data controller in respect of any personal data submitted as part of the application process is Herefordshire Council;

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 and the Freedom of Information Act 2000