



Register and exchange common land town or village greens

Commons Act 2006: Section 16

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Return completed application to:

Planning Inspectorate Wales
Cathays Park
Cardiff
CF10 3NQ

Application to deregister and exchange common land

- Answer all the questions on this form in full and only use a separate sheet where there is insufficient space for your answer.
- Refer to the separate **“Notes for completing an application to deregister and exchange common land or town or village greens”** (the “Notes”) when applying.
- Consult informally and widely about your ideas before developing a formal proposal.
- References throughout this form to ‘Common Land’ apply equally to ‘town or village green’
- From 1st April 2013, the Countryside Council for Wales ceased to operate in Wales, and its functions were taken over by Natural Resources Wales.

SECTION A – The common land (or village green) – to be deregistered – the “release land”

(see Notes 1, 2, 3, 4 and 5)

SECTION A1 – The Common:

1. Name of Common CL/VG No.

2. Located in the:

(a) Community/Town of

(b) Borough/County Borough/City/County of

3. Commons Registration Authority

Section A2 – The owner (see Note 1): T

4. Title (e.g. Mr/Mrs/Miss/Ms/Dr)

(a) Forename (s)

(b) Surname

(c) Position/Organisation (if appropriate)

5. Full Postal Address

Postcode

Telephone number

Mobile No

Fax Number

E-mail address

I prefer to be contacted by Email Post

Please note that unless you tell us otherwise, we will send all correspondence to the person named above – not to the owner of the replacement land shown in Section B2.

Please tick as appropriate:

Please send all correspondence to the owner above in question 4.....

Please copy all correspondence to the person named in question 15...

Section A3 – Area of common and common rights:

6. What is the total area of common as registered? 95.83 acres
(see Note 2)

7. What common rights, if any, are registered (e.g. number and type)? If the land is a town or village green, to what recreational use is it put?

There are a number of common rights registered, please see Register of Common Land attached to this application form that details the list of commoners and their rights.

8. If common rights are registered, are they ever exercised?. Yes No

9. If **Yes**, to what extent (e.g. which commoners are active, which rights are exercised, and how frequently)?

There are only two active commoners on Carreg-Sawdde Common which include:

The applicants – T V Hughes & Co who are exercising the right of common pasture for 27 sheep and followers over the whole of the land

Mr John Price, Cefn Villa, Garregsawdde, Llangadog, Carmarthenshire who is exercising the right of common pasture for 10 sheep and followers of the whole of the land.

Section A4 – Other rights over the common:

10. Give details of any relevant leaseholders, other occupiers, or those holding any relevant charges over the release land (**see Note 4**) and enclose copies of their written consent to this application (**see Note 3**).

N/A

Section A5 – Description of the release land:

11. Area of release land (m² or hectares)

12. Description (including location) of release land (**see Note 5**)

The proposed release land extends to 0.011 acres (44.51 m²) and comprises of unimproved and utilised road side verge. The bay is located south-west of Llangadog towards the village of Felindre in Carmarthenshire. The site has principle access from A4069 and is located just prior to the entrance to Godre Garreg Farm. The bay has a established hedgerow on the south-eastern side to prevent access into the field adjoining below otherwise it is essentially a grass verge off the side of the road.

Section B – The land to be given in exchange – the ‘replacement land’ (see Notes 6,7,8 and 9)

13. Are you proposing to provide replacement land in exchange for the release land?

Yes

No

If **Yes**, go to question 14. If **No**, please explain here why you are not providing replacement land (see note 6) and then go to Question 22

Section B1 – Location of the replacement land:

14. Name, if any of the replacement land

Field next to River Sawdde

The replacement land is located in the:

(a) Community/Town of

Llangadog

(b) Borough/County Borough/City/County of

Carmarthenshire County Council

Section B2 – The owner of the replacement land (see Note 1) p

15. Title (e.g. Mr/Mrs/Miss/Ms/Dr)

Mr and Mrs

(a) Forename (s)

Eifion and Gwenllian

(b) Surname

Hughes

(c) Position/Organisation
(if appropriate)

T V Hughes & Co

16. Full Postal Address

Godre Garreg, Llangadog,
Carmarthenshire

Postcode

SA19 9DA

Telephone number

01691 655334

Mobile No

07498 717778

Fax Number

E-mail address

gail@rogerparry.net

I prefer to be contacted by

E-mail

Post

Please note that unless you tell us otherwise, we will send all correspondence to the person shown in Section A2.

Section B3 – Description of replacement land:

17. Area of land proposed as replacement land

80.93 m²

(m² or hecatres)

18. Description (including location) of land proposed as replacement land **(see Note 5)**

The proposed replacement land extends to 0.020 acres (80.93 m²) which is almost twice as large than the release land and comprises improved agricultural land adjoining the River Sawdde, situated towards the north-east of Godre Garreg farmstead. The replacement land is shaped triangular and has stock proof boundary fence to the north and south-west. As the proposed replacement land is adjoining the River Sawdde, this will provide an extra river side area for members of the public to enjoy and utilise.

19. Please confirm that the proposed replacement land is not already registered as common land or town or village green (**See Note 7**)

20. Is the proposed replacement land subject to any other formal designation (for example, as public open space)?
(**See Note 8**) Yes No

If **Yes**, give full details:

21. Give details of any relevant leaseholders, or other occupiers, or those holding any relevant charges over the replacement land: (**see Note 9**).

N/A

SECTION C – Access arrangements and current features of the lands (see Notes 10, 11 and 12)

For questions 22 to 28 complete both parts of each question if replacement land is being provided. If no replacement land is being provided, complete part (a) of each question.

Section C1 – Access to the lands:

22. To what extent is there public access over the lands to be exchanged?

(a) The release land

The release land is a road side verge leading off the A4069 and past Felindre Village therefore is very accessible to the public and vehicles although not frequently used or used for any other purpose.

(b) The replacement land

The replacement land is accessed off a hard standing track off a B Road leading to Godre Garreg farm that leads the waste water treatment works located on the common. The replacement land is not accessible by vehicles but can be accessed by foot and is adjacent to the common and the River Sawdde.

23. What will the access arrangements be after the exchange?

(a) The release land

There will be no changes to the access to the release land as this land will be used as a open hard-standing passing bay leading to Godre Garreg Farm.

(b) The replacement land

There will be no changes to the access to the replacement land after the exchange. The applicant will move the boundary fence in his land to deduct the section and include the section as common land abutting the River Sawdde.

Section C2 – Current condition of the lands:

24. Describe the current condition and use of the:

(a) release land

The release land is currently an unutilised road side verge to the unnamed carriageway comprising of rough pasture land.

(b) replacement land

The replacement land is agricultural land that has been improved and utilised by the farm. The land is used for grazing purposes and laid to permanent pasture with stock proof boundary fencing.

25. What structures, (e.g. buildings, bridleways, footpaths, walls, fences or other constructions currently exist on the:

(a) release land

There are no structures on the land other than it is adjacent to a public road.

(b) replacement land

There are no structures on the land.

26. What boundary features e.g. fences, hedges, walls (and access points such as stiles and gates) currently exist on (or on land immediately adjoining) the:

(a) release land

The boundary features an established hedgerow located to its south-east to prevent access into the field adjoining below.

(b) replacement land

The boundary features a stock proof boundary fence that separates the applicants field to the the common and River Sawdde.

27. What, if any, boundary features are proposed to be removed or erected as part of the exchange?

(a) release land

The are no proposals to remove the boundary hedgerow as part of the exchange.

(b) replacement land

The proposals are to deduct fencing posts within the replacement land and to re-strain the existing boundary fence, leaving the land open to be included within Carreg-Sawdde Common.

28. Are any works or other things to be done by any party as part of the exchange?

.....Yes No

If **Yes**, give details

(a) release land

The release land will be constructed into a hard-standing passing bay as outlined within the construction plan attached to the application form and Appendix 1 of the Justification Statement supporting the application.

(b) replacement land

No works are required as part of the exchange.

29. Are any of the lands subject to any other rights or easements not already mentioned on this form?.....Yes No

If **Yes**, give full details:

SECTION D – Details of the exchange or deregistration, and any informal consultations (see Notes 13, 14 and 15)

30. What are the reasons for the exchange or deregistration and the circumstances surrounding it?

As part of the planning consent for the erection of a free-range poultry unit for egg production at Godre Garreg, our client must construct a passing bay prior to any development being brought into use and the only suitable passing place located on the road leading to the entrance to Godre Garreg is registered as Carreg-Sawdde Common Land.

31. It is strongly recommended that you consult informally on your proposals at an early stage in their development see 'Common Land Guidance – General Overview' note. What **informal** consultation (e.g. with local inhabitants) have you carried out? Give details below and provide written evidence.

No consultation has been carried out.

SECTION E – Designations (see Notes 16 and 17)

32. Are any of the lands subject to this application in or near a site of Special Scientific Interest (SSSI), a Special Area of conservation (SAC), a Special Protection Area (SPA), or Wetland listed in accordance with the Ramsar Convention?Yes No

If **Yes**, please give details, identify on the map (**see section J**), and provide evidence of any consultation you have carried out with Natural Resources Wales (**see Note 16**).

33. Do any of the lands contain a Scheduled Ancient Monument?

.....

Yes No

If **Yes**, give details, identify on the map (see section J), and provide evidence of any consultation you have carried out with Cadw (**see Note 17**)

34. Are any of the lands subject to this application in a National Park or Area of Outstanding Natural Beauty?..... Yes No

If **Yes**, give details any consultation you have carried out with the National Park Authority or Natural Resources Wales.

SECTION F – Adjacent Common Land (see Note 18)

35. Does any area of common land or village green, of a different registration number, adjoin the common land green subject to this application? Yes No

If **Yes**, give details and identify them on the map (see Section J):

SECTION G – Public Access (see Notes 19, 20, and 21)

36. Do the public have a right of access to the release land for air and exercise under section 193 of the Law of Property Yes No

37. Is the release land subject to an Order of Limitation made under section 193? Yes No

If **Yes**, give its date and other details, and send us a copy:

SECTION H – Scheme of management and local Acts (see Note 22)

38. Is there a Scheme of Management for the release land, made under the Metropolitan Commons Act 1866 or the Commons Act 1899?Yes No

39. Is the release land subject to any other regulatory Scheme or Act (e.g. a Provisional Order Confirmation Act made under the Commons Act 1876) ? Yes No

If **Yes**, to either question, give its date and other details below, and send us a copy of the Scheme or Act. Do you wish to seek any special arrangements to be made in relation to any of these provisions?

SECTION I – Advertisement and Consultation (see Notes 23, 24 and 25)

You must advertise your proposal in one main local newspaper and at the main points of entry to the lands **within 7 days** of making your application. Use the draft notice at **Annex B** of the **Notes**.

You must also send a copy of the notice (using the letter at **Annex D** of the **Notes**) to the following:

- the commoners council or association (if there is one)
- all known commoners
- others with an interest in the lands e.g. tenants, those with easements or other rights over the lands
- any relevant community/town, borough/county borough, city or county council
- Natural Resources Wales
- Cadw (if applicable)
- National Park Authority (if the lands are in a National Park)
- Open Spaces Society (**see Note 25**)

40. Which newspaper will the advertisement appear in, and on what date?

Carmarthen Journal – Date to be confirmed.

SECTION J – Maps (see Note 26)

You **must** include with your application **two copies** of a map which fully meets the requirements set out in **Note 26**.

41. Two copies of the map that meets the requirements set out in **Note 26** are enclosed

.....



SECTION K – Public inquiry or hearing (see Note 27)

42. Give the name and address of a suitable place in the locality for holding a public local inquiry or hearing, should this be needed.

Llangadog Community Hall Dyrfal Road Llangadog SA19 9BW. Contact name/Telephone number: 01550 777768
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Checklist (tick to confirm)

I have read the **Notes** in full

I have:

- answered all the questions on this form in full
- enclosed two copies of the map that meets the requirements of Section J
- enclosed a copy of the commons register in respect of this common (i.e. details of the land, rights, and ownership, and the register map)
- enclosed a copy of any document mentioned in answering the questions on this form (e.g. scheme of management, written permission of any relevant leaseholders, letters from informal committees etc)
- understood that any of the application papers may be copied to interested parties on request, and have informed people as necessary

I will, within 7 days:

- advertise the proposal in one local newspaper
- post a copy of the notice at the main entry points to the lands...
- send a copy of the notice to all those listed in Section 1
- place a copy of the notice, map and application at the inspection point

I will write to you as soon as possible, using the letter at **Annex D** of the **Notes**, to confirm that the advertising requirements have been met.....

SECTION L - Declaration

We hereby declare that:

- (a) We are the owners of the land to be deregistered/exchanged as detailed in this application.
- (b) No person is a relevant leaseholder, or holds a relevant charge, over any of the land/s to be deregistered/exchanged
- (c) The contents of this application are true and complete to the best of our knowledge and belief.

Signatures of the parties to the deregistration/exchange:

Release Land:

Signature of owner

Signature of co-owner
(if applicable)

Name
(in BLOCK letters)

Name of co-owner
(if applicable)

Date Date

Replacement Land:

Signature of owner

Signature of co-owner (if applicable)

Name
(in BLOCK letters)

Name of co-owner (if applicable)

Date

Date

You must keep a copy of your completed form

Data Protection Act

To process your application, we may need to disclose information we receive from you to others, including other Central Government Departments, public bodies, local authorities, other organisations and members of the public.