
STATUTORY INSTRUMENTS

2014 No. 3038

The Commons Registration (England) Regulations 2014

PART 4

Miscellaneous

Matters affecting the public

46.—(1) Where registered land is affected by any of the matters referred to in paragraph (2), the registration authority—

- (a) must, on an application made in accordance with this regulation, enter a note of the matter in the land section of the register; and
- (b) may enter such a note on its own initiative.

(2) Those matters are—

- (a) a scheme made under Part 1 of the Commons Act 1899⁽¹⁾ or under the Metropolitan Commons Acts 1866 to 1898⁽²⁾;
- (b) a local Act regulating the land;
- (c) an order of regulation made under the Commons Act 1876⁽³⁾ and confirmed by a Provisional Order Confirmation Act;
- (d) a declaration made by deed under section 193(2) of the Law of Property Act 1925⁽⁴⁾ which declares that that section is to apply to the land;
- (e) a limitation and condition imposed under proviso (b) to section 193(1)⁽⁵⁾ of the Law of Property Act 1925;
- (f) an order made under Part 2 of the 2006 Act establishing a commons council.

(3) An application under this regulation may be made by—

- (a) any local authority (other than the registration authority) in whose area any part of the land lies;
- (b) any person with a function relating to the management or regulation of the land, conferred by an instrument or enactment mentioned in paragraph (2)(a), (b) or (c); or
- (c) in the case of an application to note a matter referred to in paragraph (2)(d) or (e)—
 - (i) the owner of any part of the land;
 - (ii) any person appearing from the register to be entitled to exercise a right of common over the land.

⁽¹⁾ 1899 c. 30.

⁽²⁾ 1866 c. 122, 1869 c. 107, 1878 c. 71, and 1898 c. 43.

⁽³⁾ 1876 c. 56.

⁽⁴⁾ 1925 c. 20.

⁽⁵⁾ 1925 c. 20. Section 193(1) was amended by section 189(4) of, and Schedule 30 to, the Local Government Act 1972 (c. 70), paragraph 10(5) of Schedule 8 to the Local Government Act 1985 (c. 51), paragraph 7 of Schedule 16 to the Local Government (Wales) Act 1994 (c. 19), and paragraph 1 of Schedule 4 to the Countryside and Rights of Way Act 2000 (c. 37).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(4) Where a note is entered in a register pursuant to an application, the registration authority must send the applicant a copy of the entry.

(5) If a registration authority is satisfied on reasonable grounds that the matter to which it relates is no longer subsisting, the registration authority may cancel any note entered in a register.