

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which apply in relation to England only, prescribe the procedure for applications to the Secretary of State under section 38 of the Commons Act 2006 for consent to carry out restricted works on common land, and certain related types of applications.

They enable the Secretary of State to appoint a person to exercise his functions in relation to such applications (regulation 3).

They include provisions about—

- (a) making and publicising applications (regulations 5, 7-8, 18, 21(1) and 23(1));
- (b) making representations in relation to applications (regulation 9); and
- (c) the management and determination of applications, including provision for holding site inspections, hearings or inquiries in appropriate cases (regulations 6, 10-17 and 19).

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available at [www.defra.gov.uk](http://www.defra.gov.uk) and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.