
STATUTORY INSTRUMENTS

2007 No. 2588

The Works on Common Land,
etc. (Procedure) (England) Regulations 2007

PART 3

MISCELLANEOUS APPLICATIONS

Applications to carry out works on a metropolitan common

20.—(1) Regulations 5 to 17 apply in relation to an application under article 12 of the Order set out in the Schedule to the 1967 Act⁽¹⁾ as if it were an application under section 38(1) of the 2006 Act.

(2) Regulations 18 and 19 apply in relation to an application under section 39(5) of the 2006 Act to vary or revoke any modification or condition imposed in relation to any consent granted upon an application under article 12.

Applications to utilise, exchange or alienate land forming part of a metropolitan common

21.—(1) An application under article 17 of the Order set out in the Schedule to the 1967 Act, in the case of any common⁽²⁾, must be—

- (a) made in writing;
- (b) signed by the applicant or his representative; and
- (c) accompanied by a map showing the common affected by the application with—
 - (i) the boundary of the common marked in green;
 - (ii) the areas proposed to be utilised, exchanged or alienated marked in red; and
 - (iii) any land proposed to be given in exchange marked in blue.

(2) Regulations 6 to 17 apply in relation to such an application, subject to the modifications that—

- (a) for the words “proposed works”, in each place where they occur, there is substituted “proposed utilisation, exchange or alienation”;
- (b) for the words “works are proposed”, in each place where they occur (other than regulation 7(2)(c)), there is substituted “utilisation, exchange or alienation is proposed”; and
- (c) in regulation 7(2), for sub-paragraph (c) there is substituted “the location of the land proposed to be utilised, exchanged or alienated”.

(1) 1967 c.xxix, as amended by paragraph 2 of Schedule 4 to the 2006 Act. Sections 39 and 40 of the 2006 Act apply in relation to an application for consent under article 12(1) of the Order set out in the Schedule to the 1967 Act by virtue of article 12(2A) of that Order, as inserted by paragraph 2(3) of Schedule 4 to the 2006 Act.

(2) 1967 c.xxix, as amended by paragraph 2 of Schedule 4 to the 2006 Act. Section 40 of the 2006 Act applies in relation to an application for consent under article 17(2) of the Order set out in the Schedule to the 1967 Act in the case of any common, by virtue of article 17(2A) of that Order, as inserted by paragraph 2(6) of Schedule 4 to the 2006 Act.

Applications for consent to works on National Trust land

22.—(1) Regulations 5 to 17 apply in relation to an application under section 23(2) of the National Trust Act 1971(3), as if it were an application under section 38(1) of the 2006 Act.

(2) An application by the National Trust must, in addition to the matters required by regulation 5, certify that the proposed works are within the powers of the National Trust.

(3) Regulations 18 and 19 apply in relation to an application under section 39(5) of the 2006 Act to vary or revoke any modification or condition imposed in relation to any consent granted upon an application under section 23(2).

Applications under the New Parishes Measure 1943

23.—(1) An application under section 15(1) of the New Parishes Measure 1943(4) for consent to a grant of land under that section must be—

- (a) made in writing;
- (b) signed by the applicant or his representative; and
- (c) accompanied by a map showing the common or the waste of the manor of which the land proposed to be granted forms part, with—
 - (i) the boundary of the common or the waste of the manor marked in green; and
 - (ii) the area of land proposed to be granted marked in red.

(2) Regulations 6 to 17 apply in relation to such an application, subject to the modifications that—

- (a) in regulation 7(1), for the words “works are proposed”, in each place where they occur, there is substituted “land is proposed to be granted”;
- (b) in regulation 7(2)(b), for “common land” there is substituted “common or waste of the manor”;
- (c) in regulations 7(2)(c) and 10(2)(a), for “the proposed works, and their location”, there is substituted “the land proposed to be granted, and its location”;
- (d) in regulations 9(1) and 10(2)(b), for “proposed works”, there is substituted “proposal”;
- (e) in regulation 9(2)(a), the words “or the proposed works” are omitted;
- (f) in regulations 11(7)(b) and 15(1) and (2), for “proposed works” there is substituted “land proposed to be granted”; and
- (g) in regulation 17(1) and (2), for “works” there is substituted “grant of land”.

(3) Regulations 18 and 19 apply in relation to an application under section 39(5) of the 2006 Act to vary or revoke any modification or condition imposed in relation to any consent granted upon an application under section 15(1) of that Measure.

(3) 1971 c. vi, as amended by paragraph 4 of Schedule 4 to the 2006 Act. Sections 39 and 40 of the 2006 Act apply in relation to an application under section 23(2) of the National Trust Act 1971 by virtue of section 23(2A) of that Act, as inserted by paragraph 4(3) of Schedule 4 to the 2006 Act.

(4) 1943 No. 1, as amended by paragraph 5 of Schedule 4 to the 2006 Act. Sections 39 and 40 of the 2006 Act apply in relation to an application for consent under section 15 of the New Parishes Measure 1943, by virtue of that section as so amended.