
WELSH STATUTORY INSTRUMENTS

2012 No. 737

**The Works on Common Land,
etc. (Procedure) (Wales) Regulations 2012**

PART 2

Works on Common Land

Publicising the application

- 7.—(1) Not later than seven days after making an application the applicant must—
- (a) publish a notice of the application in a newspaper circulating in the area in which the works are proposed;
 - (b) for not less than 28 days display a notice of the application at the principal places of entry to (or, if there are no such places, at a conspicuous place on the boundary of) the common land on which the works are proposed; and
 - (c) send a notice of the application to—
 - (i) the owner of the land on which the works are proposed (if the owner is not the applicant);
 - (ii) any other person occupying the land;
 - (iii) if the land is registered common land, the occupier of any property shown in the register of common land as being property to which rights of common over the land are attached and who the applicant believes to be exercising those rights or likely to be affected by the application;
 - (iv) any other person known to the applicant to be entitled to exercise rights of common over the land and who the applicant believes to be exercising those rights or likely to be affected by the application;
 - (v) the community council (if any) for the area in which the works are proposed.
- (2) The notice must contain the following details—
- (a) the name of the applicant;
 - (b) the name of the common land affected by the proposed works;
 - (c) a description of the proposed works, and their location;
 - (d) a postal address and an e-mail address to which any representations may be sent;
 - (e) the date on which the period for making representations expires, which must not be less than 28 days after the date on which paragraph (1) is fully complied with;
 - (f) an address at which the application form and the documents listed in regulation 5(2) are available for inspection;
 - (g) the times and dates on which such inspection may take place, which must be in accordance with regulation 8(2); and

- (h) an address from which a copy of the application form and accompanying documents may be obtained.
- (3) The applicant must also send a notice of application to such other persons, or display a notice of application in such further places, as the determining authority may direct under regulation 6(4).
- (4) The applicant must give notice to the determining authority when the applicant has complied with paragraphs (1) to (3), which must—
 - (a) include details of—
 - (i) the newspaper in which the notice of application was published, and the date of publication;
 - (ii) the date on which a notice of application was posted on the land;
 - (iii) the persons to whom a notice of application was sent, the date or dates on which they were sent, and the nature of each such person’s interest in the land (if any);
 - (iv) the place at which a notice of application was posted on the land (if necessary, by reference to a map); and
 - (b) be accompanied by a copy of the page of the newspaper in which the notice of application was published.
- (5) Where a notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 28 days referred to in paragraph (1)(b) has elapsed, the applicant will be treated as having complied with the requirements of that paragraph if the applicant has taken reasonable steps to protect the notice and, if need be, replace it.