



Llywodraeth Cymru
Welsh Government

DEREGISTRATION AND EXCHANGE ORDER
Commons Act 2006, sections 16 & 17

WHEREAS:

- (1) The Welsh Ministers are the appropriate national authority in relation to Wales for the purposes of section 16 of the Commons Act 2006 ('2006 Act') as read with the Deregistration and Exchange of Common Land and Greens (Procedure) (Wales) Regulations 2012 (S.I. 2012/738 (W. 98)) ('the 2012 Regulations').
- (2) The Welsh Ministers have appointed the Planning Inspectorate Wales ('PINs Wales') in accordance with regulation 3 of the 2012 Regulations, to carry out the procedural work required for section 16 applications, including the making of recommendations to Welsh Ministers on whether or not an application should be approved.
- (3) The Trustees of the Somerset Trust, as the owners of the land described in the First Schedule and more particularly delineated edged, shaded and hatched red and labelled 'Release Land' on the drawings numbered Figure 1.2, Figure 1.3, Figure 1.5, Figure 1.6, Figure 1.7, Figure 1.8, Figure 1.9, Figure 1.10, Figure 1.11, Figure 1.12, Figure 1.13 and Figure 1.14 attached to this Order ('the release land'), are parties to the applications made under section 16 of the 2006 Act to PINs Wales for the release land to cease to be registered as common land.
- (4) The Trustees of the Somerset Trust, as the owners of land at Blaen yr Olchfa, Craig Cefn Parc and land at Blaen Gerdinen and land adjacent to Blaen Nant Ddu, described in the Second Schedule, are parties to the applications made under section 16 of the 2006 Act to PINs Wales for such land to be registered, together with the other land described in the Second Schedule, in place of the release land.
- (5) Mr Alan Brayley, as the owner of land adjacent to Cwmdulais Cottage, described in the Second Schedule, is a party to the applications made under section 16 of the 2006 Act to PINs Wales for such land to be registered, together with the other land described in the Second Schedule, in place of the release land.

- (6) The Council of the City and County of Swansea, as the owner of the surface of a publicly maintainable highway over part of the release land, is a party to the application made under section 16 to PINs Wales.
- (7) The land described in the Second Schedule and more particularly delineated edged and hatched light green and labelled 'Replacement Land' on the drawings numbered Figure 1.4, Figure 1.11, Figure 1.12 and Figure 1.15 attached to this Order ('the replacement land') is land to which Part I of the 2006 Act applies, and is not already registered as common land or as town or village green.
- (8) The applications have been duly publicised in accordance with the 2012 Regulations, and the Welsh Ministers have had regard to the matters specified in section 16(6) and (8) of the 2006 Act, and taken account of all representations duly made to them in accordance with the 2012 Regulations.
- (9) The Welsh Ministers have granted the applications.

Deregistration of Release Land

NOW the Welsh Ministers, pursuant to section 17(1) of the 2006 Act **HEREBY ORDER** the Council of the City and County of Swansea, as commons registration authority for the area in which the release land is situated, to remove the release land identified in the First Schedule below from its register of common land by amending register units CL68, CL74 and CL77 to exclude the release land more particularly delineated edged, shaded and hatched red and labelled 'Release Land' on the drawings numbered Figure 1.2, Figure 1.3, Figure 1.5, Figure 1.6, Figure 1.7, Figure 1.8, Figure 1.9, Figure 1.10, Figure 1.11, Figure 1.12, Figure 1.13 and Figure 1.14 attached to this Order.

Registration of Replacement Land

NOW the Welsh Ministers, pursuant to section 17(2) of the 2006 Act **HEREBY ORDER** the Council of the City and County of Swansea, as commons registration authority for the area in which the replacement land is situated:

- (a) to register as common land that part of the replacement land described in the Second Schedule as land at Blaen yr Olchfa, Craig Cefn Parc, Swansea by amending register unit CL77 to include the replacement land at Blaen yr Olchfa more particularly delineated edged and hatched light green and labelled 'Replacement Land' on the drawing numbered Figure 1.15 attached to this Order. The entry being subject to rights of access by the public for air and exercise pursuant to section 193 of the Law of Property Act 1925, subject to an Order of Limitations dated 14 May 1974;
- (b) to register as common land that part of the replacement land described in the Second Schedule as land at Blaen Gardinen and land adjacent to Blaen Nant Ddu by amending register unit CL74 to include the replacement land at Blaen Gardinen and land adjacent to Blaen Nant Ddu more particularly delineated edged and hatched light green and labelled 'Replacement Land' on the drawings numbered Figure 1.11 and Figure 1.12 attached to this Order. The

entry being subject to rights of access by the public for air and exercise pursuant to section 193 of the Law of Property Act 1925, subject to an Order of Limitations dated 14 May 1974;

- (c) to register as common land that part of the replacement land described in the Second Schedule as land adjacent to Cwmdulais Cottage by amending register unit CL68 to include the replacement land at Cwmdulais Cottage more particularly delineated edged and hatched light green and labelled 'Replacement Land' on the drawing numbered Figure 1.4 attached to this Order. The entry being subject to rights of access by the public for air and exercise pursuant to section 193 of the Law of Property Act 1925, subject to an Order of Limitations dated 14 May 1974;
- (d) to register as exercisable over the replacement land any rights of common which, immediately before the date on which the release land is removed from the register, are registered as exercisable over any part of the release land.

FIRST SCHEDULE

The release land

Colour on plan	Description	Owner	Area
Edged, shaded and Hatched Red and labelled 'Release Land' on the drawings attached to this Order and numbered as follows: Figure 1.2 Figure 1.3 Figure 1.5 Figure 1.6 Figure 1.7 Figure 1.8 Figure 1.9 Figure 1.10 Figure 1.11 Figure 1.12 Figure 1.13 Figure 1.14	A strip of land running through common land units CL68, CL74 and CL77 by way of an access track to the wind farm site. The track continues over CL74 to link the 9 wind turbines on that common and the substation just outside its western edge and then run eastwards and southwards to link the 7 wind turbines on Common Land Unit CL77. In addition an access track connects the Rhydypany Road to the east.	The Somerset Trust	40.42 Ha

SECOND SCHEDULE

The replacement land

Colour on plan	Description	Owner	Area
Edged and Hatched Light Green and labelled 'Replacement Land' on the drawing attached to this Order and numbered Figure 1.15	Blaen yr Olchfa Land at Blaen yr Olchfa, Craig Cefn Parc, Swansea	The Somerset Trust	12.5 Ha
Edged and Hatched Light Green and labelled 'Replacement Land' on the drawing attached to this Order and numbered Figure 1.11 Figure 1.12	Blaen Gerdinen and Blaen Nant Ddu Land at Blaen Gerdinen and land adjacent to Blaen Nant Ddu	The Somerset Trust	17.42Ha
Edged and Hatched Light Green and labelled 'Replacement Land' on the drawing attached to this Order and numbered Figure 1.4	Cwmdulais Cottage Land adjacent to Cwmdulais Cottage	Mr Alun Brayley	1.24 Ha

Signed by Lesley Griffiths, Cabinet Secretary for Environment and Rural Affairs, one of the Welsh Ministers:



Lesley Griffiths AM/AC

Cabinet Secretary for Environment and Rural Affairs, one of the Welsh Ministers
Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig, un o Weinidogion Cymru

Date: 20/07/16