



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 ('PINS') 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 (Julian Richard Whately, Matthew James Wakefield and David Terrance Digby Harrel), as the owner of the land described in the First Schedule and more particularly delineated edged red and labelled 'Release Land' on Plan 1 attached to this Order ('the release land') are party to the application made under section 16 of the 2006 Act to PINS for the release land to cease to be registered as common land.
- (4) Mr Andrew Milloy, as the owner of the land described in the Second Schedule and more particularly delineated edged light green and labelled 'Replacement Land' on Plan 1 ('the replacement land'), is a party to the application made under section 16 of the 2006 Act to PINS for such land to be registered in place of the release land.
- (4) The replacement land is land to which Part 1 of the 2006 Act applies, and is not already registered as common land or as town or village green.
- (5) The application has been duly publicised pursuant to 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 any representations duly made to them in accordance with the 2012 Regulations.
- (6) The Welsh Ministers have granted this application.

Deregistration of Release Land

NOW the Welsh Ministers, pursuant to section 17(1) of the 2006 Act, **HEREBY ORDER** 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 from its register of common land by amending register unit CL15 to exclude the release land.

Registration of Replacement Land

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

- (a) to register the replacement land as common land, by amending register unit CL15 to include the replacement land, the entry being subject to a right 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 2 October 1968;
- (b) to register as exercisable over the replacement land (in addition to remaining exercisable over the remainder of the land comprised in register unit CL15) 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 red, indicated by the letters A, B and C and labelled 'Release Land' on Plan 1 attached to this Order. | Part of Clyne Common. Land forming part of Clyne Common (CL15) located on the north side of Mayals Road, the B4436, at the eastern end of the common and being grass verge lying between the frontage of 202 Mayals Road, Swansea SA3 5HQ and the publically adopted highway known as Mayals Road. Point A on Plan 1 is 17 metres to the west of the south east boundary of 202 Mayals Road. | The Trustees of the Somerset Trust. | 14.87 square metres |

SECOND SCHEDULE

The replacement land

| Colour on plan | Description | Owner | Area |
|---|--|------------------|---------------------|
| Edged light green, indicated by the letters D, E, F and G and labelled 'Replacement Land' on Plan 1 attached to this Order. | Adjoining Clyne Common Grass land situated on the north west side of 202 Mayals Road, the B4436, and adjoining the boundary of Clyne Common. Point F on Plan 1 is 32 metres to the south west of the north point of 202 Mayals Road, SA3 5HQ. | Mr Andrew Milloy | 15.24 square metres |

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:

5th June 2017

