



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, c/o Persimmon Homes Limited, 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') is 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) Persimmon Homes Limited, 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** Swansea Council, 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 CL44 to exclude the release land.

Registration of Replacement Land

NOW the Welsh Ministers, pursuant to section 17(2) of the 2006 Act **HEREBY ORDER** Swansea Council, 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 CL44 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;
- (b) to register as exercisable over the replacement land (in addition to remaining exercisable over the remainder of the land comprised in register unit CL44) 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, C and D, labelled 'Release Land' on Plan 1 attached to this Order.	Part of Mynydd Garn Goch Common. Land forming part of Mynydd Garn Goch Common (CL44) located in Garden Village, Gorseinon, Swansea, which fronts Hospital Road to its eastern boundary (there is an industrial estate on the opposite side of the road).	The Trustees of the Somerset Trust.	0.71hectares

SECOND SCHEDULE

The replacement land

Colour on plan	Description	Owner	Area
Edged light green indicated by the letters E, F G, H, I and J and labelled 'Replacement Land' on Plan 1 attached to this Order.	Land adjoining Mynydd Garn Goch Common Located approximately 60 metres south of the release land, to the rear of the houses fronting Hospital Road. An area of predominately rush pasture with some shrub cover.	Persimmon Homes Limited	0.81 Hectares

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



Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

Date: 9 July 2018