# FORM A - Model form of a Dedication Instrument

*Before you start to complete this form, please read the accompanying explanatory notes.*

DEDICATION INSTRUMENT

Pursuant to section 16 of the Countryside and Rights of Way Act 2000

1. In this Dedication Instrument:
* “the Act” means the Countryside and Rights of Way Act 2000;
* “the Regulations” means the Countryside Access (Dedication of Land as Access Land) (Wales) Regulations 2003 (S.I. 2003/135) (W.9); and
* “the Land” means the land at [insert a detailed description of the land here]
* the location and extent of which is shown on the attached map (“the Map”).
1. I / We [*delete as appropriate*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I / We [*delete as appropriate*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I / We [*delete as appropriate*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**DEDICATE** the Land under section 16(1) of the Act, and in accordance with regulation 5 of the Regulations, for the purposes of Part I of the Act.

1. The person(s) referred to in paragraph 2 hold(s):
* the fee simple absolute in possession in the Land; or
* a legal term of years absolute in the Land, the unexpired term of which is \_\_\_ years \_\_\_ days and which is due to expire on \_\_\_/\_\_\_/\_\_\_\_

[*delete as appropriate*].

Interested Parties

1. I / We [*delete as appropriate*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I / We [*delete as appropriate*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I / We [*delete as appropriate*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DEDICATE the Land pursuant to section 16(2) of the Act, and in accordance with regulation 5 of the Regulations, jointly with the person(s) referred to in paragraph 2.

1. The person(s) referred to in paragraph 4 hold(s) the following interest(s) in the Land:

|  |  |  |
| --- | --- | --- |
| Name | Nature of leasehold interest | Length of unexpired term |
|  |  |  |
|  |  |  |
|  |  |  |

1. The CONSENT of the following person(s) is given to this dedication pursuant to section 16(2) of the Act:

|  |  |  |
| --- | --- | --- |
| Name | Address | Nature and extent of interest |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1. The following general restrictions in Schedule 2 to the Act are removed or relaxed to the extent specified below:

|  |  |  |
| --- | --- | --- |
| The general restriction in Schedule 2 to the Act to be removed or restricted | State whether the general restriction is removed or relaxed and, where it is relaxed, the extent of the relaxation | Land in respect of which the general restriction is removed or relaxed |
|  |  |  |
|  |  |  |
|  |  |  |

1. Some / all / none of the Land is woodland. [*delete as appropriate*]
2. Some / all / none of the Land is a Site of Special Scientific Interest. [*delete as appropriate*]
3. Some / all / none of the Land includes a Scheduled Monument. [*delete as appropriate*]
4. Some / all / none of the Land lies within a National Park. [*delete as appropriate*]

Data Protection

This form requires you to submit personal data to the relevant Local Authority (Access Authority) in order for them to review and take forward the Dedication of Land for Access purposes. You are advised to familiarise yourself with their data protection policies in relation to this exercise which should be available through their website(s) or you can contact them directly for further information.

DECLARATION

To the best of my / our [*delete as appropriate*] knowledge and belief, I / we [*delete as appropriate*] do not know of any persons, other than those listed above, who are required to join in, or consent to, this dedication.

This Form contains all of the terms and conditions relating to this dedication of the Land and is legally binding under section 16(7) of the Act.

I / We [*delete as appropriate*] declare that the provisions of regulation 4(4) of the Regulations have been complied with.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, am authorised to sign on behalf of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*See explanatory note 12 and regulation 4(2) of the Regulations*]

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name [*in capital letters*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name [*in capital letters*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name [*in capital letters*] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*Add more signature blocks as necessary*]

# EXPLANATORY NOTES – for FORM A

This model form is recommended for use when dedicating Land in Wales.

You do not have to use this form, but, if it is not used, the instrument of dedication you use must contain all the information required by the Countryside Access (Dedication of Land as Access Land) (Wales) Regulations 2003 (S.I. 2003/135) (W.9) (referred to in this model form, and these notes, as “the Regulations”).

Under regulation 3 of the Regulations, the Dedication Instrument must, amongst other things, be in writing and be signed and dated by the person(s) making it.

The following numbering below relates to the paragraph numbers on the model form.

1. Describe in words the location and extent of the Land you are dedicating. You must also include a map on a scale of 1:10,000 or larger, with the boundary of the land that you are dedicating clearly marked on it, together with sufficient Ordnance Survey Grid lines (or other identifiable geographical features) so as to enable the general location of the Land to be ascertained.

Where the interest of a person making the dedication does not relate to the whole of the Land being dedicated, please identify the extent of the Land to which a person’s interest relates by clearly marking the boundaries of the Land owned by each person on the plan or map.

2. Insert the name and postal address (including the post code) of every person making the dedication under section 16(1) of the Act here. If you are making the dedication jointly with one or more persons who hold an inferior leasehold interest in the Land, you should insert their details at paragraph 4 of the Form.

3. Use this paragraph to indicate whether you hold a freehold or leasehold interest in the Land. If you hold a leasehold interest, insert the unexpired term of the lease and the date on which the lease is due to expire.

**The information specified in paragraphs 1, 2 and 3 must always be provided.**

4. Paragraphs 4 and 5 are for use where one or more persons with an inferior leasehold interest in any of the land to be dedicated are making the dedication with you jointly (pursuant to section 16(2) of the Act) rather than giving their consent. You should insert the name and postal address (including the post code) of every such person here.

5. Use this paragraph to record the name of any persons referred to in paragraph 4, the nature of any such persons’ leasehold interest in the Land and the length of the unexpired term of that interest. In most cases, the leasehold interest would be expected to be a legal term of years absolute.

If no-one is joining in the dedication pursuant to section 16(2) of the Act, both paragraphs 4 and 5 can be omitted.

6. This paragraph is for use where one or more persons with an inferior leasehold interest in any of the Land to be dedicated are consenting to the dedication (pursuant to section 16(2) of the Act) rather than making the dedication jointly with you under paragraphs 4 and 5. You should insert the name, postal address (including the post code) and the nature and extent of the interest of every person consenting to the dedication here. See Chapter 6 of the dedication guidance to find out what information you need to provide to such persons when seeking their consent.

If you do not require the consent of any person to the dedication, paragraph 6 can be omitted.

7. The general restrictions contained in Schedule 2 to the Act are for the protection of the landowner and will automatically apply to dedicated land unless they are removed or relaxed in a dedication instrument.

**The first column**

If you wish to remove or relax any of these restrictions, you should clearly identify the relevant paragraph of Schedule 2 to the Act in the first column of the table (see Annex 3 of the dedication guidance). For example, if you wish to allow horse riding on any part of your Land, you should insert “paragraph 1(c)” in the first column.

**The second column**

You should use the second column to clearly state whether you are removing or relaxing the restriction by stating either “The general restriction is removed” or “The general restriction is relaxed”. In the example given above, if you state “The general restriction is removed”, this will allow people to access your Land with any type of animal, not just horses. If, however, you only wish to allow people to bring horses onto your Land, and not other livestock, you should instead insert “The general restriction is relaxed”. If you are relaxing a restriction you should also describe the extent of the relaxation, for example, by inserting “persons with horses are permitted” or “persons with ponies or horses are permitted”.

**The third column**

You should use the third column to describe whether the removal or relaxation applies to all or part of the Land being dedicated. If you are removing or relaxing a restriction only in relation to one or more specific parts of the Land, you should describe this in words, mark the appropriate area(s) on the Map and state “see attached Map”.

Please consider each general restriction carefully as, although regulation 7(2) of the Regulations provides that such restrictions can be subsequently removed or relaxed by a further dedication instrument, there is no power to re-impose any general restrictions which have already been removed or relaxed.

If no general restrictions are being removed or relaxed, paragraph 7 can be omitted.

8. There is no requirement for you to indicate whether any of the Land is woodland and you can omit this paragraph if you wish, but the information would be helpful.

9. A Site of Special Scientific Interest (an “SSSI”) is an area specified under section 28 of the Wildlife and Countryside Act 1981. There is no requirement for you to indicate whether any of the Land is an SSSI and you can omit this paragraph if you wish.

10. A Scheduled Monument is a monument that is listed in a Schedule compiled under section 1 of the Ancient Monuments and Archaeological Areas Act 1979. There is no requirement for you to indicate whether any of the Land includes a Scheduled Monument and you can omit this paragraph if you wish. This information would be helpful though and, if you indicate that any of the Land does include a Scheduled Monument, Natural Resources Wales can notify Cadw (which has general responsibility for such matters in Wales).

11. There is no requirement for you to indicate whether any of the Land lies within the area of a National Park, but the information would be helpful.

12. Signature blocks at the end of the model form: Unless the dedicator(s) have authorised someone to do so on their behalf, any person giving their consent to the dedication and, subsequently, each person making the dedication (including any person who is joining-in the dedication pursuant to section 16(2) of the Act) must sign, print their name and date the dedication instrument at this point. Where a dedication is made jointly, the dedication is treated as being made on the date on which the last person making the dedication signs the instrument of dedication.

**PLEASE NOTE**

**section 16(7) of the Act provides that a dedication under section 16 is irrevocable and binds successive owners and occupiers of the Land to which it relates and any other people with an interest in the Land. If the Land is leasehold, the dedication has effect only for the remainder of the term held by the person making the dedication (see section 16(4) of the Act).**

**Please remember to include a map of the Land with the dedication instrument.**