

Department for Environment, Food and Rural Affairs

Survey of town and village green applications under section 15 of the Commons Act 2006

June 2014

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Defra undertook a biennial survey of all commons registration authorities in England in November 2013 to gauge the level of registration activity under section 15 of the Commons Act 2006 during 2011 to 2013 (NB not whole year data for 2013).

Approximately 29% of authorities responded, and the results are considered to be broadly indicative of all authorities in England. The survey results have been used to estimate activity data for England as a whole, based on an analysis¹ of responses classed by London borough, metropolitan district, non-metropolitan counties, and unitary authorities. The full survey data are also available.

Please note that responses may not necessarily agree: for example, in relation to any particular period, the number of applications determined in that period should be equal to the sum of applications rejected and granted in that period, but there are disparities. These disparities are most likely explained by authorities' different interpretation of the questions asked of them.

1. Applications under section 15(1) between 2011 and 2013

	2011	2012	2013
No. of applications received	123	132	122
No. withdrawn	4	11	7
No of public inquiries ²	24	28	53
No. determined	79	75	78
No. rejected (including any not duly made ³)	50	37	39
Of those rejected, how many were not duly made?	17	19	2
No. granted	37	31	37

¹ It has been assumed that non-responding London Boroughs and metropolitan districts had no activity under Section 15 (being more urban areas). However, responding non-metropolitan counties and unitary authorities have been assumed to be representative of similar authorities that did not respond.

² A 'public inquiry' is chaired by an impartial person to determine the facts using the testimony of the interested parties. It does not include a hearing before a committee.

³ 'Not duly made' applies to applications with insufficient information to enable them to be processed.

2. Applications under section 15(1) excluded by trigger events⁴

How many applications have been received where the right to apply was excluded?

16

3. Backlog of applications

How many applications need be determined, including those yet to be acknowledged?

305

4. Applications determined during years 2011 – 2013 - average per application*

Year	Months between receipt & determination	Officer hours processing (incl. legal, committee, etc)	Cost to the authority, incl. public inquiries (£)
2011	23	67	13,400
2012	20	79	13,300
2013	21	148	11,000

* The results are based on a limited subset of determined applications. This is particularly the case for officer hours and cost as very few authorities provided a response.

5. Applications by the landowner under section 15(8) between 2011 and 2013

	2011	2012	2013
No. of applications received	7	26	25
No. withdrawn	0	0	0
No. determined (excluding any withdrawn)	20	11	18
No. rejected	0	4	2
No. granted	13	11	18

⁴ Section 15C(1) of the Commons Act 2006, which commenced on 25 April 2013, excludes the right to apply under section 15(1) where a trigger event has occurred in relation to land, and the right to apply remains excluded until a corresponding terminating event has occurred over the land.

6. Number of landowner statements and highways statements/declarations deposited since 1 October 2013

No of landowner statements	No of highways statements	No of highways declarations
58	78	76

Commons, Access and Inland Waterways team, Defra, July 2014



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