

## Commons and Town Greens Sub Committee

Meeting to be held on 23<sup>rd</sup> September 2014

Electoral Division affected: <u>All</u>
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### **Deletion of Common Land Units not having the County Council as Registration Authority from the Register Map and completion of the General Part of the Register**

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#### **Executive Summary**

Deletion of common land units which no longer have Lancashire County Council as Commons Registration Authority from the Register Map is suggested and a record of the 1975 straddling agreement and agreement under S101 be properly recorded in the General Part of the Register

#### **Recommendation**

1. That any common land units recorded on the Register map sheets for which Lancashire County Council is not the registration authority be removed from the sheets on or before each sheet is amended with a fresh edition of said sheet.
2. That the agreements made in 1975 referred to in the report be recorded in the General Part of the Register

#### **Background and Advice**

On boundary changes at various times in the past, some common land units have fallen outside the Lancashire administrative boundary of Lancashire County Council. The relevant information from the Register passed to the authorities who were going to be the registration Authorities but on some of the map sheets of our Register Map these areas of common land are still shown. This has the potential to confuse. On inspection of the Register Map it looks as if such units will be land registered in the Lancashire County Council Register yet this is not the case as the land is registered in the register of a neighbouring authority

The requirements under the statutory regulations is that as a registration authority we must keep up to date a register showing all the land registered in its Registers. These units of Common Land are no longer in the Registers held by the County Council and so it is suggested that a decision be made to remove these common land units from the Register sheets.

This is not such a priority as to take resources away from other work and so it is suggested that these units be removed when a map sheet is altered in another way which requires a fresh edition of the sheet.

It is the case that some units of common land are outside the boundary of the Lancashire County Council administrative area but Lancashire County Council is still Commons Registration Authority for them under either a straddling agreement or an agreement made under S101 Local Government Act 1972 whereby Lancashire agreed to carry out the function of Registration authority for certain units on behalf of Rochdale or Calderdale or Bury. The units outside Lancashire but Lancashire is agreed to be Registration Authority are CL162, CL166, CL168, CL173 in Rochdale, CL172 in Calderdale and CL254 in Bury. The Agreement is dated 1975.

The straddling agreement in place is also from 1975 and under it Lancashire County Council is the Commons Registration Authority for CL42 and CL165 which straddle the boundary.

It is now realised that these two agreements of 1975 are not recorded properly on the Register and so a decision is sought to record them on the General Part of the Register. Under the regulations the General Part of the Register must contain details of any straddling agreement to which the county council is a party and any transfer to or from the authority of responsibility for maintaining any register and so it is advised that the 1975 agreements be recorded on the General Part.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

These changes to the Registers proposed resolve ambiguities and poor recording in the Register making it more fit for purpose.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A