

Applications to amend Commons and Town or Village Green Registers

Hampshire County Council, in its capacity as a Commons Registration Authority, keeps registers of commons and town or village greens, and the Commons Act 2006 ('the 2006 Act') includes provisions for the amendment of these registers.

You can apply to the County Council to amend the commons and village green registers. However, it should be noted that not all the provisions of the Commons Act 2006 are yet in force in Hampshire.

Those applications that can be made in Hampshire are listed below (in most cases, a fee will be payable). If you're unsure whether you can make an application, please contact the Countryside Service to discuss further.

1. Wrongly registered land (Paragraphs 6-9 of Schedule 2)

The registers of common land and town or village green were first prepared under the Commons Registration Act 1965, and continue to be maintained by Commons Registration Authorities (generally county councils and unitary authorities). In some cases, the original applications to register land included maps that were difficult to interpret, or incorrectly defined the land's boundaries. This led to some land registered under the 1965 Act being wrongly registered as common or town or village green. Paragraphs 6 to 9 of Schedule 2 to the Commons Act 2006 enable you to apply to your commons registration authority to deregister certain types of land and buildings that were wrongly registered as either common land or town or village green.

- **Removing wrongly registered Common Land or Village Greens from the register**

You may be able to remove land from the registers if you can show the land to have been wrongly registered under the Commons Registration Act 1965. You can also apply to deregister common land or village green where the land was built upon at the time of the original registration, and is still built upon at the time that your application is decided. You must apply by 28 February 2027.

- **Deregistration of buildings**

You may be able to apply under paragraphs 6 or 8 of Schedule 2 to the 2006 Act to deregister land which is, and has been, covered by a building or the curtilage of a building ever since the land was registered under the 1965 Act. Such land may include cottages or garden on or abutting to the common or green. It does not matter whether the building or curtilage was lawfully present on the land when the land was registered provisionally under the 1965 Act. It is not necessary either that the land

has been covered by the same building throughout the period since the date of provisional registration. It would be sufficient, for example, that the land had, at the date of registration, been covered by a garage adjacent to a house, but the garage had subsequently been demolished, and the land had become part of the garden attached to that house.

2. Corrections to the registers (Section 19)

In some cases inaccurate information was recorded in the Commons Registers. Section 19 of the 2006 Act allows for applications to be made by any person to correct some types of errors in the registers, so that the registers are a more accurate record of registered land and rights of common. This affords better protection of common land.

You can apply under section 19(2)a to correct any error in the register which was made by the commons registration authority, when an entry was made, or amended, in the register. Some examples are:

- If an error was made mapping the boundary of a common during the provisional registration stage
- If, when amending an entry in the register, the authority erroneously added a zero the number of rights recorded

(Please note that Sections 19(2)b - e are not currently in force in Hampshire)

3. Fees

There are fees payable for some applications to amend the register. Current fees can be viewed on our [website](#).

Additional fees may be charged by the Planning Inspectorate, where they are involved in processing an application (for example, deregistration and exchange of common land under [Section 16](#) of the Commons Act 2006).