



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 Wales ('PINs Wales') 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 Most Honourable Henry John Fitzroy Marquess of Worcester, the owner of the land described in the First Schedule and more particularly delineated edged red on plan 1 attached to this order ('the release land'), is a party to the application made under section 16 of the 2006 Act to PINs Wales for the release land to cease to be registered as common land.
- (4) Blaenau Gwent County Borough Council, the owner of the land at Bryn Farm, Crown Avenue, Waun y Pound, Sirhowy Woodlands, Garden City and Green Meadow Farm, described in the Second Schedule, is a party to the application made under section 16 of the 2006 Act to PINs Wales for such land to be registered, together with other land described in the Second Schedule, in place of the release land.
- (5) The Trustees of the Somerset Trust (Julian Richard Whately, Matthew James Wakefield and David Terrance Digby Harrel), the owners of land at Wentwood, described in the Second Schedule, are parties to the application made under section 16 of the 2006 Act to PINs Wales for such land to be registered, together with the other land described in the Second Schedule, in place of the release land.

- (6) Monmouthshire County Council, as the owner of a publicly maintainable highway over part of the replacement land, is a party to the application made under section 16 to PINs Wales.
- (7) The replacement land is land to which Part I of the 2006 Act applies, and is not already registered as common land or as town or village green.
- (8) The application has been duly publicised in accordance with 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 all representations duly made to them in accordance with the 2012 Regulations.
- (9) The Welsh Ministers have granted the application, subject to the condition set out below.

Deregistration of Release Land

NOW the Welsh Ministers, pursuant to section 17(1) of the Commons Act 2006 ('2006 Act') and subject to the condition set out below, **HEREBY ORDER** Powys County Council, as commons registration authority for the area in which the release land is situated, to remove the release land identified in the First Schedule below from its register of common land by amending register unit BCL015 to exclude the release land, shown edged red on plan page 1.

Registration of Replacement Land

NOW the Welsh Ministers, pursuant to section 17(2) of the 2006 Act and subject to the conditions set out below, **HEREBY ORDER**:

- (a) Powys County Council, as commons registration authority for the area in which part of the replacement land is situated, to register the Bryn Farm replacement land identified in the Second Schedule below as common land, by amending the section of Mynydd Llangatook Common (BCL08) shown edged light green on plan page 2, the entry being subject to a Law of Property Act 1925 section 193 public right of access for air and recreation;
- (b) Monmouthshire County Council, as commons registration authority for the area in which part of the replacement land is situated, to register the Wentwood Forest replacement land identified in the Second Schedule below as common land, by amending the boundary of Gray Hill Common (CL59) and the boundary of Bicca Common (CL58) shown edged light green on plan page 8, the entry being subject to a Law of Property Act 1925 section 193 public right of access for air and recreation;

(c) Blaenau Gwent County Borough Council, as commons registration authority for the area in which part of the replacement land is situated, to register:

(i) the Crown Avenue land identified in the Second Schedule below as common land, to create a new area of common land to the East of the Crown Business Park, North Of Shepherd Close and Heather Close, and West of Bryn Serth Tredegar, shown edged light green on plan page 3;

(ii) the Waun-y-Pound land identified in the Second Schedule below as common land, to create a new area of common land surrounding and to the South of Waun-y-Pound Industrial Estate and North West of Gwaun Helyg Road, Ebbw Vale, shown edged light green on plan page 4;

(iii) the Sirhowy Woodlands land identified in the Second Schedule below as common land, to create a new area of common land to the South West of the A4047, East of Thomas Ellis Way and North of Grangetown Hill, Tredegar, shown edged light green on plan page 5;

(iv) the Garden City land identified in the Second Schedule below, as common land, by amending the boundary of Man Moel Common (CL12) shown edged light green on plan page 6;

(v) the Greenmeadow Farm land identified in the Second Schedule below as common land, by amending the East and North Eastern boundary of Gwastad Common (CL16) shown edged light green on plan page 7;

All of the above mentioned entries being subject to a Law of Property Act 1925 section 193 public right of access for air and exercise.

The condition

The Order under sections 17(1) and 17(2) is made subject to the following condition, which must be satisfied prior to Powys County Council, Monmouthshire County Council and Blaenau Gwent Borough Council (as appropriate) making any amendment to their respective commons registers:

All rights of commons existing on the Release Land (Trefil-Las and Twyn Bryn-March Common (BCL015)) on the date of this Order must be extinguished under regulation 29 of the Commons Registration (General) Regulations 1966. The Order will not have effect until such rights have been extinguished.

FIRST SCHEDULE

The release land

Colour on plan	Description	Owner	Area
Edged Red (Plan page 1)	Forms the south eastern most part of Trefil-las and Twyn Bryn-March Common (BCL015) to the north of Rassau, Ebbw Vale, Blaenau Gwent as shown on the attached plan.	The Most Honourable Henry John Fitzroy Marquess of Worcester.	244.39 Ha

SECOND SCHEDULE

The replacement land

Colour on plan	Description	Owner	Area
Edged light green (Plan page 2)	Bryn Farm Land to the north of the Gurnos Estate and North West of Brynmawr cemetery, at Brynmawr as shown on the attached plan.	Blaenau Gwent County Borough Council	16.53 Ha
Edged light green (Plan page 3)	Crown Avenue To the east of the Crown Business Park, north of Shepherd Close and Heather Close, and west of Bryn Serth, Tredegar as shown on the attached plan.	Blaenau Gwent County Borough Council	16.34 Ha
Edged light green (Plan page 4)	Waun y Pound Land surrounding and to the south of Waun-y-Pound Industrial Estate and north west of Gwaun Helyg Road, Ebbw Vale as shown on the attached plan.	Blaenau Gwent County Borough Council	29.99 Ha
Edged light green (Plan page 5)	Sirhowy Woodlands Land to the south west of the A4047, east of Thomas Ellis Way and north of Grangetown Hill, Tredegar as shown on the attached plan.	Blaenau Gwent County Borough Council	48.83 Ha
Edged light green (Plan page 6)	Garden City Located to the west of Park Road and north, south and west of Garden City, Ebbw Vale as shown on the attached plan.	Blaenau Gwent County Borough Council	45.37 Ha
Edged light green (Plan page 7)	Green Meadow Farm Agricultural land to the north east of the houses on Valley	Blaenau Gwent County Borough Council	36.60 Ha

	View Road and north of Rhiw Park Road and Heather Grove, Cwmtillery as shown on the attached plan.		
Edged light green (Plan page 8)	Wentwood Situating to the north of the A48 and east of the A449. This adjoins Gray Hill Common (CL59) to the south and Bicca Common (CL58) to the south east as shown on the attached plan.	Somerset Trust	112.90 Ha

Signed by Rebecca Evans, Deputy Minister for Farming and Food, under authority of the Minister for Natural Resources, one of the Welsh Ministers:



Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

Date: 13 / 11 / 15