

for official use

Official stamp of registration authority
indicating date of receipt

Application No. 94

Register unit No.

CL 30

COMMONS REGISTRATION ACT 1965
GREATER LONDON COUNCIL
REGISTRATION AUTHORITY
7 NOV 1967

COMMONS REGISTRATION ACT 1965

Application for the registration of a claim to ownership of land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority maintaining the register containing the registration of the land.

To the Greater London Council

Application is hereby made for the registration, in accordance with the particulars set out below, of a claim to the ownership of the under-noted land.

Part 1.

Name and address of the applicant or (if more than one) of every applicant.

(Give Christian names or fore-names and surname or, in the case of a body corporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant. See Notes 1 and 2 for information as to who may apply.)

The Greater London Council
County Hall
London, S.E.1.

Part 2.

Name and address of solicitor, if any.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Part 3.

Register containing the registration of the land of which ownership is claimed.

Insert "Common Land" or "Town or Village Greens." See Notes 3 to 6.

Register unit number.

d 8.)

CL 30

Part 5.

(Answer "Yes" or "No".)

Is ownership claimed of the whole of the land comprised in the above-mentioned register unit?

Yes

Part 6.

(See Note 8.)

If the answer to part 5 is "yes", leave this part blank. Otherwise, describe the portion of the land of which ownership is claimed (see Note 8). Where a plan is used the fact should be mentioned here, and the colouring used on the plan stated.

Part 7.

(See Note 11.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 11. If (a) applies, quote the number on the acknowledgment from the registration authority.

Signature of applicant(s) or of person on his or their behalf.

The application must be signed by the applicant, or by every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case it must be signed by the secretary or some other duly authorised officer.

[Handwritten signature]

Statutory Declaration in Support

To be made by the applicant, or every applicant, personally, unless the applicant is a body corporate or charity trustees, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

I name(s).

[I] ~~[We]~~ Alma Jesse Fry

solemnly and sincerely declare as follows:

Strike out this paragraph if it does not apply. Insert capacity in which acting.

- [I am] ~~[We are]~~ the person(s) who [has] ~~[have]~~ signed the foregoing application. Valuer in the employment of the applicant(s) and am authorised by the applicant(s) to make the foregoing application on ~~[his]~~ [their] behalf.
- I am a Senior Divisional Valuer in the employment of the applicant(s) and am authorised by the applicant(s) to make the foregoing application on ~~[his]~~ [their] behalf.
- ~~[I]~~ ~~[We]~~ have read the Notes on the back of the application form and believe that ~~[I]~~ ~~[we]~~ [the applicant(s)] ~~[am]~~ [are] ~~[is]~~ entitled to apply for the registration under the Commons Registration Act 1965 of a claim to the ownership of the land described in the application.
- The plan now produced and shown to me marked " " is the plan referred to in part 6 of the application.

Strike out this paragraph if there is no plan. Insert "marking" as on plan (see Note 9).

And [I] ~~[we]~~ make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said Alma Jesse Fry

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at County Hall, S.E.1
in the County of London
this 1st day of November 1967

Before me,
Signature *Samuel J. O.*
Address 32 Abbotsbury Rd
Hays, Bromley Kent
Qualification Justice of the Peace.

REMINDER TO OFFICER TAKING DECLARATION:
Please initial all alterations and mark any plan as an exhibit.

apply for registration

Application for the registration of a claim to the ownership of land registered under the Act may be made by the owner of the land or, where the land belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

The owner of any land, for the purposes of the Act, is the owner of the legal estate in fee simple in that land. It follows that, in every case other than the special one of vacant benefice land, the names in part 1 must be those of the persons in whom the legal estate in fee simple is vested. Other persons, for example a lessee, a mortgagee, a person who has only an equitable interest, or charity trustees not having the legal estate in fee simple, are not entitled to apply for the registration of a claim to ownership. Anyone who is not sure whether he is entitled to apply should obtain legal advice.

Where the Church Commissioners apply with respect to land belonging to a vacant benefice, the fact should be stated, and the name of the benefice given, in part 1.

Where the applicants are charity trustees, the fact should be stated, and the name of the charity given, in part 1.

2. Effect of registration at H.M. Land Registry

Where the fee simple of land is registered under the Land Registration Acts 1925 and 1936 registration of claims to the ownership thereof under the Commons Registration Act 1965 is not permitted. The rights of the registered proprietor are not affected by the 1965 Act and his interest is not liable to be divested (see Note 10).

3. The land itself must first be registered

Two separate registers are maintained under the Commons Registration Act 1965 by each registration authority — a Register of Common Land and a Register of Town or Village Greens. Land must appear on one of those registers before a claim to its ownership can be registered, but an owner may apply to have his own land registered as common land or as a town or village green and thereafter (except as mentioned in Note 2) apply to have himself registered as owner. The ownership application must in any case be submitted to the registration authority maintaining the register which contains the registration of the land.

4. Inspection and search of registers

To ascertain whether land has been registered under the Act, anyone may inspect the registers at the office of the registration authority, or the copies of the register entries affecting land in their areas held by other local authorities including parish councils. Alternatively, an official certificate of search may be obtained from the registration authority. A requisition for such search must be made in writing on C.R. Form No. 21, a separate requisition being required for each register. If the land is registered, the certificate will reveal the register unit number(s) and whether any rights of common and claims to ownership are registered. It is also possible that the land is exempt from registration: the registration provisions of the Act do not apply to the New Forest, Epping Forest or the Forest of Dean, nor to any land exempted by order under section 11. If the land is exempt, the certificate will say so, and it will not be possible to register a claim to ownership under the Act, but the owner's title will not be prejudiced by non-registration.

5. Conflicting ownership claims

Registration of a claim to ownership which conflicts with another registered ownership claim (in either register: see Note 6) will automatically result in the claims being treated as objections to each other to the extent to which they conflict: hence a person whose ownership claim has been registered has no need to make an objection to a conflicting ownership claim, whether earlier or later in date.

6. Double registration

It may happen during the process of registration that the same land becomes provisionally registered both in the Register of Common Land and in the Register of Town or Village Greens, resulting in each registration being treated as an objection to the other. In such a case the registration of an ownership claim in either register is deemed to be made in both: hence only one application may be made in respect of the land.

object to the registration during the appropriate objection period. (As to objections, see the official explanatory booklet "Common Land", available free from local authorities.) Where the land appears in both registers, and the claimant to ownership considers that it should appear in neither, he must make a separate objection in respect of each registration.

8. Scope of application: land descriptions

Except as mentioned in Note 6, an application must relate to land comprised in one register unit and no more. If land in two or more register units is concerned, a separate application form must be used for each. In part 4, the register unit number should be quoted; the applicant should keep a note of this number, which will be used by the registration authority for reference. If the application relates to the whole of the land comprised in the register unit no further description than the register unit number is needed. If not, the land which is the subject of the application must be clearly identified. This can sometimes be done by reference to some physical feature such as a road, river or railway, so that the description might, for example, read "The land in register unit No. lying to the south of the road from A to B." Where this cannot be done the land must be described by a plan, which must be drawn to scale in ink or other permanent medium and be on a scale of not less, or not substantially less, than six inches to one mile. It must show the land to be described by means of distinctive colouring (a coloured edging inside the boundary will usually suffice), and it must be marked as an exhibit to the statutory declaration (see Note 9).

9. Statutory declaration

The statutory declaration must be made before a justice of the peace, commissioner for oaths or notary public. Any plan referred to in the statutory declaration must be marked as an exhibit and signed by the officer taking the declaration (initialling is insufficient). A plan is marked by writing on the face in ink an identifying symbol such as the letter 'A'. On the back of the plan should appear these words:

This is the exhibit marked "A" referred to in the statutory declaration of (name(s) of declarant(s)) made this (date) 19..... before me,

.....
(Signature and qualification)

If there is more than one plan care should be taken to use a different identifying letter for each.

10. Submission of application: effect of failure to register

The application must reach the registration authority properly completed during one of the registration periods allowed under the Act. The first registration period begins on 2nd January 1967 and ends on 30th June 1968 and the second begins on 1st July 1968 and ends on 2nd January 1970. Land registered under the Act, but in respect of which a claim to ownership is not so registered, may in certain circumstances be liable to be divested unless the freehold title is registered under the Land Registration Acts 1925 and 1936.

11. Fees

There is no charge for applications made during the first registration period, but every application made during the second registration period must be accompanied by a fee of £5, unless —

- (a) during the first registration period the applicant gave the registration authority notice in C.R. Form No. 5 of his intention to make the application, or
- (b) the land was not registered under the Act until after 30th April 1968.

12. Action by registration authority

The registration authority will on receipt of the application send an acknowledgment. If this is not received within 10 days the applicant should communicate with the authority. Later, the applicant will be told whether the application has been accepted or rejected. He will also in due course be told of any objections to the registration.

13. False statements: groundless applications

The making of a false statement to procure registration may