



Town and Village Greens and the Growth and Infrastructure Bill

The Growth and Infrastructure Bill 2013 received Royal Assent on 25 April 2013 and the majority of the Act was in force by 25 June 2013.

The Act inserts a provision that a statement and map deposited with the Commons Registration Authority by the owner of the land to be registered as a town or village green will end the 20 year 'as of right' period during which local people have been using the land for lawful sports and pastimes. For any subsequent application to be made the qualification period of 20 years would have to recommence. This protects the landowners' rights over the land, while permitting the use of it to remain for lawful sports and pastimes.

The Act also inserts various 'trigger events' which will remove the right to register land as a town or village green. These include:

- publication of an application for planning permission over the land
- publication for consultation of a draft development plan document identifying the land for potential development
- publication for consultation of a neighbourhood development plan
- a development plan, identifying the land for potential development continuing to have effect
- publication of an order granting development consent in relation to the land

So-called terminating events, such as withdrawal or refusal of the proposed planning permission or development plans, will end the effect of the trigger events, and the land will be open to registration again.

The Act also allows for secondary legislation to impose fees for applications made, though these have not been set yet

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