

## Draft Section 17 Order

1. On behalf of the Secretary of State for Environment, Food and Rural Affairs and pursuant to section 17 (1) and (2) of the Commons Act 2006, **I HEREBY ORDER** the Hampshire County Council, as Commons Registration Authority for the area in which the release land (as described in the First Schedule) and the replacement land (as described in the Second Schedule) are situated:

- (a) to remove the release land from its register of common land, by amending register unit CL 24 to exclude the release land;
- (b) to register the replacement land as common land, by amending the register unit CL 24 to include the replacement land; and
- (c) to register as exercisable over the replacement land (in addition to remaining exercisable over the remainder of the land comprised in register unit CL24) any rights of common which, immediately before the date on which the release land is removed from the register, are registered as exercisable over the release land and the remainder of the land comprised in register unit CL24.

### Supplementary Provisions

2. On behalf of the Secretary of State for Environment, Food and Rural Affairs and pursuant to section 17 (7) (b) (ii) and (8) and section 59(1)(b) of the Commons Act 2006, **I FURTHER ORDER** that:

- (a) Section 193 of the Law of Property Act 1925 (public right of access for air and exercise) shall apply irrevocably to the replacement land (as described in the Second Schedule) pursuant to the Deed dated [ 2024] deposited by Cottage Farm Holding Ltd (as the Owner of the replacement land) and the Commons Registration Authority shall enter a note of the irrevocable application of the right to the replacement land in the land section of the register; and
- (b) Cottage Farm Holding Ltd shall remove the fences demarcated on the Plan at Appendix C from the replacement land (as described in the Second Schedule) in accordance with the Unilateral Undertaking given by Cottage Farm Holding Ltd to Hampshire County Council dated [ 2024].

### **First Schedule** – the release land

<b>Colour On Plan (Appendix A)</b>	<b>Description</b>	<b>Extent</b>
Edged in red on the Appendix A plan	Land located adjacent to the southern boundary of Blackbushe Airport, Camberley, Surrey GU17 9LQ.	142,854 m2

**Second Schedule** – the replacement land

<b>Colour On Plan (Appendix B)</b>	<b>Description</b>	<b>Extent</b>
Edged in green on the Appendix 2 plan	Land located at Cottage Farm, Cobbetts Lane, Yateley, GU46 6AT.	142,854 m <sup>2</sup>

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