



## COMMON LAND GUIDANCE SHEET 1c

### WORKS EXEMPT FROM SECTION 38 CONSENT PROCESS

#### Category B Works – Works that are Exempt from the Section 38 consent Process

[The Works on Common Land \(Exemptions\) \(England\) Order 2007](#) (SI 2007/2587) defines a number of classes of restricted works for which section 38 consent is not required.

The order recognises the need for exemptions that help people with their day to day management of common land, whilst minimising the scope for any unlawful works which could compromise the cultural, conservation or recreational value, or the openness of the common.

Anyone undertaking exempt works must confirm that those works come within the terms of the exemption by posting a notice on the site and informing the Secretary of State by sending a copy of the notice you post on site to us. There is a standard format for the notice at the Annex to this sheet.

If you intend to carry out exempt works we would encourage you to consult the same people/organisations who are listed in [Guidance Sheet 1a](#) so that interested stakeholders are clear that the works you plan are exempt. If works are carried out that are not exempt any person may take enforcement action against them through the courts.

## Declaration of Exempt Works

### Description of works

Install temporary fencing between Assley Common and Inglestone Common (see red line on the map).

The fencing will include a self-closing pedestrian gate to allow people to walk between the commons but will exclude grazing livestock from Assley and Hareley Commons.

The fence will be in place for a period not exceeding six months and the area fenced off is no bigger than 10% of the area of registered common land, therefore Section 38 consent is not required.

On Hareley, Assley, Inglestone & Hawkesbury.....(Name of Common)

Located in the:

(a) Parish/Town of Hawkesbury and Hillesley and Tresham Parish Councils

(b) Borough/District/City of .....

(c) County of Gloucestershire.....

I/~~We~~\* declare that the works described above are exempt from the requirement for consent under section 38 of the Commons Act 2006 by virtue of the provisions of the Works on Common Land (Exemptions) (England) Order 2007 (SI 2587/2007) and that these works comply with:

Paragraph 1 (temporary fencing to contain grazing animals) / Paragraph 2 (temporary fencing to facilitate growth of vegetation) / Paragraph 3 (temporary fencing to restrict access in the interests of nature conservation) / Paragraph 4 (regularly spaced obstacles to restrict vehicular access)\* in Schedule 1 to the Order.\*\*

\* Delete as appropriate.

\*\* The full terms of the exemptions are set out in Schedule 1 to the Order.

Signed .....

Name (BLOCK letters) CAROLINE GAZE.....

Position (if applicable) Hawkesbury and Inglestone Higher Level Stewardship Commons Officer

Organisation (if applicable) South Gloucestershire Council

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Date 24/04/2019.....