

FORM A (MODEL FORM OF DEDICATION INSTRUMENT)

Before you start to complete this form please read the accompanying explanatory notes printed at the end. You should also read the Guidance Note on the Dedication of Land under section 16 of the Countryside and Rights of Way Act 2000, available from the Defra website at:

<http://archive.defra.gov.uk/rural/countryside/crow/dedicate.htm>

DEDICATION INSTRUMENT PURSUANT TO SECTION 16 OF THE COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

1. In this Dedication Instrument:
“the Act” means the Countryside and Rights of Way Act 2000; and
“the Land” means the land at:

, the location and extent of which is shown on the attached map (“the Map”).

2. I / We [delete as appropriate]: _____
of: _____

I / We [delete as appropriate]: _____
of: _____

DEDICATE the Land under section 16(1) of the Act, for the purposes of Part I of that Act.

3. The person(s) referred to in paragraph 2 hold(s) the fee simple absolute in possession in the Land / a legal term of years absolute in the Land, the unexpired term of which isyears.....days and which is due to expire on __/__/____ [delete as appropriate].

4. I / We [delete as appropriate]: _____

of: _____

I / We [delete as appropriate]: _____

of: _____

I / We [delete as appropriate]: _____

of: _____

DEDICATE the Land pursuant to section 16(2) of the Act, jointly with the persons referred to in paragraph 2.

5. The person(s) referred to in paragraph 4 hold(s) the following interest(s) in the Land:

Name	Nature of leasehold interest	Length of unexpired term

6. The **CONSENT** of the following person(s) is given to this dedication, pursuant to section 16(2) of the Act:

Name	Address

7. The following general restrictions in Schedule 2 to the Act are removed or relaxed to the extent specified below:

General restriction in Schedule 2 to the Act	State whether the general restriction is removed or relaxed and, where it is relaxed, the extent of the relaxation	Land in respect of which the general restriction is removed or relaxed

8. Some or all of the Land consists wholly or predominantly of woodland.

or

None of the Land consists wholly or predominantly of woodland.

[delete as appropriate]

9. Some or all of the Land is a Site of Special Scientific Interest. The name of the Site is

or

None of the Land is a Site of Special Scientific Interest.

[delete as appropriate]

10. Some or all of the Land is a Scheduled Monument. The monument number is

or

None of the Land is a Scheduled Monument.

[delete as appropriate]

Signed _____

Name [Please print] _____

Date _____

Signed _____

Name [Please print] _____

Date _____

Signed _____

Name [Please print] _____

Date _____

Signed _____

Name [Please print] _____

Date _____

Signed _____

Name [Please print] _____

Date _____

Signed _____

Name [Please print] _____

Date _____

EXPLANATORY NOTES

This model form is recommended for use when dedicating land in England. It is not compulsory to use this form, but if it is not used the instrument of dedication must contain all the information required by regulation 5 of the Access to the Countryside (Dedication of Land) (England) Regulations 2003 (SI 2003/2004) (“the Regulations”).

Under regulation 5(2) of the Regulations the instrument of dedication must be in writing, it may be in an electronic form and it must be signed and dated by the person making the dedication. Regulation 5(4) provides that if the instrument of dedication is contained in an electronic communication it may be “signed” by incorporating in it or logically associating with it an electronic signature, as defined in section 7(2) of the Electronic Communications Act 2000.

The paragraph numbers below relate to the paragraph numbers on the model form of instrument of dedication:

1. Describe in words the location and extent of the land that you are dedicating. You must also include a map on a scale of 1/10,000 or larger, with the boundary of the land that you are dedicating clearly marked on it.
2. Insert the name and postal address of every person making the dedication under section 16(1) of the Act here. If you are making the dedication jointly with a person(s) who holds an inferior leasehold interest in the land then you should insert their details at paragraph 4 below.
3. Use this paragraph to indicate whether you hold a freehold or leasehold interest in the land. If you hold a leasehold interest, insert the un-expired term of the lease and the date on which the lease is due to expire.

(The information specified in paragraphs 1, 2 and 3 must always be provided).

4. Paragraphs 4 and 5 are for use where a person(s) with an inferior leasehold interest in any of the land to be dedicated is making the dedication jointly with you (pursuant to section 16(2) of the Act) rather than only with their consent. You should insert the name and postal address of every such person here.
5. Use this paragraph to record the name of any person referred to in paragraph 4, the nature of such a person’s leasehold interest in the land and the length of the un-expired term of that interest. In most cases one would expect the leasehold interest to be a legal term of years absolute.

If no-one is joining in the dedication pursuant to section 16(2) of the Act, both paragraphs 4 and 5 should be omitted.

6. This paragraph is for use where a person(s) with an inferior leasehold interest in any of the land to be dedicated is consenting to the dedication (pursuant to section 16(2) of the Act) rather than making the dedication jointly with you under paragraphs 4 and 5. You should insert the name and postal address of every person consenting to the dedication here. See Chapter 6 of the dedication guidance to find out what information you need to provide to such persons when seeking their consent.
If you do not require the consent of any person to the dedication, paragraph 6

should be omitted.

7. The general restrictions contained in Schedule 2 to the Act are for the protection of the landowner and will automatically apply to dedicated land unless they are removed or relaxed in the dedication instrument.

(i) If you wish to remove or relax any of these restrictions then you should clearly identify the relevant paragraph of Schedule 2 in the first column of the table (see Annex 3 of the dedication guidance).

For example, if you wish to allow horse riding on any part of your land you should insert “paragraph 1(c)” in the first column.

(ii) You should use the second column to clearly state whether you are removing or relaxing the restriction, by stating either “The general restriction is removed” or “The general restriction is relaxed”.

In the example given above, if you state “The general restriction is removed”, this will allow people to access your land with any type of animal, not just horses. If you only wish to allow people to bring horses onto your land, and not livestock, for example, you should instead insert “The general restriction is relaxed”.

If you are relaxing a restriction you should also describe the extent of the relaxation, for example, by inserting “persons with horses are permitted” or “persons with ponies or horses are permitted”.

(iii) You should use the third column to describe whether the removal or relaxation applies to all or part of the land being dedicated.

If you are removing or relaxing a restriction only in relation to a specific part(s) of the land then you should describe this in words, and mark the appropriate area(s) on the Map (and state “see attached Map”).

Please consider each general restriction carefully as, although regulation 7(1) of the Regulations provides that such restrictions can be subsequently removed or relaxed, there is no power to re-impose any general restrictions which have already been removed or relaxed.

If no general restrictions are being removed or relaxed paragraph 7 should be omitted.

8. Use this paragraph to indicate whether or not you believe that any part of the and you are dedicating consists wholly or predominantly of woodland. This information is required by regulation 5(1)(f) of the Regulations.
9. A Site of Special Scientific Interest (a “SSSI”) is an area specified under section 28 of the Wildlife and Countryside Act 1981. There is no requirement for you to indicate whether any of the Land is a SSSI and you can omit this paragraph if you wish. However, the information would be helpful. If you indicate that any of the Land is a SSSI then the Natural England Access team will inform the Natural England site management team.

10. A Scheduled Monument is a monument that is listed in Schedule 1 to the Ancient Monuments and Archaeological Areas Act 1979. Again, there is no requirement for you to indicate whether any of the Land includes a Scheduled Monument and you can omit this paragraph if you wish. This information would be helpful, though, and, if you indicate that any of the Land does include a Scheduled Monument, then Natural England will inform English Heritage.

Signature blocks at end of model form:

Any person giving their consent to the dedication and then each person making the dedication (including any person who is joining in the dedication pursuant to section 16(2) of the Act) must sign, print their name and date the dedication instrument at this point. (Where a dedication is made jointly, the dedication is treated as being made on the date on which the last person making the dedication signs the instrument of dedication.)

PLEASE NOTE that section 16(7) of the Act provides that a dedication under section 16 is irrevocable and binds successive owners and occupiers of the Land to which it relates, and any other people with an interest in the Land. If the Land is leasehold the dedication has effect only for the remainder of the term held by the person making the dedication: see section 16(4) of the Act.

Please remember to include a map of your land with the dedication instrument.

Data Protection Act 1998

Personal data supplied on, or in connection with this form will be stored Natural England on a computer system. The data will be shared with, and may be stored by, the Forestry Commission, Natural England site management team, English Heritage and the relevant local highway authority or National Park authority (the "access authority"), as appropriate. If you supply copies of the data to a district council or a London borough council in its capacity as a "registering authority" for the purposes of section 3 of the Local Land Charges Act 1975, then the data will also be held on the local land charges register held by that authority and will be available for public inspection. The data may be used in connection with any purpose set out in any Act of Parliament, or regulations, which a recipient of the data is responsible, or partly responsible, for administering.

The bodies referred to above may be required to release information, including personal data and commercial information, on request under the Environmental Information Regulations, the Code of Practice on Access to Government Information or the Freedom of Information Act 2000.