STATUTORY INSTRUMENTS

2008 No. 1962

COMMONS, ENGLAND

The Dartmoor Commons (Authorised Severance) Order 2008

Made - - - -	*21st July 2008*
Laid before Parliament	*24th July 2008*
Coming into force - -	*1st October 2008*

The land defined as "the commons" in section 2(1) of the Dartmoor Commons Act 1985(**a**) is land—

(a) over which rights of common are exercisable to which section 9 of the Commons Act 2006(**b**) applies;

(b) in respect of which no commons council is established; and

(c) in relation to which the Dartmoor Commoners' Council has the functions of management conferred upon it by the 1985 Act.

The Secretary of State, in exercise of the powers conferred by paragraph 1(5) of Schedule 1 to the Commons Act 2006, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Dartmoor Commons (Authorised Severance) Order 2008 and comes into force on 1st October 2008.

(2) In this Order—

"the 1985 Act" means the Dartmoor Commons Act 1985;

"the commons" has the same meaning as in the 1985 Act; and

"the Dartmoor Commoners' Council" means the Council constituted by section 3 of the 1985 Act.

Dartmoor Commoners' Council to be regarded as a commons council for certain purposes

2. For all purposes of paragraph 1 (severance by transfer to public bodies) of Schedule 1 to the Commons Act 2006, the Dartmoor Commoners' Council is to be regarded as a commons council established for the commons.

Jonathan Shaw
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

21st July 2008

(**a**) 1985 c. xxxvii.
(**b**) 2006 c. 26.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that the Dartmoor Commoners Council is to be regarded as a commons council for the purposes of paragraph 1 (severance by transfer to public bodies) of Schedule 1 to the 2006 Act. The Order enables the Council, in relation to Dartmoor commons—

(a) to acquire rights of common by a transfer which operates as a permanent severance of the rights of common from the land to which they are currently attached; and

(b) to veto any acquisition of rights of common by Natural England.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

£3.00

© Crown copyright 2008

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

E2869 7/2008 182869T 19585