

**Changes to legislation:** Norfolk and Suffolk Broads Act 1988, Paragraph 38 is up to date with all changes known to be in force on or before 21 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 3

#### FUNCTIONS OF AUTHORITY

#### PART II

#### MISCELLANEOUS FUNCTIONS

##### *Common Land*

- 38 (1) In relation to any registered common within the Broads which is not owned by, or vested in, a local authority and which is not a staithe, the Authority shall be treated as a local authority for the purposes of the following enactments—
- (a) section 1 of the <sup>M1</sup>Commons Act 1899 (scheme for regulation);
  - <sup>F1</sup>(b) . . . . .
  - (c) section 23 of the <sup>M2</sup>Caravan Sites and Control of Development Act 1960 (power of district council to prohibit caravans on commons); and
  - (d) [<sup>F2</sup> section 45 of the Commons Act 2006 ] (protection of unclaimed common land).
- (2) No local authority shall exercise any of its functions under the enactments mentioned in sub-paragraph (1) above, in relation to any staithe which is within the Broads and which is registered as a common, except jointly with the Authority or with the Authority's consent.

#### Textual Amendments

- F1** Sch. 3 para. 38(1)(b) repealed (1.10.2007 for E., 1.4.2012 for W.) by Commons Act 2006 (c. 26), s. 56, Sch. 6 Pt. 2 (with s. 60); S.I. 2007/2584, art. 2(d)(ii); S.I. 2012/739, art. 2(h)
- F2** Words in Sch. 3 para. 38(1)(d) substituted (20.2.2007 for E., 6.9.2007 for W.) by Commons Act 2006 (c. 26), s. 56, Sch. 5 para. 4 (with s. 60); S.I. 2007/456, art. 2(a)(i); S.I. 2007/2386, art. 3(o)(i)

#### Marginal Citations

- M1** 1899 c. 30.
- M2** 1960 c. 62.

**Changes to legislation:**

Norfolk and Suffolk Broads Act 1988, Paragraph 38 is up to date with all changes known to be in force on or before 21 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(8A) inserted by [2008 c. 29 s. 224\(2\)\(b\)](#)