

*These notes refer to the Commons Act 2006 (c.26)
which received Royal Assent on 19 July 2006*

COMMONS ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Miscellaneous

Vehicular access

Section 51 Vehicular access

224. [Section 51](#) repeals section 68 of the Countryside and Rights of Way Act 2000. Section 68 was enacted to deal with a problem that had arisen as a result of the judgment of the Court of Appeal in *Hanning v. Top Deck Travel*¹, affecting householders who access their homes by vehicle over typically unenclosed land such as commons or greens. In Defra's view section 68, and the regulations made under that section², have now become redundant following the judgment of the House of Lords in *Bakewell Management Ltd v. Brandwood*³.

¹ [1993] 68 P & CR 14.

² [The Vehicular Access Across Common and Other Land \(England\) Regulations 2002 \(SI 2002/1711\)](#), and [The Vehicular Access Across Common and Other Land \(Wales\) Regulations 2004 \(SI 2004/248\)](#).

³ [2004] 2 AC 519.