



# Commons Act 2006

## 2006 CHAPTER 26

### PART 4

#### MISCELLANEOUS

##### *Intervention powers*

#### **45 Powers of local authorities over unclaimed land**

- (1) This section applies where—
- (a) land is registered as common land or a town or village green;
  - (b) no person is registered in the register of title as the owner of the land; and
  - (c) it appears to a local authority in whose area the land or any part of it is situated that the owner cannot be identified.
- (2) The local authority may—
- (a) take any steps to protect the land against unlawful interference that could be taken by an owner in possession of the land; and
  - (b) institute proceedings against any person for any offence committed in respect of the land (but without prejudice to any power exercisable apart from this section).
- (3) In this section “local authority” means—
- (a) a county, district or parish council in England;
  - (b) a London borough council; and
  - (c) a county, county borough or community council in Wales.

#### **Commencement Information**

- II** [S. 45](#) wholly in force at 6.9.2007; [s. 45](#) not in force at Royal Assent see [s. 56\(1\)](#); [s. 45](#) in force for E. at 1.10.2006 by [S.I. 2006/2504](#), [art. 2\(a\)](#) (with [art. 3](#))); [s. 45](#) in force for W. at 6.9.2007 by [S.I. 2007/2386](#), [art. 3](#) (with modifications (temp.) in [art. 4\(4\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Commons Act 2006, Section 45.