

2010 No.

COMMONS, ENGLAND

**The Basset National Park Commons Council Establishment
Order 2010**

Made - - - - - ***
Laid before Parliament ***
Coming into force - - - *1st August 2010*

The Secretary of State has published a draft of this Order in the County of Basset and invited representations about it in accordance with section 27(2) of the Commons Act 2006(a), and has caused a local inquiry to be held in accordance with section 27(3) of that Act.

Having regard to the matters specified in section 27(4) of that Act, and, in accordance with section 27(5) of that Act, having particular regard to representations received from persons of a kind there specified, the Secretary of State is satisfied that there is substantial support for the making of this Order.

In exercise of the powers conferred by sections 26, 29(3) and (4), 30, 31(1) to (4) and 59(1) of that Act, the Secretary of State makes the following Order.

Title and commencement

1. This Order may be cited as the Basset National Park Commons Council Establishment Order 2010 and comes into force on 1st August 2010.

Interpretation

2. In this Order—

- (a) “the 2006 Act” means the Commons Act 2006;
- (b) “active grazier” means—
 - (i) in relation to the appointment of the first members of the Council, a commoner who the officer appointed under paragraph 1 of Schedule 1 determines has grazed animals upon the Commons in the period of two years immediately preceding the date of coming into force of this Order;
 - (ii) in relation to subsequent appointments, a commoner who is registered under article 8(2)(a) in the register kept by the Council pursuant to article 8;
- (c) “the appointed day” means 1st February 2011;
- (d) “commoner” has the same meaning as it is given in the Standard Constitution;

(a) 2006 c. 26; section 61(1) defines the “appropriate national authority” as the Secretary of State, in relation to England.

- (e) “the Commons” means all the areas of land within the boundaries of Basset National Park which are for the time being relevant land, and for this purpose “relevant land” means land which—
 - (i) before the date on which this Order comes into force was registered as common land; and
 - (ii) continues to be registered as common land;
- (f) “the Council” means the Basset National Park Commons Council established by article 3;
- (g) “quarter” means one of the four sub-divisions of Basset National Park shown edged red and respectively marked “north quarter”, “east quarter”, “south quarter” and “west quarter” on the map signed on behalf of the Secretary of State and dated 1st July 2010 and deposited with the proper officer of the Basset National Park Authority;
- (h) “the Standard Constitution” means the constitution which, by virtue of section 29(2) of the 2006 Act, applies to the Council (subject to contrary or inconsistent provision in an order under section 26 of that Act(a)), being the constitution set out in the Schedule to the Commons Councils (Standard Constitution) (England) Regulations 2010(b).

Establishment of the Council

3.—(1) With effect from the appointed day a commons council, to be known as the Basset National Park Commons Council, is established for the Commons.

Membership of the Council

- 4.—(1) The Council is to consist of not less than 26 and not more than 28 members, of whom—
- (a) for each of the four quarters, four are to be elected by the active graziers on land registered as common land in that quarter;
 - (b) for each of the four quarters, one is to be elected by the commoners with rights of common over land in that quarter who are not active graziers;
 - (c) two are to be appointed by the Basset National Park Authority;
 - (d) one is to be appointed by the Duke of Omnium;
 - (e) two are to be elected by the owners of lands forming part of the Commons, other than the Basset National Park Authority and the Duke of Omnium;
 - (f) one, who must be a veterinary surgeon, is to be appointed by the members referred to in sub-paragraphs (a) to (e); and
 - (g) up to two other members may be co-opted by the Council.

(2) Elections and appointments of members of the Council under sub-paragraphs (a) to (e) of paragraph (1) are first to be held or made before the appointed day.

(3) Of the members first elected or appointed under those sub-paragraphs (unless a member resigns or dies, or Schedule 1 provides differently)—

- (a) the following are to hold office from the appointed day until 31st January 2015—
 - (i) two of the members elected pursuant to paragraph (1)(a) for each of the four quarters (as determined in accordance with Schedule 1);
 - (ii) the members elected pursuant to paragraph (1)(b) for the east quarter and the west quarter;
 - (iii) one of the members appointed pursuant to paragraph (1)(c) (as determined by the Basset National Park Authority);
 - (iv) the member appointed pursuant to paragraph (1)(d); and

(a) See section 29(5) of the Commons Act 2006.

(b) S.I. 2010/XXXX.

- (v) one of the members elected pursuant to paragraph (1)(e) (as determined in accordance with Schedule 1); and
 - (b) the remaining members are to hold office from the appointed day until 31st January 2013.
- (4) Elections and appointments of subsequent members of the Council under sub-paragraphs (a) to (e) of paragraph (1) are to be held or made before 1st February in 2013 and in every second year thereafter, to replace those members whose terms of office expire in that year.
- (5) Each member so elected or appointed is to hold office (unless the member resigns or dies, or Schedule 1 provides differently) for four years from the 1st February next following their election or appointment.
- (6) The appointment of a member of the Council under paragraph (1)(f) is first to be made by 1st April 2011, and thereafter by 1st April in every fourth year.
- (7) A member so appointed is to hold office (unless the member resigns or dies, or Schedule 1 provides differently)—
- (a) in the case of the first appointment, from the date of appointment until 31st March 2015; and
 - (b) thereafter, for four years from the 1st April next following the appointment.

Functions of the Council

5. The Council has the following functions—
- (a) making rules relating to—
 - (i) agricultural activities, the management of vegetation and the exercise of rights of common on the Commons;
 - (ii) the leasing and licensing of rights of common;
 - (b) maintaining a register of the grazing of animals on each of the Commons in accordance with article 8;
 - (c) maintaining and securing fences or other boundaries on land forming part of the Commons or between the Commons and adjoining land (including the enforcement of any obligation upon another person to fence against the Commons);
 - (d) removing unauthorised fences or other encroachments upon the Commons;
 - (e) removing animals unlawfully permitted to graze on the Commons;
 - (f) managing vegetation on the Commons; and
 - (g) managing the exercise of rights of common on the Commons.

Rules: further provision

- 6.—(1) Rules under article 5(a)(i) may in particular include provision—
- (a) limiting periods when animals may be turned out onto the Commons;
 - (b) limiting the number of animals which may be turned out onto the Commons during a specified period (for example, by restricting each commoner with rights to graze animals from exercising more than a specified proportion of those rights during the specified period);
 - (c) restricting or prohibiting the turning out of entire animals;
 - (d) about measures to be taken to control disease among animals on the Commons, including temporary prohibition of the grazing of animals on the Commons;
 - (e) about the supplementary feeding of animals on the Commons;
 - (f) about standards of husbandry to be followed by persons keeping animals on the Commons; and
 - (g) requiring, from any person to be entered in the register maintained in accordance with article 8, the information described in that article.

- (2) Rules may be made under article 5(a)(i) applying to—
- (a) all of the Commons; or
 - (b) such of the areas of land comprised in the Commons as are specified in the rules.

Procedure for making, amending or revoking rules

7.—(1) Rules to be made under article 5(a), or any amendments to such rules (other than an amendment consisting solely of the revocation of one or more rules), must be confirmed by the Secretary of State before coming into force.

(2) At least one month before it applies to the Secretary of State for confirmation of the proposed rules, the Council must—

- (a) publish notice of its intention to apply for confirmation—
 - (i) in one or more local newspapers circulating in the area of the Basset National Park, and
 - (ii) together with a copy of the proposed rules, on a website;
- (b) give notice in writing of its intention to such persons (if any) as it considers represent the interests of commoners;
- (c) deposit a copy of the proposed rules with—
 - (i) the proper officer of the Basset National Park Authority,
 - (ii) the proper officers of Basset Vale District Council and East Bassetshire District Council, and
 - (iii) the chairman of each parish council and parish meeting within the area of the Commons,

who must retain it in accordance with section 225 of the Local Government Act 1972^(a) and make it available for inspection and the making of copies in accordance with section 228 of that Act, in each case until such time as the proposed rules in question are either confirmed or confirmation of them is refused; and

- (d) post a copy of the proposed rules, together with a statement of its intention to apply for confirmation of them, in a prominent place on or in the locality of each area of land forming part of the Commons.

(3) The Council must on an application made to it provide to any person a copy of the rules (before or after confirmation), on payment of a charge of such amount as the Council may reasonably determine.

(4) If any written representations are served on the Council before it applies for confirmation of the rules, the Council must send a copy of the representations to the Secretary of State with the application for confirmation, and the Secretary of State must take account of any such representations in deciding whether to confirm the rules.

(5) The Secretary of State may confirm, or refuse to confirm, any rules submitted under this article for confirmation, but reasons must be given to the Council if the Secretary of State refuses to confirm them.

(6) Upon confirming any rules, the Secretary of State may fix the date on which the rules are to come into operation, and if no date is so fixed the rules shall come into operation one month after the date of their confirmation.

(7) When rules have been confirmed by the Secretary of State, the Council must, at least 14 days before the rules come into operation—

^(a) 1972 c.70. Section 225 contains amendments not relevant to its application to article 7. Section 228 was amended by the Criminal Justice Act 1982 (c. 48), sections 37, 38 and 46. There are other amendments to section 228 which are not relevant to its application to the authorities referred to in article 7(2)(c). Sections 225(1) and 228 have effect as if, for the purpose of those provisions, a National Park Authority were a local authority, by virtue of paragraph 17(2) of Schedule 7 to the Environment Act 1995 (c. 25).

- (a) publish notice of their confirmation, together with a copy of the rules, on a website.
 - (b) give notice in writing to such persons (if any) as it considers represent the interests of commoners;
 - (c) deposit a copy of the rules with—
 - (i) the proper officer of the Basset National Park Authority,
 - (ii) the proper officers of Basset Vale District Council and East Bassetshire District Council, and
 - (iii) the chairman of each parish council and parish meeting within the area of the Commons,
 who must retain it in accordance with section 225 of the Local Government Act 1972 and make it available for inspection and the making of copies in accordance with section 228 of that Act, in each case for as long as those rules remain in force; and
 - (d) post a copy of the rules, together with—
 - (i) a statement that they have been confirmed, and
 - (ii) the date on which they come into force,
 in a prominent place on or in the locality of each area of land forming part of the Commons.
- (8) Where the Council is acting solely to revoke any rules made under article 5(a), not less than 14 days before the revocation comes into effect the Council must—
- (a) post notice of the revocation of the rules, and the date on which it comes into effect, in a prominent place on or in the locality of each area of land forming part of the Commons;
 - (b) give notice in writing of the revocation of the rules, and the date on which it comes into effect, to—
 - (i) the Secretary of State;
 - (ii) the proper officer of the Basset National Park Authority;
 - (iii) the proper officers of Basset Vale District Council and East Bassetshire District Council;
 - (iv) the chairman of each parish council and parish meeting within the area of the Commons; and
 - (v) such persons (if any) as it considers represent the interests of commoners; and
 - (c) publish notice of the revocation, together with a copy of the rules, on a website.

Register to be maintained by Council

8.—(1) The Council is to prepare before 1st August 2011, and thereafter to keep, a register which must contain the following information—

- (a) the name and address of each commoner who at any time exercises a right of common to graze animals on any area forming part of the Commons;
- (b) the name and address of each person who at any time exercises any other right to graze animals on any area forming part of the Commons;
- (c) the name and address of any other person who is a commoner and who applies to be entered in the register;
- (d) as respects each person falling within paragraph (a) or (b)—
 - (i) a description of that person’s right of common, or other right, to graze animals and an explanation of his entitlement to exercise that right, and
 - (ii) in which quarter and on which area forming part of the Commons that person grazes animals; and
- (e) as respects each person falling within paragraph (c)—

- (i) a description of that person's right of common, including in which quarter it may be exercised, and
- (ii) an explanation of that person's entitlement to exercise that right,

(but not including information as to any matter which is, or was, capable of being registered under Schedule 3 to the 2006 Act, but which has not been registered).

(2) The register may also contain such further information as the Council thinks fit to record relating to the grazing of animals on the Commons, including for example—

- (a) the number, types and breeds of animals grazed on any area of land forming part of the Commons, and the distribution of animals on different parts of any such area;
- (b) the period during which such grazing takes place; and
- (c) the mark, tag or other method by which the ownership of those animals may be identified.

(3) Any person who—

- (a) has lawfully grazed an animal or animals on any part of the Commons in the preceding two years, or
- (b) proposes to exercise a right to graze animals on any part of the Commons,

may apply to the secretary of the Council to be entered in the register, giving such information as is reasonably required.

(4) Any person who is entered in the register may, if—

- (a) that person is no longer grazing animals on the common, or
- (b) there is any other change in the relevant information recorded in the register,

apply to the secretary of the Council for the entry in the register to be amended or removed.

(5) Any member of the public may, on application to the secretary of the Council, make an appointment to inspect the register without charge.

(6) Any person objecting to any information recorded in the register, or to the omission of any information from the register, may complain in writing to the secretary of the Council, and the Council must consider the complaint and give the person notice of their decision in writing.

Appointment of reeves

9.—(1) The Council may appoint such persons as it thinks necessary to act as reeves for the purposes of—

- (a) enforcing or securing compliance with rules made by the Council; and
- (b) carrying out any activities on the Commons (such as managing vegetation, or removing animals turned out on to the Commons without lawful authority) in pursuance of the functions of the Council.

(2) Any reeve acting pursuant to an appointment under this article must carry a warrant issued by the Council as to that appointment and produce it if required.

Decisions of the Council

10.—(1) Schedule 2 makes provision about the manner in which decisions are to be taken by the Council.

(2) The application of paragraph 9 of the Standard Constitution is subject to Schedule 2.

Vacancies in membership of the Council

11.—(1) Paragraph 18 of the Standard Constitution applies subject to paragraph (2).

(2) If, for any quarter, all four of the posts to be filled by election under article 4(1)(a) are vacant, the Council may act only for the purpose of holding a by-election in that quarter to fill those vacancies.

Date

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

SCHEDULE 1 Articles 2 and 4(3), (5) and (7)

Election and appointment of members of the Council

Election and appointment of first members of the Council

1. The Secretary of State must appoint a returning officer to facilitate the election and appointment of the first members of the Council.

2. For the purpose of the first elections of the members of the Council under article 4(1)(a) and (b), the returning officer must, in relation to each quarter, compile a list of each of the following—

- (a) persons who appear to the returning officer to be active graziers on land registered as common land in that quarter; and
- (b) persons who appear to that officer to be commoners who are not within sub-paragraph (a), but are entitled to exercise rights of common over land registered as common land in that quarter.

3. For the purpose of the first election of members of the Council under article 4(1)(e), the returning officer must compile a list of the persons, other than the Duke of Omnium and the Barset National Park Authority, who appear to the returning officer to own any land forming part of the Commons.

4. In relation to each list, only persons included on the list are entitled to vote in the election of members of the category listed.

5.—(1) Sub-paragraph (2) applies in relation to a commoner who is entitled to exercise rights of common over land in more than one quarter.

(2) The commoner must be included on a list compiled under paragraph 2 for at least one quarter in which the rights are exercisable (to be that for the quarter notified by the commoner to the returning officer or, in the absence of such notification, that for such quarter as the returning officer decides), and must also be included on the list for any one or more other quarters in respect of which the rights are exercisable if the commoner so wishes and has notified the returning officer accordingly (and, consequently, the commoner is entitled to vote at the election meetings held in each of the quarters in respect of which the commoner is listed).

6. Before finalising the lists under paragraphs 2 and 3, the returning officer must—

- (a) by advertisement in one or more local newspapers circulating in the area of the Commons, specify a period (ending not less than 28 days after the date of publication of the notice) within which the draft lists may be inspected and representations may be made about them, and give details of the dates, times and place at which such inspection may be made, and of the website on which publication is required under sub-paragraph (c);
- (b) make available for inspection a draft of each list during the period and at the place specified under sub-paragraph (a);

- (c) publish on a website both the notice and draft lists throughout the period specified under sub-paragraph (a); and
- (d) in drawing up the final lists, take account of any representations received within the time specified under sub-paragraph (a).

7. In compiling and finalising the lists under paragraph 2, the returning officer—

- (a) must presume any declaration of entitlement to a right of common^(a) contained in the register of common land kept by Basset County Council to be accurate; and
- (b) must not take account of any matter which is, or was, capable of being registered under Schedule 3 to the 2006 Act, but which has not been registered.

8. The returning officer may request further information from any person who makes representations under paragraph 6(a), and in particular may require proof of ownership of, or (as applicable) other title to, land from—

- (a) any person claiming to be entitled to be included on a list under paragraph 2 as the owner or tenant of land to which a right of common is registered as being attached; and
- (b) any person claiming to be entitled to be included on the list under paragraph 3 as the owner of land.

9. In drawing up the final lists, the returning officer must take account of any representations received within the time specified under paragraph 6(a) and any further information provided pursuant to a request under paragraph 8.

10. The decision of the returning officer as to whether or not any person is entitled to be included on any list is conclusive, and the validity of the election may not be questioned in any legal proceedings on the ground that any person should have been included in or omitted from any list.

11.—(1) The returning officer must arrange a time, date and place for—

- (a) an election meeting for each of the four quarters; and
- (b) the first meeting of the Council.

(2) The election meeting for each quarter must be held—

- (a) at a place within that quarter; and
- (b) before the appointed day, but on a different date from the election meeting for any other quarter.

(3) The first meeting of the Council must be held—

- (a) at a place within Basset National Park; and
- (b) before the appointed day, but after the election meetings for each of the four quarters.

12. The returning officer must, not less than 28 days before the first of the meetings arranged under paragraph 11(1), by advertisement in one or more local newspapers circulating in the area of the Commons—

- (a) give notice of the holding of those meetings; and
- (b) invite nominations in writing for election as members of the Council, specifying a date by which nominations must be received.

13. The only persons eligible to nominate persons for election as members of the Council are—

- (a) in relation to each quarter—
 - (i) in respect of persons to be elected under article 4(1)(a), the persons included on the list compiled pursuant to paragraph 2(a) for that quarter; and

(a) Regulation 44 of the Commons Registration (England) Regulations 2008 (S.I. 2008/1961) provides for the making of declarations of entitlement to a right of common.

- (ii) in respect of persons to be elected under article 4(1)(b), the persons included on the list compiled pursuant to paragraph 2(b) for that quarter; and
- (b) in respect of persons to be elected under article 4(1)(e), the persons included on the list compiled pursuant to paragraph 3.

14. At the election meeting for each quarter—

- (a) the returning officer must announce the valid nominations received for membership of the Council pursuant to article 4(1)(a) and (b) in relation to that quarter; and
- (b) in relation to the categories mentioned in article 4(1)(a) and (b)—
 - (i) where the number of valid nominations does not exceed the number of vacancies to be filled, the returning officer must declare the candidate or candidates to be duly elected unopposed; and
 - (ii) in any other case, the returning officer must cause an election by ballot of those present and entitled to vote to be held at the meeting.

15.—(1) Where an election by ballot is held for the election of members of the Council under article 4(1)(a) in relation to any quarter—

- (a) the two candidates receiving the highest numbers of votes are to stand elected as members from the appointed day until 31st January 2015; and
- (b) the two candidates receiving the next highest numbers of votes are to stand elected as members from the appointed day until 31st January 2013.

(2) Where members are elected unopposed under article 4(1)(a), or where two or more candidates receive the same number of votes in a ballot, their periods of membership are to be decided by lot.

16. The Basset National Park Authority and the Duke of Omnium must, before the date of the first meeting of the Council, notify the returning officer in writing of the names of the persons whom they wish to appoint as members of the Council pursuant to article 4(1)(c) and (d).

17. At the first meeting of the Council—

- (a) the returning officer must announce the names of—
 - (i) the persons elected as members of the Council pursuant to article 4(1)(a) and (b) for each of the four quarters;
 - (ii) the persons appointed as members of the Council by the Basset National Park Authority and the Duke of Omnium pursuant to article 4(1)(c) and (d); and
 - (iii) the valid nominations received for membership of the Council pursuant to article 4(1)(e);
- (b) in relation to the election of members under article 4(1)(e)—
 - (i) if the number of nominations is not greater than two, the returning officer must declare the candidate or candidates to be duly elected unopposed; and
 - (ii) in any other case, the returning officer must cause an election by ballot of those present and entitled to vote to be held at the meeting.

18.—(1) Where an election by ballot is held for the election of members of the Council under article 4(1)(e)—

- (a) the candidate receiving the highest numbers of votes is to stand elected as a member from the appointed day until 31st January 2015; and
- (b) the candidate receiving the next highest number of votes is to stand elected as a member from the appointed day until 31st January 2013.

(2) Where members are elected unopposed under article 4(1)(e), or where two candidates receive the same number of votes in a ballot, their periods of membership are to be decided by lot.

Appointment of subsequent members

19. For each subsequent occasion on which new members of the Council are to be elected under any of sub-paragraphs (a), (b) and (e) of article 4(1), or for the purposes of any election to fill a casual vacancy caused by a person so elected ceasing to be a member, the secretary of the Council or another member chosen by the Council is to act as returning officer.

20. On any such subsequent occasion, a person may only be elected as a member or vote in an election if—

- (a) in the case of an active grazier, the person is entered under article 8(1)(a) in the register kept by the Council, and recorded in that register as grazing animals in the quarter for which the election is being held;
- (b) in the case of any other commoner, the person is entered under article 8(1)(c) in the register, and recorded as being entitled to exercise rights of common in the quarter for which the election is being held; and
- (c) in the case of an owner of any part of the Commons, the person provides the returning officer with such evidence of ownership of that part as the returning officer may reasonably require.

21. Where the membership of a person appointed by the Basset National Park Authority or the Duke of Omnium expires, or a casual vacancy arises for such a position, the Basset National Park Authority or the Duke of Omnium (as the case may be) must notify the secretary of the Council of the person whom it, or he, wishes to appoint as a member.

22. Members are to be elected or appointed, and any elections are to be conducted, in accordance with the standing orders of the Council.

General provisions

23. In any election of members of the Council—

- (a) each commoner entitled to vote is entitled to one vote;
- (b) each owner of the Commons entitled to vote shall have a vote that is weighted in proportion to the extent of his ownership, but may cast that vote only in respect of one candidate;
- (c) where two or more persons are commoners or owners by virtue of a joint holding, they are not each entitled to vote but may jointly nominate one of them to be entitled to vote; and
- (d) the returning officer may allow a person entitled to vote to appoint a proxy in writing to vote on that person's behalf.

24. A declaration signed by the returning officer of the election of a person to the Council is evidence of such election.

SCHEDULE 2

Article 10

Decisions of the Council

Voting rights

1. All members of the Council elected or appointed pursuant to sub-paragraphs (a) to (f) of article 4(1) are entitled to vote in any decisions taken by the Council, and their votes are to have equal weight, except as provided in paragraph 4.

2. Members of the Council co-opted pursuant to article 4(1)(g) are advisory members, and are not entitled to vote in decisions taken by the Council.

Decisions requiring special majority

3.—(1) A decision by the Council on any of the matters specified in sub-paragraph (2) must be made at a meeting of the Council and approved in a vote by a majority of at least two-thirds of the members present.

(2) Those matters are—

- (a) making, amending or revoking any rules;
- (b) making, amending or revoking any standing orders;
- (c) entering into any agreement under which the Council undertakes any obligation as to the manner in which it is to exercise any of its functions;
- (d) co-opting any person as a member of the Council.

Decisions affecting only part of land comprised in the Commons

4.—(1) This paragraph applies in relation to any decision of the Council relating to the use or management of land which affects only part of the land comprised in the Commons.

(2) The members elected under article 4(1)(a) and (b) for a quarter are not entitled to vote on a decision which does not affect any of the land within that quarter.

(3) Where sub-paragraph (2) applies in relation to a decision, the votes of those members elected under article 4(1)(a) and (b) who are entitled to vote on the decision are to be weighted so that—

- (a) if the members elected for one quarter are entitled to vote, each such member has 4 votes;
- (b) if the members elected for two quarters are entitled to vote, each such member has 2 votes; and
- (c) if the members elected for three quarters are entitled to vote, each such member has 1 1/3 votes.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes, with effect from 1st February 2011, a commons council (“the Council”) for all the registered common land within the Basset National Park (*article 3*).

The Order—

(a) makes provision as to the Council’s membership, and its election or appointment (*article 4 and Schedule 1*);

(b) confers functions on the Council, including that of making rules relating to agricultural activities, the management of vegetation, and the exercise of, and the leasing and licensing of, rights of common (*articles 5 and 6*);

(c) requires that any rule made or amended by the Council (other than an amendment consisting solely of the revocation of any previously made rule) must be confirmed by the Secretary of State before it shall come into force, and describes the procedure for publicising any rules it makes, and for obtaining the Secretary of State’s confirmation of them (*article 7*);

(d) describes the information to be included in the register of grazing (*article 8*);

(e) permits the Council to appoint reeves, for the purpose of enforcing or securing compliance with any of its rules, and for carrying out other of the activities in pursuance of the council’s functions (*article 9*);

(f) describes the manner in which decisions are to be taken by the Council (*Schedule 2*).

The standard constitution for commons councils, as prescribed in the Commons Councils (Standard Constitution) (England) Regulations 2010 (S.I. 2010/XXXX), applies to the Council by virtue of section 29(2) of the Commons Act 2006 (c. 26) but, in respect of that constitution, and in accordance with section 29(5) of that Act, the application of paragraph 9 is made subject to Schedule 2 to this Order (*article 10(2)*), and the application of paragraph 18 is made subject to article 11(2) (*article 11(1)*).

A copy of the map showing the quarters of the National Park defined in article 2(g) is available for inspection at the offices of the Basset National Park Authority, Park View, Great Dale, BT16 2PP, and at the Defra Library, Lower Ground Floor, Ergon House, Horseferry Road, London SW1P 2AL.

A full impact assessment of the effect this instrument will have on the costs of business and the voluntary sector is available at www.defra.gov.uk.