



Greenham and Crookham Commons Act 2002

2002 CHAPTER i

PART 3

PUBLIC ACCESS

12 Effect of public access on owners' rights and liabilities

- (1) The Occupiers' Liability Act 1957 (c. 31) shall have effect as if in section 1 each reference to a right conferred by section 2(1) of the 2000 Act included a reference to a right conferred by section 11 (Rights of public access) of this Act.
- (2) Any restriction arising under a covenant or otherwise as to the use of any land comprised in the Common or any additional open space shall have effect subject to the provisions of this Part of this Act and any liability of a person interested in such land in respect of such a restriction shall be limited accordingly.
- (3) For the purposes of any enactment or rule of law as to the circumstances in which the dedication of a highway or the grant of an easement may be presumed, or may be established by prescription, the use by the public or by any person of a way across any land at any time while it is comprised in the Common or any additional open space shall be disregarded.
- (4) Subsection (1) above has effect subject to section 42 (Transitional provisions) below.