



# Greenham and Crookham Commons Act 2002

## 2002 CHAPTER i

### PART 6

#### MISCELLANEOUS AND SUPPLEMENTARY

#### **30 Power to modify constitution of Commission**

- (1) The Council, after consulting the Commission, may make a scheme altering the constitution of the Commission.
- (2) The Council shall if so requested by an appointing body, make a scheme which—
  - (a) discharges the appointing body from its functions under this Act; and
  - (b) alters the constitution of the Commission by the removal of the member or members appointed by the appointing body;and such a scheme may make such other provision altering the constitution of the Commission, as the Council, after consulting the Commission, think necessary or expedient in consequence of paragraphs (a) and (b) above.
- (3) A scheme under this section —
  - (a) may make new provision in place of section 7 (Establishment of Greenham and Crookham Common Commission) above and Schedule 1 (Appointment and election of Commissioners), Schedule 2 (Rules applicable to election of Commissioners) and Schedule 3 (Incidental provisions with respect to Commission) to this Act, or
  - (b) may make any amendment to those provisions.
- (4) A scheme under this section shall not have effect unless it is confirmed by the Secretary of State by order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Before making an application to the Secretary of State for confirmation of a scheme under this section, the Council shall—

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (a) publish the required notice in a local newspaper circulating in the area of the Common; and
  - (b) serve the required notice with a copy of the scheme and of this section on—
    - (i) the Commission;
    - (ii) each of the appointing bodies; and
    - (iii) such other bodies as appear to the Council to represent interests likely to be concerned.
- (6) The required notice is a notice—
- (a) stating that the scheme has been made and is about to be submitted to the Secretary of State for confirmation;
  - (b) in the case of a scheme made under subsection (2) above, naming the appointing body and stating that the body has requested the Council to make a scheme discharging the body from its functions under the Act and altering the constitution of the Commission by the removal of the member or members appointed by the appointing body;
  - (c) explaining the general effect of the scheme;
  - (d) naming the Council's offices or another place in the area of the Common where a copy of the scheme can be inspected free of charge, and copies may be obtained at a reasonable charge, at all reasonable hours; and
  - (e) specifying the period of time (not being less than 42 days from the date of the notice) within which, and the manner in which, any person may serve on the Council any written representations with respect to the scheme.
- (7) The Council—
- (a) shall consider any written representations duly made under subsection (4) above; and
  - (b) may withdraw the scheme, or make any modifications to it, in the light of any such representations.
- (8) If the Council do not withdraw the scheme, they may apply to the Secretary of State for confirmation of the scheme (whether as originally made or as modified under subsection (5) above) and shall send to the Secretary of State with the application a copy of any written representation duly made under subsection (4) above which has not been withdrawn.
- (9) The Secretary of State shall take account of any such representation in deciding whether to confirm the scheme.