

NATIONAL PARKS (SCOTLAND) ACT 2000

EXPLANATORY NOTES

INTRODUCTION

Section 4: Statements by the Scottish Ministers

18. This section sets out the process which the Scottish Ministers must follow in cases where they wish to consider an area for National Park designation, but do not require a report from another body. The process is similar to that set out in section 3, and requires Ministers to publish a statement following public consultation on the proposal.
19. Under *subsection (1)*, if the Scottish Ministers do not want a report prepared under section 3, they must undertake consultations as set out under subsection (3) and prepare and publish and lay before the Parliament a statement on the National Park proposal dealing with specified issues. *Subsection (2)* sets out those issues, which are the same as in section 3(2).
20. *Subsection (3)* requires that before publishing their statement the Scottish Ministers must send a copy of the proposal to every local authority which has at least part of its area covered by the proposal, determine the period (which must be at least 12 weeks) for which the proposal and requirement are to be made available for public inspection under subsection (4) and notify every such local authority of that period. The Scottish Ministers must publicise the proposal as they see fit; and consult every local authority and community council, people representative of those living and working in the area covered by the proposal, and anyone else they see fit, on the proposal.
21. Under *subsection (4)* local authorities which receive a copy of the proposal must make it available for public inspection over a period specified by the Scottish Ministers.
22. *Subsection (5)* requires Ministers, in preparing a statement under subsection (1), to take account of a number of factors: whether the matters in subsection (2) are satisfied in relation to the proposed area; the aims of National Parks (in section 1)); views expressed during the consultation period; and anything else they consider relevant (such as administrative boundaries).