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## SCHEDULES

### SCHEDULE 10

#### MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO NATIONAL PARKS

##### *The Town and Country Planning Act 1990 (c. 8)*

- 32 (1) In paragraph (a) of section 1(5) of the Town and Country Planning Act 1990 (provisions to which subsections (1) to (4) are subject)—
- (a) for “sections 5 to” there shall be substituted “ sections 4A to ”; and
  - (b) at the end there shall be inserted “ and ”.
- (2) In section 2 of that Act (joint planning boards), before subsection (2) of that section there shall be inserted the following subsection—
- “(1D) The areas that may be constituted as a united district for the purposes of this section shall not include the whole or any part of an area which is comprised in a National Park for which there is a National Park authority.”
- (3) In section 4 of that Act (National Parks), after subsection (4) there shall be inserted the following subsection—
- “(5) This section shall have effect subject to section 4A below.”
- (4) In sections 90(1) and 101(2)(c) of that Act (development with government authorisation), after the words “local authority”, in each place where they occur, there shall be inserted “ or National Park authority ”.
- (5) In sections 169 and 170(2)(b) of that Act (provisions in relation to blighted land), after “local authority” there shall be inserted “ National Park authority ”.
- (6) In section 209(5) of that Act (regulations for charging expenses of a local authority which is a local planning authority on land), after “local authority” there shall be inserted “ or National Park authority ”.
- (7) In section 252 of that Act (procedure for making certain orders)—
- (a) in subsection (2) (bodies to be given notice), after paragraph (a) there shall be inserted the following paragraph—
    - “(aa) on any National Park authority which is the local planning authority for the area in which any highway or, as the case may be, any land to which the order relates is situated, and”;
  - (b) in subsection (4) (objections), after “local authority” there shall be inserted “ National Park authority ”.
- (8) In section 253(2)(a) of that Act (procedure in anticipation of planning permission)—
- (a) in subsections (2)(a) and (3)(a), after “local authority”, in each case, there shall be inserted “ National Park authority ”; and
  - (b) in subsection (4), after “London borough” there shall be inserted “ a National Park authority ”.

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- (9) In section 305(1)(a) of that Act (contribution by Ministers towards compensation paid by local authorities), after “local authority” there shall be inserted “ or National Park authority ”.
- (10) In section 306 of that Act (contributions by local authorities and statutory undertakers), after subsection (5) there shall be inserted the following subsection—
- “(6) This section shall have effect as if the references to a local authority included references to a National Park authority.”
- (11) In section 330 of that Act (power to require information as to interests in land), after subsection (5) there shall be inserted the following subsection—
- “(6) This section shall have effect as if the references to a local authority included references to a National Park authority.”
- (12) In section 333(1) of that Act (regulations as to form of notice etc.), after “local authority” there shall be inserted “ or National Park authority ”.
- (13) In section 336(1) of that Act (interpretation), in the definition of “local authority” after “subsection (10)” there shall be inserted “ below and section 71(7) of the Environment Act 1995 ”.
- (14) In Schedule 1 to that Act (distribution of planning functions)—
- (a) in paragraph 4(2) (consultation with district planning authorities)—
- (i) after “determined by a” there shall be inserted “ National Park authority [<sup>F1</sup>or] ”; and
- (ii) before “the district planning authority” there shall be inserted “ any authority which (but for section 4A) would be [<sup>F1</sup>or, as the case may be, which is] ”; and
- (b) in paragraph 13(1), for “A county planning authority” there shall be substituted “ In the case of any area for which there is both a district planning authority and a county planning authority, the county planning authority ”;
- (c) [<sup>F1</sup>in sub-paragraph (2) of paragraph 19, after “Park” there shall be inserted “ to which section 4 applies ”, and] after that sub-paragraph there shall be inserted the following sub-paragraph—
- “(2A) As respects the area of any National Park for which a National Park authority is the local planning authority those functions shall be exercised by that authority.”
- (d) in paragraph 20(4)—
- (i) [<sup>F1</sup>in paragraph (a), for “outside a metropolitan county” there shall be substituted “ which is land in an area the local planning authority for which comprises both a county planning authority and a district planning authority ”; and]
- (ii) in paragraph (b), for “elsewhere” there shall be substituted “ [<sup>F1</sup>other] land in an area the local planning authority for which comprises both a county planning authority and a district planning authority ”.
- (15) In paragraph 4(5)(b) of Schedule 8 to that Act (which refers to directions under section 90(1) of that Act), after “local authority” there shall be inserted “ National Park authority ”.

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- (16) In Schedule 13 to that Act (blighted land), in paragraph 1(a)(i), after “local authority” there shall be inserted “ National Park authority ”.
- (17) In Schedule 14 to that Act (procedure for footpaths and bridleways orders)—
- (a) after paragraph 1(2)(b)(ii) (persons on whom notice served) there shall be inserted the following sub-paragraph—
    - “(iia) any National Park authority for a National Park which includes any of that land; and”;
  - (b) in paragraph 1(6) (cases where owner, occupier or lessee is local authority), after “local authority” there shall be inserted “ National Park authority ”; and
  - (c) in paragraph 3(2) (local inquiry to be held if objection by local authority), after “local authority” there shall be inserted “ or a National Park authority ”.
- (18) So much of any provision of this paragraph as amends an enactment repealed by this Act shall cease to have effect with the coming into force of the repeal.

#### Textual Amendments

- F1** Words in Sch. 10 para. 32(3)(14)(a)(c)(d) ceased to have effect (1.4.1997) by virtue of [1995 c. 25, s. 78](#), [Sch. 10 para. 32\(18\)](#) (with [ss. 7\(6\), 115, 117](#)); [S.I. 1996/2560, art. 2, Sch.](#)

#### Commencement Information

- II** Sch. 10 para. 32 wholly in force at 1.4.1997; Sch. 10 para. 32 not in force at Royal Assent see s. 125(3); Sch. 10 para. 32(1)-(13)(15)-(18) in force at 23.11.1995 by [S.I. 1995/2950, art. 2\(1\)](#) (subject to [art. 2\(2\)](#)); Sch. 10 para. 32(14) in force at 1.4.1997 by [S.I. 1996/2560, art. 2](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)