



# Countryside (Scotland) Act 1967

## 1967 CHAPTER 86

### PART IV

#### FURTHER POWERS OF CERTAIN AUTHORITIES

#### **[<sup>F1</sup>48 Country Parks.**

- (1) A country park is a park or pleasure ground in the countryside which by reason of its position in relation to major concentrations of population affords convenient opportunities to the public for enjoyment of the countryside or open-air recreation.
- (2) Each local planning authority shall assess the need for a country park whether within or outwith their area or partly within and partly outwith their area and shall from time to time review that need; for the purposes of this subsection each local planning authority, or where a joint advisory committee has been established under subsection (8) below, that committee, shall from time to time consult with [<sup>F2</sup>Scottish Natural Heritage] and with such other local planning authorities as appear to them to be concerned.
- (3) In assessing and reviewing the need for a country park under subsection (2) above, the local planning authority shall have regard to the existing availability and adequacy of such opportunities as are described in subsection (1) above.
- (4) Any local planning authority may, whether within or outwith their area or partly within and partly outwith their area, provide, lay out, improve, maintain and manage a country park including any buildings, equipment, facilities, services or works ancillary thereto or which appear to them to be requisite for the enjoyment or convenience of the public, and the authority shall have power to make such charges as they think fit in connection with the use of the park by the public.
- (5) Any two or more local planning authorities may combine together for the purpose of exercising the powers conferred by subsection (4) above and the expenditure incurred in the exercise of those powers shall be shared between the authorities on terms agreed by them having regard to the prospective use of the country park by the inhabitants of the areas of the respective authorities concerned or failing such agreement on terms determined by the Secretary of State having regard to the aforesaid consideration.

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*Changes to legislation: There are currently no known outstanding effects for the  
 Countryside (Scotland) Act 1967, Section 48. (See end of Document for details)*

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- (6) Any local planning authority or authorities shall have power to act as agent for any other local planning authority or authorities in the exercise of their powers under subsection (4) above and may receive from the authority or authorities on whose behalf they act contributions towards the expenditure incurred in the exercise of those powers on terms agreed or determined as mentioned in subsection (5) above.
- (7) The powers conferred by subsection (4) above may be exercised by a local planning authority either on land belonging to them, or, with the consent of all persons having an interest therein, on other land and they shall include power to make arrangements by agreement for the exercise of any of those powers on behalf of the authority by some other person on such terms as may be specified in the agreement.
- (8) Any two or more local planning authorities may, . . . <sup>F3</sup> concur in establishing a joint advisory committee for the purpose of making recommendations to those authorities as to the need mentioned in subsection (2) above, as to the provision of the country parks by those authorities, and for the purpose of consulting with [<sup>F2</sup>Scottish Natural Heritage] as to those matters; and any such committee shall be constituted in such manner as may be determined by the authorities by whom it is established:  
 Provided that a majority of the members of any such committee shall be members of those authorities.
- (9) . . . . . <sup>F4</sup>
- (10) For the purpose of any of their functions under this section a local planning authority may acquire land compulsorily,]

#### Textual Amendments

- F1** S. 48 ceases to have effect for specified purposes (8.9.2000) by virtue of 2000 asp 10, s. 36, **Sch. 5 para. 2(3)(4)** (with s. 32); S.S.I. 2000/312, **art. 2**
- F2** Words in s. 48 substituted (01.04.1992) by Natural Heritage (Scotland) Act 1991 (c. 28, SIF 46:1 ), **s. 14(3)**; S.I. 1991/2633, **art. 4.**
- F3** Words repealed by Countryside (Scotland) Act 1981 (c. 44, SIF 46:1), **Sch. 2**
- F4** S. 48(9) repealed by Countryside (Scotland) Act 1981 (c. 44, SIF 46:1), **Sch. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Countryside (Scotland) Act 1967, Section 48.