

SCHEDULES

SCHEDULE 14

Section 87(6).

SUPPLEMENTAL POWERS OF CONSERVATION BOARDS

Interpretation

- 1 In this Schedule—
- “common”, “disposal” and “open space” have the same meaning as in the Town and Country Planning Act 1990;
 - “relevant order” has the same meaning as in Schedule 13.

Power to acquire land

- 2 (1) For the purposes of any of their functions under this or any other enactment, a conservation board may acquire by agreement any land, whether situated inside or outside their area of outstanding natural beauty.
- (2) The reference in sub-paragraph (1) to acquisition by agreement is a reference to acquisition for money or money’s worth as purchaser or lessee.

Power to dispose of land

- 3 Subject to paragraphs 4 to 6 and to the provisions of the relevant order, a conservation board may dispose, in any manner they wish, of land which is held by them but no longer required by them for the purposes of their functions.
- 4 (1) Except with the consent of the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales), a conservation board may not—
- (a) dispose under paragraph 3 of land which consists of or forms part of a common, or formerly consisted of or formed part of a common, and is managed by a local authority in accordance with a local Act,
 - (b) dispose under paragraph 3 of land, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.
- (2) For the purposes of this paragraph a disposal of land is a disposal by way of a short tenancy if it consists—
- (a) of the grant of a term not exceeding seven years, or
 - (b) of the assignment of a term which at the date of the assignment has not more than seven years to run.

- 5 A conservation board may not dispose under paragraph 3 of any land consisting of or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.

Status: This is the original version (as it was originally enacted).

- 6 Section 128 of the Local Government Act 1972 (consents to land transactions by local authorities) applies in relation to a conservation board as if a conservation board were a principal council and as if paragraphs 3 to 5 were contained in Part VII of that Act.)

Provisions as to charges

- 7 In section 152(2) of the Local Government and Housing Act 1989 (provisions as to charges), after paragraph (ja) there is inserted—
“(jb) a conservation board established by order under section 86 of the Countryside and Rights of Way Act 2000;”;
and section 151 of that Act (power to amend existing provisions as to charges) shall have effect as if references to an existing provision included references to any such provision as applied by or under Part IV of this Act.