



# National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97

## PART VI

GENERAL, FINANCIAL AND SUPPLEMENTARY

### *Areas of outstanding natural beauty*

#### **87 Designation of areas of outstanding natural beauty**

- (1) The Commission may, by order made as respects any area in England or Wales, not being in a National Park, which appears to them to be of such outstanding natural beauty that it is desirable that the provisions of this Act relating to such areas should apply thereto, designate the area for the purposes of this Act as an area of outstanding natural beauty; and references in this Act to such an area shall be construed as references to an area designated under this section.
- (2) Where the Commission propose to make an order under this section they shall consult with every local authority whose area includes any part of the area to which the proposed order is to relate, and shall then, before making the order, publish, in the London Gazette and in one or more local newspapers circulating in the area of every such authority as aforesaid, notice that they propose to make the order, indicating the effect of the order and stating the time within which and manner in which representations with respect thereto may be made to the Commission, and shall consider any representations duly made.
- (3) An order under the last foregoing subsection shall not come into operation unless and until submitted to and confirmed by the Minister, and in submitting any such order to the Minister the Commission shall forward to him any observations made by a local authority consulted in pursuance of the last foregoing subsection and any representations duly made thereunder, other than observations or representations to which effect is given by the order as submitted to the Minister.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The Minister may confirm an order submitted to him under this section either as submitted or with such modifications as he thinks expedient.
- (5) Before refusing to confirm an order under this section, or determining to confirm it with modifications, the Minister shall consult with the Commission and with every local authority whose area includes any land to which the order as submitted, or as proposed to be modified, relates.
- (6) In this section the expression " local authority " means a joint planning board, county council, county borough council or county district council.
- (7) Without prejudice to the power of the Commission to vary an order under this section, the Minister may by order vary any such order of the Commission ; and subsection (2) of this section shall apply to any order of the Minister under this subsection, with the substitution for references to the Commission of references to the Minister.
- (8) It shall be the duty of the Commission to secure that copies of any order such as is mentioned in this section shall be available, at the office of the Commission, at the offices of each local authority whose area includes any part of the area to which the order relates, and at such other place or places in or near that area as the Commission may determine, for inspection by the public at all reasonable times.

**88 Application to areas of outstanding natural beauty of provisions relating to National Parks**

- (1) Paragraphs (d) and (e) of subsection (4) of section six, section nine, subsection (1) of section sixty-two, subsection (5) of section sixty-four and subsections (5) and (6) of section sixty-five of this Act shall apply in relation to areas of outstanding natural beauty as they apply in relation to National Parks.
- (2) Section eleven of this Act, so far as it confers powers for preserving and enhancing natural beauty, shall apply as aforesaid.