



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97 12 13 and 14 Geo 6

PART V

ACCESS TO OPEN COUNTRY

76 Acquisition by local authorities of land for public access.

- (1) Where it appears to a local planning authority, as respects any open country in their area, other than excepted land,—
- (a) that it is requisite that the public should have access thereto for open-air recreation; and
 - (b) that in the circumstances it is expedient that such access thereto should be secured by the acquisition of the land by the local planning authority,
- the authority may acquire the land compulsorily.

In this subsection the expression “excepted land” includes, in relation to any compulsory purchase, land such that if an access agreement or order had been made at the time when the compulsory purchase order was confirmed the land would by virtue of paragraph (d) of subsection (5) of section sixty of this Act have been excepted land for the purposes of the access agreement or order.

- (2) Where, in connection with the acquisition of any land under the last foregoing subsection it appears to the local planning authority that the proper exercise of their functions under this section will be substantially prejudiced unless other land surrounded by the first-mentioned land, or contiguous or adjacent thereto, is acquired therewith, the powers conferred by the last foregoing subsection shall extend to the acquisition of that other land.
- (3) A local planning authority may carry out on land acquired by them for the purposes of this section, and for the time being held by them for those purposes, such work as they may consider requisite for providing convenient means of access to the land or otherwise for the said purposes.

Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 76. (See end of Document for details)

- (4) While land acquired by a local planning authority under this section is held by them for the purposes thereof, it shall be the duty of the authority so to manage the land as to give to the public access for open-air recreation to so much thereof as appears to the authority to be practicable, having regard to the nature of the different parts of the land, to anything done thereon which may result in danger to the public or to persons employed thereon unless public access to the land or to adjoining land is restricted, and to all other relevant circumstances.

Modifications etc. (not altering text)

- C1** [S. 76](#): power to amend conferred by [Levelling Up and Regeneration Act 2023 \(2023 c. 55\)](#), [ss. 132](#), [255\(3\)\(a\)](#) (with [s. 247](#))

Changes to legislation:

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