



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97

PART II

NATIONAL PARKS

8 Arrangements for administration of functions of local planning authorities as respects National Parks

- (1) Not later than three months after the coming into operation of an order designating a National Park, every local planning authority whose area includes any land comprised in the Park shall consult with the Commission on the arrangements to be made for carrying out, in relation to the Park, the following provisions of this section.
- (2) Where a National Park lies partly within the area of one local planning authority and as to the rest within the area of one or more other such authorities, there shall be a joint planning board constituted under section four of the Act of 1947 for a united district consisting of the area of the Park :

Provided that where, on the representation of any of the said authorities, the Minister is satisfied after consultation with the Commission that by reason of any special circumstances it is expedient so to do for securing efficient administration in the Park, he may direct that as respects all or any of the authorities the foregoing provisions of this subsection shall not have effect unless and until the direction is revoked.

- (3) Where a National Park lies wholly within the area of one local planning authority, or while a direction under the proviso to the last foregoing subsection is in force as respects any such authority, there shall be a separate planning committee, or separate sub-committee of a planning committee, appointed under Part II of the First Schedule to the Act of 1947 for so much of the area of the authority as is comprised in the Park, and there shall be delegated to the committee or sub-committee such of the authority's functions under the Act of 1947 and this Act (other than powers to borrow money or to levy or issue a precept for a rate) as may be agreed between the authority and the Commission, or as in default of agreement the Minister may determine.

Status: This is the original version (as it was originally enacted).

- (4) In relation to local planning authorities whose areas include land in a National Park, the purposes for which under Part III of the First Schedule to the Act of 1947 a joint advisory committee may be established by local planning authorities or the Minister shall include the purpose of advising as to the exercise of all functions under the Act of 1947 and this Act ; respects the Park ; and where a direction under the proviso to subsection (2) of this section is for the time being in force as respects any authority, there shall be a joint advisory committee established as aforesaid for the purpose of advising that authority and all other local planning authorities whose areas include land in the Park as to the exercise of their said functions as respects the Park, or for that purpose and any other purposes for which such a committee can be so established.
- (5) Where the foregoing provisions of this section require the establishment of a joint board, or a planning committee or sub-committee, for any area being or comprised in a National Park, the requirement shall be deemed to be complied with, in any case where the Minister after consultation with the Commission approves, if the board, committee or sub-committee is established for that area together with other land; and where under the said provisions a local planning authority is required to establish a separate planning committee or sub-committee for each of two or more such areas, the same committee or subcommittee may be established for both or all the areas.
- (6) Not less than one third of the members of—
- (a) a joint board or joint advisory committee constituted for an area being or including the whole or any part of a National Park, or
 - (b) a planning committee, or sub-committee of a planning committee, for such an area, where no joint board is constituted for the area,

shall be persons appointed in accordance with the following provisions:—

- (i) in the case of a joint board or joint advisory committee, the said persons shall be appointed by the constituent authorities jointly;
- (ii) in the case of a planning committee or sub-committee of a planning committee, the said persons shall be appointed by the local planning authority;
- (iii) in any case the persons appointed shall be persons nominated by the Minister, after consultation with the Commission;
- (iv) the persons appointed in pursuance of this subsection shall hold office for such period, not being less than one year nor more than three years, as the persons appointing them may determine, and, if again nominated by the Minister, shall be eligible for re-appointment.

Provided that if in any particular case the Minister, with the agreement of the Commission, so determines, this subsection shall have effect as if for the words " one third " there were substituted the words " one quarter. "

- (7) Notwithstanding anything in section four of the Act of 1947, an order under that section constituting an area, being or including the whole or any part of a National Park, a united district for the purposes of the Act of 1947 may be made without holding a local inquiry.