



# National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97 12 13 and 14 Geo 6

## PART VI

GENERAL, FINANCIAL AND SUPPLEMENTARY

*General Powers of Local Planning Authorities*

### 91 Default powers of Secretary of State as to certain byelaws.

- (1) If a local planning authority, when required by the Secretary of State to make, as respects land or a waterway to which the public are given access by an agreement or order, or in consequence of acquisition, under Part V of this Act, byelaws with respect to any of the matters with respect to which they are empowered by the last foregoing section to make byelaws, do not within three months after being so required comply with the requirement to the satisfaction of the Secretary of State, he may himself make byelaws in relation to the matters, and as respects the land or waterway, in question:

Provided that before making byelaws under this section as respects a National Park or area of outstanding natural beauty<sup>[F1]</sup> in Wales ] the Secretary of State shall consult with [<sup>F2</sup> [<sup>F3</sup> Natural England ]<sup>F4</sup> (as regards land or waterways in England) or] the [<sup>F5</sup> Natural Resources Body for Wales ]<sup>F3</sup> (as regards land or waterways in Wales)].

- (2) Any byelaws made by the Secretary of State under this section shall have effect as if they had been made by the local planning authority and confirmed by the Secretary of State, and the provisions of this Act and of any enactment thereby applied shall have effect in relation to the byelaws accordingly.

#### Textual Amendments

- F1 Words in s. 91(1) inserted (E.) (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(l), [Sch. 22 para. 1\(a\)](#)

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*Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 91. (See end of Document for details)*

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- F2** Words in s. 91(1) substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 10(m)**; S.I. 2006/2541, art. 2 (with Sch.)
- F3** Words in s. 91(1) omitted (E.) (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(3)(l), **Sch. 22 para. 1(b)(c)**
- F4** Words in s. 91(1) inserted (1.4.1991) by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 130(1), **Sch. 8 para. 1(15)**; S.I. 1991/685, **art. 3**
- F5** Words in s. 91(1) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 22** (with Sch. 7)

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**Modifications etc. (not altering text)**

- C1** S. 91 amended by Countryside Act 1968 (c. 41, SIF 46:1), **s. 41(10)**

**Changes to legislation:**

There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 91.