SCHEDULE 3 Article 11

Application of enactments with modifications

PART 1

Administration

Members' allowances

1. In section 175 of the 1972 Act(**1**) (allowances for attending conferences and meetings), subsection (3B) applies as if a National Park authority were a combined body, all the members of which are representatives of local authorities.

2. In section 177 of the 1972 Act(**2**) (supplementary provisions) subsection (1)(b) applies as if a National Park authority were a body specified in section 21(1) of the Local Government and Housing Act 1989(**3**), as referred to in subsection (1)(a) of the 1972 Act.

Financial administration

3.—(1) Part 8 (financial administration) of the Local Government Finance Act 1988(**4**) ("the 1988 Act") applies to a National Park authority as if—

(a) that authority were a relevant authority for the purposes of that Part; and

(b) "the commencement day" were 1st April 1997.

(2) Section 113(2)(b) (qualifications of responsible officer) of the 1988 Act has effect in relation to the person having responsibility, under section 151 of the 1972 Act(**5**), for the administration of the financial affairs of a National Park authority as if that authority were an authority mentioned in section 111(2)(a) to (k) of the 1988 Act.

Standing orders

4.—(1) The Local Authorities (Standing Orders) Regulations 1993(**6**) apply in relation to a National Park authority as follows—

(a) regulations 1 to 3 apply as if a National Park authority were a relevant authority within the meaning of regulation 1(2);

(b) regulation 4 applies as if a National Park authority were a council mentioned in paragraph (1) of that regulation; and

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(**1**) Subsection (3B) was inserted by section 25(3) of the Local Government, Planning and Land Act 1980 (c.65) and amended by paragraph 27(b) of Schedule 11 to the Local Government and Housing Act 1989 (c.42) ("the 1989 Act"), paragraph 18 of Part 1 of Schedule 29 to the Greater London Authority Act 1999 (c.29), paragraphs 1 and 11 of Part 1 of Schedule 13 to the Local Government and Public Involvement in Health Act 2007 (c.28) and paragraphs 10 and 22 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 (c.20). Section 175 applies to National Park authorities by virtue of paragraph 11(1) of Schedule 7 to the 1995 Act.

(**2**) Subsection (1) of section 177 was substituted by paragraph 28(2) of Schedule 11 to the 1989 Act and amended by paragraph 3(2) of Schedule 30 and by Schedule 31 to the School Standards and Framework Act 1998 (c.31).

(**3**) 1989 c.42. There are amendments to section 21(1) which are not relevant to this Order.

(**4**) 1988 c.41. See section 111(2) and (4) for definitions of "relevant authority" and "the commencement day". There are amendments to section 111(2) which are not relevant to this Order.

(**5**) Section 151 is applied to National Park authorities by paragraph 13(6) of Schedule 7 to the 1995 Act.

(**6**) S.I. 1993/202. Regulations 1 and 2 were amended by S.I. 2001/3384. There are other amendments which are not relevant to these Regulations.

(c) paragraph 2 of Schedule 2 applies as if the reference to a meeting called under paragraph 3 of Schedule 12 to the 1972 Act were a reference to an extraordinary meeting of a National Park authority.

(2) Regulations 6 and 7 of the Local Authorities (Standing Orders) (England) Regulations 2001(**7**) (standing orders in respect of disciplinary action and investigation of alleged misconduct) apply as if a National Park authority were a local authority for the purpose of those Regulations.

PART 2

Miscellaneous functions

Water

5.—(1) Schedule 11 to the Water Industry Act 1991(**8**) (orders conferring compulsory works powers) applies as if a National Park authority were a local authority for the purposes of paragraph 1(3)(b) (persons to be notified of compulsory works order application).

(2) The Water Resources Act 1991(**9**) applies as if a National Park authority were a local authority for the purposes of—

(a) section 72(2)(a)(ii) of that Act (interpretation of Chapter 2);

(b) section 158(1) (works agreements);

(c) section 197(5) (information); and

(d) paragraph 2(3)(a) of Schedule 5 (procedure).

Transport and Works Act 1992

6. The Transport and Works Act 1992(**10**) applies as if a National Park authority were a local authority for the purposes of section 11(4) of that Act (inquiries and hearings).

Commons

7. The Commons (Schemes) Regulations 1982(**11**) apply as if—

(a) a National Park authority were a council for the purposes of those Regulations; and

(b) in forms 1 and 2 in the Schedule, references to the National Park authority were substituted for references to the Council and District Council.

Areas of archaeological importance

8. The Operations in Areas of Archaeological Importance (Forms of Notice etc.) Regulations 1984(**12**) apply in relation to any area of archaeological importance wholly or partly within a

(**7**) S.I. 2001/3384.
(**8**) 1991 c.56.
(**9**) 1991 c.57. Section 158(1) was amended by paragraphs 128 and 160 of Schedule 22 to the 1995 Act and S.I. 2013/755; section 197(5) was amended by paragraph 128 of Schedule 22 to the 1995 Act and paragraph 2(3) of Schedule 5 was amended by S.I. 2013/755.
(**10**) 1992 c.42.
(**11**) S.I. 1982/209, amended by S.I. 1997/2971. Paragraphs 1(1) and (2)(a) of Schedule 9 to the 1995 Act provide that section 1 (scheme for regulation) of the Commons Act 1899 (c.30) is to have effect in relation to a registered common as if a National Park authority were a local authority for the purposes of that enactment.
(**12**) S.I. 1984/1285. Paragraph 10(2) of Schedule 9 to the 1995 Act provides that section 35 (archaeological areas) of the Ancient Monuments and Archaeological Areas Act 1979 (c.46) is to have effect as if any notice required to be served on a local authority under that section were required to be served, instead, on a National Park authority.

National Park as if each reference to a district council were a reference to the National Park authority for that National Park.

Disposal of abandoned vehicles

9. The Removal and Disposal of Vehicles Regulations 1986(**13**) apply as if a National Park authority were a council for the purposes of paragraph (aa) of regulation 12(1)(e)(ii) and as if the National Park were that council's area.

Listed building purchase notices

10. The Planning (Listed Buildings and Conservation Areas) Regulations 1990(**14**) apply as if—

(a) the reference in regulation 9(1) (claims for compensation and listed building purchase notices) to the council of a district included reference to a National Park authority; and

(b) the purchase notice referred to in paragraph (2) of the form set out in Part 2 of Schedule 1 (notification of refusal of consent) were, in the case where the land is situated in a National Park, to be served on the National Park authority for that Park.

Town and country planning

11. The Town and Country Planning General Regulations 1992(**15**) apply as if the reference to the council of a district in regulation 12(1) (claims for compensation etc.) included a reference to a National Park authority.

(**13**) S.I. 1986/183. Regulation 12 was amended by S.I. 1996/1008 and 1997/2971. Paragraph 9(1) of Schedule 9 to the 1995 Act provides that references to a local authority in the Refuse Disposal (Amenity) Act 1978 (c.3) are to have effect in relation to land in a National Park for which a National Park authority is the local planning authority as if they included references to that authority and as if the relevant Park were the authority's area.

(**14**) S.I. 1990/1519. Regulation 9(1) was amended by S.I. 1996/525. Paragraph (2) of the form set out in Part 2 of Schedule 1 was amended by S.I. 1996/525, 1997/2971, 2013/2115 and 2013/2146. Under section 32(4A) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), inserted by paragraph 33 of Schedule 10 to the 1995 Act, a National Park authority is a body on whom a listed building notice may be served where it is the local planning authority for the area in which the building and land in question are situated.

(**15**) S.I. 1992/1492. Regulation 12(1) was amended by S.I. 1996/525.