

## SCHEDULE 3

### Application of enactments with modifications

## PART 2

### Miscellaneous functions

#### Water

5.—(1) Schedule 11 to the Water Industry Act 1991 <sup>M1</sup> (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 <sup>M2</sup> 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).

#### Marginal Citations

**M1** [1991 c.56](#).

**M2** [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](#).

#### Transport and Works Act 1992

6. The Transport and Works Act 1992 <sup>M3</sup> applies as if a National Park authority were a local authority for the purposes of section 11(4) of that Act (inquiries and hearings).

#### Marginal Citations

**M3** [1992 c.42](#).

#### Commons

7. The Commons (Schemes) Regulations 1982 <sup>M4</sup> 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.

#### Marginal Citations

**M4** [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.

### Areas of archaeological importance

8. The Operations in Areas of Archaeological Importance (Forms of Notice etc.) Regulations 1984<sup>M5</sup> apply in relation to any area of archaeological importance wholly or partly within a National Park as if each reference to a district council were a reference to the National Park authority for that National Park.

#### Marginal Citations

**M5** [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.

### Disposal of abandoned vehicles

9. The Removal and Disposal of Vehicles Regulations 1986<sup>M6</sup> 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.

#### Marginal Citations

**M6** [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.

### Listed building purchase notices

10. The Planning (Listed Buildings and Conservation Areas) Regulations 1990<sup>M7</sup> apply as if—
- 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
  - 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.

#### Marginal Citations

**M7** [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.

## Town and country planning

**11.** The Town and Country Planning General Regulations 1992 <sup>M8</sup> 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.

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### Marginal Citations

**M8** [S.I. 1992/1492](#). Regulation 12(1) was amended by [S.I. 1996/525](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The National Park Authorities (England) Order 2015, PART 2.