

NATIONAL PARKS (SCOTLAND) ACT 2000

EXPLANATORY NOTES

INTRODUCTION

Section 6: Making of designation orders

24. This section and section 7 set out how a National Park is set up through a designation order.
25. *Subsection (1)* provides that, following a report or statement under section 3 or 4, the Scottish Ministers can decide to make a designation order setting up a National Park either in terms of the original proposal or in a modified form.
26. Under *subsection (2)*, in making their decision they must take account of the report or statement, and of any local inquiry held.
27. However, *subsection (3)* provides that before laying a draft of a designation order before Parliament for consideration under section 34(5), Scottish Ministers must consult as follows: send a copy of the proposed draft order to every local authority with all or part of its area within the proposed National Park, determine the period (which must be at least 12 weeks) for which it is to be made available for public inspection, publicise it in a manner it they think fit; lay it before the Parliament and consult every such local authority, every community council wholly or partly in the area, such persons as appear to them to be representative of the interests of those who live, work or carry on business in the area, and other such persons as they think fit.
28. *Subsection (4)* requires local authorities receiving a copy of the proposed draft order under subsection (3)(a) to make it available for public inspection for the period stated under subsection (3)(b).
29. *Subsection (5)* requires the Scottish Ministers to take into account views and comments received during the consultation. *Subsection (6)* requires the Scottish Ministers when laying a draft designation order before the Parliament for consideration under section 34(5) to also lay before the Parliament a statement which details the views and comments received during the consultation under subsection (3) and also the changes (if any) which were made in light of those.