



# Countryside Act 1968

## 1968 CHAPTER 41

### *New powers of local authorities*

#### **7 Power to provide country parks.**

- (1) Subject to section 6 above, a local authority shall have power, on any site in the countryside appearing to them suitable or adaptable for the purpose set out in section 6(1) above, to provide a country park, that is to say a park or pleasure ground to be used for that purpose.
- (2) A local authority shall have power to extend, maintain and manage the country park and to do all other things appearing to them desirable for the said purpose in connection with the provision of a country park and in particular—
  - (a) to lay out, plant and improve the site, and to erect buildings and carry out works,
  - (b) to provide facilities and services for the enjoyment or convenience of the public, including meals and refreshments, parking places for vehicles, shelters and lavatory accommodation,
  - (c) to provide facilities and services for open-air recreation:

Provided that a local authority shall not under this section provide accommodation, meals or refreshments except in so far as it appears to them that the facilities therefor within the country park are inadequate or unsatisfactory, either generally or as respects any description of accommodation, meals or refreshments, as the case may be.

- (3) The powers conferred by the foregoing provisions of this section and by the next following section may be exercised by the local authority—
  - (a) on land belonging to them, or
  - (b) on such terms as may be agreed with the owners and any other persons whose authority is required for the purpose, on other land,

and an agreement under paragraph (b) above may provide for the making by the local authority of payments in consideration of the making of the agreement and payments by way of contribution towards expenditure incurred by the persons making the agreement in consequence thereof.

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*Changes to legislation:* There are currently no known outstanding effects for the Countryside Act 1968, Section 7. (See end of Document for details)

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- (4) A local authority shall have power to acquire compulsorily any land required by them for the purpose of their functions under this and the next following section.
- (5) If it appears to a local authority that a park or pleasure ground provided or acquired by the local authority before the coming into force of this section, or otherwise than under or for the purposes of this section, can suitably be used as a country park, that park or pleasure ground shall, from such date as the local authority may determine, be treated for all the purposes of this Act as a country park provided under this section, but—
- (a) this subsection shall not affect any trust, covenant or other restriction to which the park or pleasure ground is subject, and
  - (b) no grant shall be payable under this Act in respect of expenditure incurred before the date so determined.
- (6) If it appears to a local authority that land provided or acquired by them before the coming into force of this section, as open country to be used for the purposes of Part V of the Act of 1949, can suitably be used as a country park, that land, or any part of it, shall, from such date as the local authority may determine, be treated for all the purposes of this Act as a country park provided under this section; and, if the land was acquired under section 76 of the Act of 1949 (compulsory acquisition for public access), the land so treated shall cease to be subject to that section, but—
- (a) this subsection shall not affect any trust, covenant or other restriction to which the land is subject; and
  - (b) no grant shall be payable under this Act in respect of expenditure incurred before the date so determined.
- (7) A country park provided under this section shall not be subject to any of the following enactments (which relate to parks and pleasure grounds):
- Section 164 of the <sup>M1</sup>Public Health Act 1875.
  - Section 44 of the <sup>M2</sup>Public Health Acts Amendment Act 1890.
  - Sections 76 and 77 of the <sup>M3</sup>Public Health Acts Amendment Act 1907.
  - Section 56(5) of the <sup>M4</sup>Public Health Act 1925.
  - [<sup>F1</sup>Section 145 of the <sup>M5</sup>Local Government Act 1972.]

#### Textual Amendments

**F1** Words substituted by virtue of [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), [s. 272\(2\)](#)

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

- C1** [Ss. 6-8](#) extended (19.9.1995) by [1995 c. 25, ss. 70, 125\(2\)](#), [Sch. 9 para. 5\(a\)](#) (with [ss. 7\(6\)](#), [115](#), [117](#), [Sch. 8 para. 7](#))
- C2** [S. 7](#) functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), arts. 1, [25\(2\)\(xvii\)](#) (with art. 35)
- C3** [S. 7](#) functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), arts. 2, [25\(1\)](#), [\(1\)](#), [\(2\)\(xvii\)](#) (with art. 35)

#### Marginal Citations

- M1** [1875 c. 55\(100:1\)](#).  
**M2** [1890 c. 59\(100:1\)](#).  
**M3** [1907 c. 53\(100:1\)](#).

**Changes to legislation:** There are currently no known outstanding effects  
for the Countryside Act 1968, Section 7. (See end of Document for details)

- M4

1925 c. 71(100:1).
- M5

1972 c.70(81:1).

**Changes to legislation:**

There are currently no known outstanding effects for the Countryside Act 1968, Section 7.