
Changes to legislation: There are currently no known outstanding effects for the Natural Heritage (Scotland) Act 1991, Cross Heading: Countryside (Scotland) Act 1967 (c. 86). (See end of Document for details)

SCHEDULES

SCHEDULE 10

MISCELLANEOUS AMENDMENTS

Countryside (Scotland) Act 1967 (c. 86)

- 4 (1) The Countryside (Scotland) Act 1967 shall be amended as follows.
- (2) In section 13(6) (consultation on access agreements) for the word “they” there shall be substituted the word “it”.
- (3) In section 49A (management agreements) for subsections (1) to (3) there shall be substituted the following subsections—
- “(1) Scottish Natural Heritage may enter into an agreement with any person having an interest in land to do, or to secure the doing of, whatever in the opinion of the parties to the agreement may be necessary to secure the conservation and enhancement or to foster the understanding and enjoyment of the natural heritage of Scotland.
- (2) A planning authority may enter into an agreement with any person having an interest in land to do or to secure the doing of whatever in the opinion of the parties to the agreement may be necessary to preserve or enhance the natural beauty of the countryside or to promote the enjoyment of the countryside by the public.
- (3) An agreement under subsection (1) or (2) above shall be known as a “management agreement”.
- (4) In section 54 for subsection (4) there shall be substituted the following subsection—
- “(4) Scottish Natural Heritage may in relation to land—
- (a) owned or managed by it; or
- (b) to which an access agreement or order made by it applies,
- make byelaws with respect to any of the matters mentioned in the foregoing provisions of this section.”
- (5) In section 60(4) (publication of byelaws) for the words “sum, not exceeding 5p for every copy,” there shall be substituted the words “reasonable sum”.
- (6) In section 61(1) (improvement of waterways) for the words from “whose area” to “and within” there shall be substituted the words “may, as respects any waterway in”.
- (7) In section 66 (duty of ministers to have regard to desirability of conservation) for the words “the natural beauty and amenity of the countryside” there shall be substituted the words “the natural heritage of Scotland within the meaning of the Natural Heritage (Scotland) Act 1991”.

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- (8) In section 69(1)(b) (rules for compulsory acquisition) after the word “if” there shall be inserted the words “ it or ”.
- (9) In subsection (3) of section 70 (application of provisions relating to compensation) for the word “authority” in the second place where it occurs there shall be substituted the word “ body ”.
- (10) In Schedule 2, in paragraph (e) for the words “the local planning authority” there shall be substituted the words “ Scottish Natural Heritage or, as the case may be, the general or district planning authority ”.
- (11) Schedule 3 shall be amended as follows—
- (a) in paragraph 1(1)—
 - (i) for the words “an authority make” there shall be substituted the words “ a body makes ”; and
 - (ii) for the word “they” there shall be substituted the word “ it ”;
 - (b) in paragraph 4 for the word “authority” in the second and third places where it occurs there shall be substituted the word “ body ”.
- (12) In Schedule 4 for sub-paragraph (2) there shall be substituted the following sub-paragraph—
- “(2) Before or as soon as possible after the coming into operation of an access agreement—
- (a) Scottish Natural Heritage, in relation to an agreement made by it; or
 - (b) the general or district planning authority, in relation to an agreement made by them,
- shall agree with the owner of the interest in the land what proportion of the figure set by the district valuer should be paid by Scottish Natural Heritage or, as the case may be, the general or district planning authority in respect of each twelve month period.”

Commencement Information

II Sch. 10 para. 4 wholly in force at 1.4.1992 see s. 28(2) and S.I. 1991/2633, art. 4

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