



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97

PART VI

GENERAL, FINANCIAL AND SUPPLEMENTARY

Financial Provisions

95 Expenses of Commission

- (1) The expenses of the Commission incurred in accordance with proposals approved by the Minister shall be defrayed by the Minister.
- (2) The Minister may pay to the officers and servants of the Commission such salaries, wages and allowances as he may with the approval of the Treasury determine.

96 Expenses and accounts of Nature Conservancy

- (1) The Treasury may make grants to the Nature Conservancy in respect of their expenditure, whether incurred under this Act or otherwise.
- (2) As respects each financial year the Nature Conservancy shall prepare accounts of their expenditure in such form as may be directed by the Treasury, and shall submit the accounts to the Treasury at such time as may be so directed.
- (3) The Treasury shall, on or before the thirtieth day of November in any year, transmit to the Comptroller and Auditor General the accounts prepared by the Nature Conservancy under this section for the financial year last ended.
- (4) The Comptroller and Auditor General shall examine and certify the accounts of the Nature Conservancy transmitted to him under this section and lay before Parliament copies of the accounts, together with his report thereon.

97 Exchequer grants for National Parks and areas of outstanding natural beauty

(1) Provision may be made by regulations made by the Minister with the consent of the Treasury for the payment by the Minister to local authorities of grants of such amounts, and payable in such cases and subject to such conditions, as may be determined by or under the regulations in respect of expenditure incurred by such authorities in the exercise,—

- (a) of their powers of erecting buildings or carrying out work under section twelve or section thirteen of this Act;
- (b) of their powers under section twenty-six of the Act of 1947 (which enables a local planning authority, subject to the payment of compensation in accordance with section twenty-seven of that Act, to secure the discontinuance or modification of uses of land and the alteration or removal of buildings) as respects land in National Parks or areas of outstanding natural beauty ;
- (c) of their powers as respects such land under subsections (1) and (2) of section eighty-nine of this Act and under section twenty-eight of the Act of 1947 (which relates to tree preservation);
- (d) of the powers conferred on them by this Act, as respects such land, for the purposes of Part V thereof, other than powers of acquiring land;
- (e) of their powers of acquiring such land, whether by agreement or compulsorily, under any of the provisions of this Act, and of their powers of so acquiring land in the neighbourhood of a National Park for the purposes of section twelve of this Act;
- (f) of their powers under section ninety-two of this Act as respects National Parks or areas of outstanding natural beauty.

(2) Grants payable under regulations made for the purposes of this section shall not exceed seventy-five per cent. of the amount of the expenditure in respect of which the grants are made:

Provided that where expenditure has been incurred in carrying out work under section thirteen of this Act in any particular case where the Minister with the consent of the Treasury determines that this provision shall apply, a grant under this section in respect thereof may be of any amount not exceeding the amount of the expenditure.

- (3) Regulations under this section shall provide for the making of recommendations by the Commission as to the making of grants thereunder, and for consultation of the Commission by the Minister where he proposes to make a grant not recommended by the Commission or not to make a grant recommended by them.
- (4) Regulations under this section may provide for the payment of grants at different rates to different local authorities according to the general financial position of those authorities respectively.
- (5) Where apart from this subsection a grant would be payable both under this section and under section ninety-four of the Act of 1947, no grant shall be payable under that section.
- (6) Where, under an agreement made under subsection (2) of section thirteen of this Act, a local planning authority incur expenditure in respect of the erection of buildings or the carrying out of work by another authority, the expenditure shall be treated for the purpose of this section as if it had been incurred in the exercise of the powers mentioned in paragraph (a) of subsection (1) of this section.

- (7) Where, in consequence of an order made under section twenty-six of the Act of 1947, a purchase notice is served under section nineteen of that Act, then if the interest in respect of which the notice is served is purchased in accordance with the said section nineteen or compensation is payable in respect thereof under subsection (3) of section twenty of that Act, expenditure incurred in the purchase of the interest or the payment of the compensation shall be treated for the purposes of this section as if it were expenditure incurred in the exercise of powers under the said section twenty-six.

98 Power of Minister to defray expenditure on long-distance routes

- (1) Subject to such conditions as the Treasury may determine, the Minister may defray expenditure incurred by a local authority in the payment of compensation or the construction, maintenance or improvement of a way, being expenditure incurred for the purposes of approved proposals relating to a long distance route.
- (2) Subject as aforesaid, the Minister may defray or contribute towards expenditure of a local authority incurred under section fifty-three of this Act or incurred in the exercise of their powers of acquiring land, erecting buildings or carrying out work for the purposes of section fifty-four of this Act.

99 Contributions by local authorities

- (1) A local authority may defray or contribute towards, or undertake to defray or contribute towards, expenditure incurred or to be incurred for the purposes of this Act by any other local authority.
- (2) In this section the expression " local authority " means a local planning authority, the council of a county or a county borough not being a local planning authority, or the council of a county district.
- (3) Where, under subsection (4) of section thirteen of this Act, the Minister directs that any power of a local planning authority under that section shall be exercisable by another authority, subsection (1) of this section shall apply as if that other authority were a local authority ; and if the direction so provides the local planning authority shall be under a duty to exercise their powers under subsection (1) of this section to such extent as may be specified in the direction.
- (4) Where, under subsection (1) of section forty-one of this Act, the Minister directs that any power of one local authority shall be exercisable by another, then if the direction so provides the first-mentioned authority shall be under a duty to exercise their powers under subsection (1) of this section to such extent as may be specified in the direction.
- (5) Any expenditure incurred under this section by a local planning authority in respect of the erection of buildings or the carrying out of work by any such other authority as is mentioned in subsection (3) of this section shall be treated for the purposes of section ninety-seven of this Act as if it were expenditure incurred in the exercise of the powers of the local planning authority mentioned in paragraph (a) of subsection (1) of the said section ninety-seven.
- (6) The council of a county or county borough may defray or contribute towards any expenditure incurred by a river board or other drainage authority, being expenditure incurred for the benefit of a nature reserve managed by or under an agreement with the council or in consequence of anything done in the management of such a reserve.

Status: This is the original version (as it was originally enacted).

100 Payments out of moneys provided by Parliament

There shall be defrayed out of moneys provided by Parliament—

- (a) the expenses under this Act of the Minister of Town and Country Planning, the Treasury, and the Minister of Agriculture and Fisheries;
- (b) any increase attributable to the provisions of this Act in the sums payable out of such moneys under Part I or Part II of the Local Government Act, 1948.