



# National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97

## PART III

### NATURE CONSERVATION

#### **18 Compulsory acquisition of land by Conservancy for maintenance of nature reserves**

- (1) Where, as respects any interest in land, the Nature Conservancy have entered into an agreement under the last but one foregoing section and any breach of the agreement occurs which prevents or impairs the satisfactory management as a nature reserve of the land to which the agreement relates, then without prejudice to any other remedy the Nature Conservancy may acquire that interest compulsorily.
- (2) Such a breach shall not be treated as having occurred by virtue of any act or omission capable of remedy unless there has been default in remedying it within a reasonable time after notice given by the Nature Conservancy requiring the remedying thereof.
- (3) Any dispute arising under this section whether there has been such a breach of an agreement as aforesaid shall be determined by an arbitrator appointed by the Lord Chancellor or, in the case of a dispute relating to land in Scotland, by an arbiter appointed by the Lord President of the Court of Session.
- (4) Without prejudice to the operation of the Arbitration Acts, 1889 to 1934, as respects land in England or Wales, at any stage of the proceedings in any arbitration under the last foregoing subsection relating to land in Scotland the arbiter may, and shall if so directed by the Court of Session, state a case for the opinion of that Court on any question of law arising in the arbitration.