



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97

PART V

ACCESS TO OPEN COUNTRY

62 Proceedings consequent on review under last foregoing section

- (1) As soon as may be after the completion by a local planning authority of their review under the last foregoing section, the authority shall proceed with the taking as respects their area of such action as they consider should be taken by them under the following provisions of this Part of this Act:

Provided that before determining what action they should take as aforesaid as respects land in a National Park the local planning authority shall consult with the Commission and consider any recommendations made by them.

- (2) If in consequence of their review under the last foregoing section the local planning authority are of opinion—
- (a) that there is in their area no land of the descriptions specified in subsection (2) of section fifty-nine of this Act, or no appreciable area of such land, or
 - (b) that as respects their area no such action needs to be taken as is mentioned in subsection (1) of the last foregoing section,

the local planning authority shall as soon as may be after the completion of the review forward to the Minister a statement of their opinion, and publish a notice setting out the contents of the statement.

- (3) A notice under the last foregoing subsection shall be published in the London Gazette and in at least one local newspaper circulating in the area of the local planning authority, and shall specify the time (not being less than three months) within which, and the manner in which, representations may be made to the Minister as respects their area that action needs to be taken as mentioned in subsection (1) of the last foregoing section.

Status: This is the original version (as it was originally enacted).

- (4) The Minister shall consider any statement forwarded to him under the foregoing provisions of this section and any representations duly made with respect thereto, and shall furnish the local planning authority with a copy of any representations so made, and where any representations are so made and not withdrawn shall either—
- (a) cause a local inquiry to be held, or
 - (b) afford to the persons by whom the representations were made and to the local planning authority an opportunity of being heard by a person appointed by the Minister for the purpose ;
- and after considering the report of the person appointed to hold the inquiry or to hear representations the Minister shall then determine whether, and if so to what extent, it is expedient that he should exercise the powers conferred on him by this Act for securing, as respects land in the area of the authority, access by the public for open-air recreation.
- (5) Nothing in this or the last foregoing section shall be taken as requiring that a local planning authority shall have completed their review under the last foregoing section before exercising their powers under this Part of this Act of making access agreements or orders or of acquiring land.