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STATUTORY INSTRUMENTS

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**2004 No. 1777**

**The Cotswolds Area of Outstanding Natural Beauty  
(Establishment of Conservation Board) Order 2004**

**PART III**

*Concurrent functions of the Board*

**Concurrent functions**

**25.**—(1) On and after the operative day the functions to which paragraph (2) applies shall be exercisable concurrently by a local authority specified in Schedule 1 and by the Board.

(2) This paragraph applies to the functions of any local authority, so far as relating to the Cotswolds Area of Outstanding Natural Beauty, under the following enactments—

- (i) section 164 of the Public Health Act 1875 <sup>M1</sup> (places of public recreation) as applied by section 180 of the 1972 Act;
- (ii) sections 1 to 3 of the Commons Act 1899 <sup>M2</sup> (regulation of commons);
- (iii) section 15 of the Open Spaces Act 1906 <sup>M3</sup> (byelaws for regulation of open spaces etc.);
- (iv) section 194 of the Law of Property Act 1925 <sup>M4</sup> (restriction on enclosure of Commons);
- (v) section 12 of the National Parks and Access to the Countryside Act 1949 <sup>M5</sup> (provision for accommodation, refreshments, camping sites, and parking places);
- (vi) section 21 of the National Parks and Access to the Countryside Act 1949 (establishment of nature reserves);
- (vii) section 64 of the National Parks and Access to the Countryside Act 1949 (access agreements);
- (viii) sections 89(1) to 89(4) of the National Parks and Access to the Countryside Act 1949 (tree planting and treatment of derelict land);
- (ix) section 90 of the National Parks and Access to the Countryside Act 1949 (byelaws);
- (x) section 92 of the National Parks and Access to the Countryside Act 1949 (wardens);
- (xi) section 99 of the National Parks and Access to the Countryside Act 1949 (contributions towards expenditure);
- (xii) section 235 of the 1972 Act (byelaws for good rule and government and suppression of nuisances);
- (xiii) section 23 of the Caravan Sites and Control of Development Act 1960 <sup>M6</sup> (power to prohibit caravans on commons);
- (xiv) section 24 of the Caravan Sites and Control of Development Act 1960 (power to provide sites for caravans);
- (xv) section 9 of the Commons Registration Act 1965 <sup>M7</sup> (protection of unclaimed common land);
- (xvi) section 4 of the Countryside Act 1968 <sup>M8</sup> (experimental projects or schemes);

- (xvii) section 7 of the Countryside Act 1968 (provision of country parks);
- (xviii) section 9 of the Countryside Act 1968 (powers over or near common land);
- (xix) section 10(1) to (3) of the Countryside Act 1968 (camping and picnic sites);
- (xx) section 27(1) and (4) of the Countryside Act 1968 (signposting of footpaths and bridleways);
- (xxi) section 41 of the Countryside Act 1968 (byelaws and wardens);
- (xxii) section 43 of the Countryside Act 1968 (general provisions as to powers);
- (xxiii) section 45 of the Countryside Act 1968 (agreements with landowners);
- (xxiv) sections 6 and 8 of the Refuse Disposal (Amenity) Act 1978 <sup>M9</sup> (removal and disposal of certain refuse);
- (xxv) section 11 of the Ancient Monuments and Archaeological Areas Act 1979 <sup>M10</sup> (acquisition of ancient monuments);
- (xxvi) sections 12 to 17 of the Ancient Monuments and Archaeological Areas Act 1979 (guardianship of ancient monuments);
- (xxvii) sections 19 and 20 of the Ancient Monuments and Archaeological Areas Act 1979 (public access to monuments under public control);
- (xxviii) section 21 of the Ancient Monuments and Archaeological Areas Act 1979 (transfer of ownership and guardianship of ancient monuments);
- (xxix) section 25 of the Highways Act 1980 <sup>M11</sup> (creation of footpath or bridleway by agreement);
- (xxx) section 62 of the Wildlife and Countryside Act 1981 <sup>M12</sup> (appointment of wardens for public rights of way);
- (xxx1) section 5(1), (4) and (7) of the Litter Act 1983 <sup>M13</sup> (litter bins);
- (xxxii) sections 54 and 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990 <sup>M14</sup> (urgent works to preserve unoccupied listed buildings and recovery of expenses);
- (xxxiii) sections 57 and 58 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (grants for repair and maintenance); and
- (xxxiv) section 94 of the 2000 Act (local access forums).

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**Marginal Citations**

<b>M1</b>	1875 c. 55.
<b>M2</b>	1899 c. 30.
<b>M3</b>	1906 c. 25.
<b>M4</b>	1925 c. 20.
<b>M5</b>	1949 c. 97.
<b>M6</b>	1960 c. 62.
<b>M7</b>	1965 c. 64.
<b>M8</b>	1968 c. 41.
<b>M9</b>	1978 c. 3.
<b>M10</b>	1979 c. 46.
<b>M11</b>	1980 c. 66.
<b>M12</b>	1981 c. 69.
<b>M13</b>	1983 c. 35.
<b>M14</b>	1990 c. 9.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004, PART III.