

SCHEDULE 3

(introduced by section 9)

MISCELLANEOUS FUNCTIONS

Open spaces and recreation

- 1 The provisions in—
- (a) sections 1 and 2 (power to develop land) of the Local Government (Development and Finance) (Scotland) Act 1964 (c. 67),
 - (b) section 13 (membership of rights of way societies) of that Act, and
 - (c) section 3 (power to acquire or maintain certain open spaces) of the Local Government (Footpaths and Open Spaces) (Scotland) Act 1970 (c. 28),
- have effect as if references to a local authority included references to a National Park authority.

Nature reserves

- 2 Sections 21 and 22 (establishment of nature reserves and application of enactments to local authority reserves) of the National Parks and Access to the Countryside Act 1949 (c. 97) have effect as if references to a local authority and the authority's area included references to a National Park authority and the National Park.

Information and education

- 3 A National Park authority may provide, or arrange for the provision of—
- (a) information,
 - (b) educational services and facilities,
- for the purpose of promoting understanding and enjoyment of the special qualities of the National Park by the public.

Tourism and leisure

- 4 A National Park authority may—
- (a) provide, or encourage other persons to provide, facilities in the National Park, and
 - (b) encourage persons, by advertisement or otherwise, to visit the National Park, for purposes relating to leisure.
- 5 (1) Sections 49 (provision of camp sites) and 50 (provision of accommodation, meals and refreshments) of the Countryside (Scotland) Act 1967 (c. 86) have effect as if references to a local authority and the authority's area included references to a National Park authority and the National Park.
- (2) In the application of section 49 of that Act to a National Park authority, for the words “whether for the benefit of the inhabitants of their own area or otherwise” there is substituted “in the National Park”.

Recreational, sporting, cultural and social facilities and activities

- 6 (1) Sections 15(2), 16 and 17 (local authority powers in relation to recreational, sporting, cultural and social facilities and activities) of the Local Government and Planning

Status: This is the original version (as it was originally enacted).

(Scotland) Act 1982 (c. 43) have effect as if references to a local authority and the authority's area included references to a National Park authority and the National Park.

- (2) In the application of those provisions to a National Park authority—
- (a) in section 15(2), for the words “whether inside or outside their area” there is substituted “in the National Park”,
 - (b) in section 17(1), for the words “whether inside or outside the area of the local authority concerned” there is substituted “in the National Park”.

Access to open country

- 7 (1) The Countryside (Scotland) Act 1967 (c. 86) is amended as follows.
- (2) In section 12 (consultation on access requirements)—
- (a) in subsection (1), after “authorities” insert “, with National Park authorities”,
 - (b) in subsection (2), after “Heritage” insert “, the National Park authority”.
- (3) In section 13 (access agreements)—
- (a) in subsection (1), after paragraph (b), insert—
 - “(c) by a National Park authority with any person having an interest in land situated in the National Park,”,
 - (b) in subsections (2) and (7), after “Heritage” insert “, the National Park authority”.
- (4) In section 14 (access orders)—
- (a) in subsection (1), after paragraph (b), insert—
 - “(c) by the National Park authority for a National Park, as regards any land in the National Park,”,
 - (b) in subsection (8), after “by” in the first place where it appears insert “a National Park authority or”.
- (5) In section 16 (effect of access agreement or order)—
- (a) in subsection (6), after “Heritage” in the first place where it appears insert “or a National Park authority”,
 - (b) in that subsection, after “Heritage” in the second place where it appears insert “or, as the case may be, the National Park authority”,
 - (c) in subsection (8), after “Heritage” insert “, the National Park authority”.
- (6) In section 17 (provisions for securing safe and sufficient access)—
- (a) in subsection (4), after “Heritage” in the first place where it appears insert “, a National Park authority”,
 - (b) in that subsection, after “Heritage” in the second place where it appears insert “, the National Park authority”,
 - (c) in subsection (5), after “Heritage” in the first and second places where it appears insert “, the National Park authority”.
- (7) In section 18 (power to enforce access)—
- (a) in subsection (1)(a), after “Heritage” insert “or a National Park authority”,
 - (b) in subsection (2), after “Heritage” insert “, the National Park authority”.

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- (8) In section 20 (compensation for access orders), in subsection (1)(a), after “Heritage” insert “or a National Park authority”.
- (9) In section 24 (acquisition of land for public access)—
- (a) in subsection (1), after “Scotland” insert “, to the National Park authority for any National Park, as respects any land in the National Park”,
 - (b) in paragraph (b) of that subsection, after “Heritage” insert “, the National Park authority”,
 - (c) in subsection (2), after “Heritage” insert “, a National Park authority”,
 - (d) in subsection (3), after “Heritage” in the first place where it appears insert “, a National Park authority”.
- (10) In section 26 (maps of land subject to public access)—
- (a) in subsection (3), after “situated” insert “and to the National Park authority for any National Park in which that land is situated”,
 - (b) after that subsection insert—
 - “(4) A National Park authority shall, within 14 days of—
 - (a) an access agreement having been made by it; or
 - (b) an access order made by it having been confirmed,send to Scottish Natural Heritage and to the planning authority in whose area the land to which the agreement or order applies is situated a copy of such agreement or order.”
- (11) In section 27 (provisions as to danger areas)—
- (a) in subsection (4), after “Heritage” in the first place where it appears insert “, a National Park authority”,
 - (b) in subsection (5), after “Heritage” insert “, a National Park authority”.
- (12) In section 28 (boundary notices), after “Heritage” insert “, a National Park authority”.
- (13) In section 29 (power of local planning authority to contribute to work carried out by others), after “Heritage” insert “, a National Park authority”.
- (14) In Schedule 2 (general restrictions on access to land), in paragraph (e), after “Heritage” insert “, the National Park authority”.
- (15) In Schedule 4 (consideration in respect of the making of access agreements), in paragraph (2)—
- (a) in sub-paragraph (a), after “Heritage” insert “or the National Park authority”,
 - (b) after “Heritage” in the second place where it appears insert “, the National Park authority”.

Improvement of waterways for recreation

- 8 Sections 61 and 62 (powers to improve waterways for purposes of open-air recreation) of the Countryside (Scotland) Act 1967 (c. 86) have effect as if references to a planning authority and the authority’s area included references to a National Park authority and the National Park.