

SCHEDULES

SCHEDULE 3

Section 7.

NATIONAL PARKS AND COUNTRYSIDE FUNCTIONS

Byelaws for country parks etc.

- 1 The land in respect of which a metropolitan district council, London borough council or the Common Council may make bye-laws under section 41 of the Countryside Act 1968 shall include any land in the area of the council in respect of which byelaws have been, or could have been, made under that section before the abolition date by a metropolitan county council or the Greater London Council.

Joint planning boards for National Parks

- 2 (1) If immediately before the abolition date there is a joint planning board for a National Park which is partly in one or more metropolitan counties and partly in one or more non-metropolitan counties, the district councils in the metropolitan county or counties shall become constituent councils of the board in place of the council of that county or the councils of those counties.
- (2) Any such board shall be the local planning authority for the part of the Park in the metropolitan county or counties, and nothing in section 4 of this Act shall be construed as applying to that part of the Park.

Functions of local planning authorities in National Parks

- 3 (1) In section 182(4) and (5) of the Local Government Act 1972 after the words " National Park " there shall be inserted the words " outside a metropolitan county" .
- (2) In section 184(1) of that Act after the words " elsewhere than " there shall be inserted the words " in the metropolitan counties," .
- 4 In paragraphs 54(2) and 55(2) of Schedule 16 to the said Act of 1972 for the words " In a National Park " there shall be substituted the words " As respects an area in a National Park outside a metropolitan county" .
- 5 (1) Schedule 17 to the said Act of 1972 shall be amended as follows.
- (2) In paragraph 5 for the words "county or counties" there shall be substituted the words " planning areas" .
- (3) In paragraph 8—
- (a) for the words "new counties" there shall be substituted the words " planning areas" ;
- (b) for the words " those counties " , in both places, there shall be substituted the words " those areas" .

Status: This is the original version (as it was originally enacted).

- (4) In paragraph 12A(1) for the words " district councils whose districts" there shall be substituted the words " councils of non-metropolitan districts which " ; and any person who immediately before the abolition date is a member of a board or committee by virtue of an appointment made under the said paragraph 12A by the council of a metropolitan district (whether alone or jointly) shall cease to be a member of that board or committee on that date.
- (5) In paragraph 13(b) and (c) for the words " county council" there shall be substituted the words " county or metropolitan district council" .
- (6) In paragraph 14—
- (a) for the words " one county" and " the county" there shall be substituted respectively the words " One planning area " and " the area " ;
 - (b) for the words " two or more counties " and " those counties " there shall be substituted respectively the words " two or more planning areas " and " those areas " ;
 - (c) for the words (in paragraph (b)) " county council" there shall be substituted the words " county or metropolitan district council" .
- (7) In paragraph 16 for the words "the county council" there shall be substituted the words " the council of the planning area" .
- (8) After paragraph 21 there shall be inserted—
- “21A In this Part of this Schedule " planning area " meant a metropolitan district or a non-metropolitan county.”
- (9) Paragraph 35 shall have effect in relation to any area—
- (a) which is in a metropolitan district; and
 - (b) to which subsections (1) and (2) of section 61 of the National Parks and Access to the Countryside Act 1949 do not apply at the abolition date by virtue of subsection (3) of that section,
- as if the reference to the county council were a reference to the council of that metropolitan district.

Grants for expenditure on National Parks

- 6 In section 7 of the Local Government Act 1974—
- (a) in subsection (1) for the words "county councils" there shall be substituted the words " councils of counties and metropolitan districts" ;
 - (b) in subsection (3) for the words "county councils whose areas" there shall be substituted the words " councils of counties or metropolitan districts which " and for the words " a county council" there shall be substituted the words " a council" .

Other powers relating to nature conservation, the countryside and the National Parks

- 7 (1) The Wildlife and Countryside Act 1981 shall be amended as follows.
- (2) In section 34(6) for the definition of " the relevant authority " there shall be substituted—
- “ the relevant authority' means—

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

- (a) in relation to a non-metropolitan county, the county planning authority and, in relation to any outer area in England, the local planning authority ;
 - (b) in relation to Scotland, the authority exercising district planning functions.”
- (3) In section 39(5)(a) after the words " National Park " there shall be inserted the words " and outside a metropolitan county. "
- (4) In sections 42, 43, 44 and 51(2)(c) for the words " county planning authority " , wherever they occur, there shall be substituted the words " local planning authority" .
- (5) In section 52(2) for the words from the beginning to the end of paragraph (b) there shall be substituted the words " In the application of this Part to England (except as respects a metropolitan county or Greater London) and to Wales references to a local planning authority shall be construed—
 - (a) in sections 42, 43, 44 and 51(2)(c) as references to a county planning authority; and
 - (b) in any other provision, as references to a county planning authority and a district planning authority; " .
- (6) In section 66(1) for the definition of " surveying authority " there shall be substituted—
 - “surveying authority', in relation to any area, means the county council, metropolitan district council or London borough council whose area includes that area.”
- (7) In section 72(10) after the words "a county council" there shall be inserted the words " or metropolitan district council" .
- (8) In the definition of "local authority" in paragraph 5(1) of Schedule 14 and paragraph 13(2) of Schedule 15 for the words "a district council, the Greater London Council" there shall be substituted the words " a non-metropolitan district council" .