



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART IV

AREAS OF OUTSTANDING NATURAL BEAUTY

85 General duty of public bodies etc.

[^{F1}(A1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

(A2) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a devolved Welsh authority must have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.]

(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty [^{F2}in Wales], a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

[^{F3}(1A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (A1) (including provision about things that the authority may, must or must not do to comply with the duty).]

(2) The following are relevant authorities for the purposes of this section—

- (a) any Minister of the Crown,
- (b) any public body,
- (c) any statutory undertaker,
- (d) any person holding public office.

(3) In subsection (2)—

[^{F4}“devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act);]

Changes to legislation: Countryside and Rights of Way Act 2000, Section 85 is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“public body” includes

- (a) a county council, county borough council, district council, parish council or community council;
- (b) a joint planning board within the meaning of section 2 of the ^{M1}Town and Country Planning Act 1990;
- (c) a joint committee appointed under section 102(1)(b) of the ^{M2}Local Government Act 1972;
- (d) ^{F5} ...
- (e) [^{F6}a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021;]

“public office” means—

- (a) an office under Her Majesty;
- (b) an office created or continued in existence by a public general Act; or
- (c) an office the remuneration in respect of which is paid out of money provided by Parliament

[^{F7}“statutory undertaker” means a person who is or is deemed to be a statutory undertaker for the purposes of any provision of Part 11 of the Town and Country Planning Act 1990].

Textual Amendments

- F1** S. 85(A1)(A2) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 245(6)(a), 255(9)(b)** (with s. 247)
- F2** Words in s. 85(1) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 245(6)(b), 255(9)(b)** (with s. 247)
- F3** S. 85(1A) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 245(6)(c), 255(9)(b)** (with s. 247)
- F4** Words in s. 85(3) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 245(6)(d), 255(9)(b)** (with s. 247)
- F5** Words in s. 85(3) omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(1)(e), **Sch. 9 para. 37**
- F6** Words in s. 85(3) inserted (3.12.2021) by [The Countryside and Rights of Way Act 2000 \(Meaning of Public Body\) \(Wales\) Regulations 2021 \(S.I. 2021/1355\)](#), regs. 1(2), **2**
- F7** Words in s. 85(3) inserted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), s. 107, **Sch. 11 para. 165**; S.I. 2006/2541, art. 2 (with Sch.)

Commencement Information

- I1** Pt. IV (ss. 82-93) wholly in force at 1.5.2001; Pt. IV not in force at Royal Assent see s. 103(3); Pt. IV in force for E. at 1.4.2001 by [S.I. 2001/114](#), **art. 2(2)(e)**; Pt. IV in force for W. at 1.5.2001 by [S.I. 2001/1410](#), **art. 2(g)**

Marginal Citations

- M1** 1990 c. 8.
- M2** 1972 c. 70.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(1)(e) and word inserted by [2023 asc 3 Sch. 13 para. 179](#)
- s. 55A inserted by [2015 c. 20 s. 20](#)
- s. 56A inserted by [2015 c. 20 s. 21](#)
- s. 56B inserted by [2015 c. 20 s. 22\(1\)](#)