
STATUTORY INSTRUMENTS

1983 No. 1895

The Access to the Countryside (Northern Ireland) Order 1983

PART III

ACCESS TO OPEN COUNTRY

Acquisition by district councils of land for public access

39.—(1) Where it appears to a district council as respects any land which is or which gives or forms part of access to open country—

- (a) that it is requisite that the public should have access to that open country for open-air recreation; and
- (b) that in the circumstances it is expedient that for that purpose the land should be acquired by the district council,

then the district council may acquire the land compulsorily, if it appears to the district council impracticable to obtain such access by an access agreement or access order or by acquiring the land by agreement.

(2) A district council may carry out on land acquired (whether by agreement or compulsorily) for the purposes of this Article and for the time being held by the district council for those purposes such work as the district council considers requisite for providing convenient means of access to the land or otherwise for those purposes.

(3) While any land so acquired is held by the district council for the purposes of this Article, the district council shall so manage the land as to give to the public access for open-air recreation to so much of the land as appears to the district council to be practicable, having regard—

- (a) to the nature of the different parts of the land;
- (b) to anything done on the land which may result in danger to the public or to persons employed on the land unless public access to that, or adjoining, land is restricted; and
- (c) to all other relevant circumstances.

Changes to legislation:

There are currently no known outstanding effects for the The Access to the Countryside (Northern Ireland) Order 1983, Section 39.