



# Local Authorities (Land) Act 1963

## 1963 CHAPTER 29

### **6 Amendment of provisions of National Parks and Access to the Countryside Act 1949 relating to treatment of derelict land**

(1) For section 89(2) of the National Parks and Access to the Countryside Act 1949 (which empowers a local planning authority to plant trees or carry out other work for the purpose of restoring or improving the appearance of derelict land in their area) there shall be substituted the following subsections—

“(2) Where it appears to a local authority that any land in their area is derelict, neglected or unsightly, they may, subject to the provisions of the next following subsection, carry out such work as appears to them expedient for the purpose of enabling the land to be brought into use or improving the appearance of the land.

(2A) The power conferred by the last foregoing subsection shall not be exercisable in relation to land in a National Park or an area of outstanding natural beauty except by the local planning authority for the area in which the land is situate, unless by virtue of the provisions of section 102 of this Act it is made exercisable by another local authority.”,

and accordingly in subsections (3) to (6) of the said section 89 for any reference to a local planning authority there shall be substituted a reference to a local authority.

(2) So much of section 89(4) of the said Act of 1949 as provides that the powers conferred by that section shall not, as respects any land, include power to do anything which the council of a county, county borough or county district are or can be authorised to do as respects that land by any other enactment shall not apply to the power conferred by section 89(2) of the said Act of 1949 as set out in subsection (1) of this section, and accordingly in the said subsection (4) for the words " by the foregoing provisions of this section " there shall be substituted the words " by subsection (1) of this section " and for the words " /the said provisions" there shall be substituted the words " the foregoing provisions of this section ".

(3) The Minister shall not authorise a local authority under section 103 of the said Act of 1949 to acquire land under the power conferred by section 89(5) of that Act for the purpose of their functions under section 89(2) of that Act as above set out, unless

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*Status: This is the original version (as it was originally enacted).*

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he is satisfied that the land is derelict, or that, by reason of neglect following the abandonment of the previous use of the land, the condition of the land is, and is likely to continue to be, such that it is desirable in the public interest that the land should be acquired under the said section 89(5) for the said purpose.

(4) At the end of the said section 89 there shall be added the following subsection—

“(7) In this section " local authority" means a local planning authority, the council of a county or county borough not being a local planning authority, or the council of a county district.”