

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Environment Act 1995, Cross Heading: The Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) is up to date with all changes known to be in force on or before 30 June 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)*

## SCHEDULES

### SCHEDULE 10

#### MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO NATIONAL PARKS

##### *The Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

- 33 (1) The Planning (Listed Buildings and Conservation Areas) Act 1990 shall be amended as follows.
- (2) In section 32 (purchase notice), after subsection (4) there shall be inserted the following subsection—
- “(4A) This section and sections 33 to 37 shall have effect as if—
- (a) the bodies on whom a listed building purchase notice may be served under this section included any National Park authority which is the local planning authority for the area in which the building and land in question are situated; and
- (b) a National Park authority were a local authority for the purposes of this Act and the Park for which it is the local planning authority were its area;
- and the references in those sections and in section 63(7)(a) to a council and to a local authority shall be construed accordingly.”
- (3) In subsection (3) of section 79 (definition of “local authority” for the purposes of town scheme agreements), after paragraph (c) there shall be inserted the following paragraph—
- “(ca) in relation to any building in a National Park for which a National Park authority is the local planning authority, that authority;”.
- (4) In section 93(1)(a) (regulations as to form of notice etc.), after “local authority” there shall be inserted “ or National Park authority ”.
- (5) In paragraph 4 of Schedule 2, after sub-paragraph (3) (expenses of various persons and bodies with respect to listed building enforcement) there shall be inserted the following sub-paragraph—
- “(4) The reference to a local authority in sub-paragraph (3) above includes a reference to any National Park authority which is the local planning authority for any area.”
- (6) In paragraph 2 of Schedule 4 (provision as to exercise of functions by different authorities), after “4” there shall be inserted “ 4A ”.
- (7) In paragraph 3 of Schedule 4—
- (a) after “determined by a” there shall be inserted “ National Park authority or ”; and

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- (b) in sub-paragraph (a), before “the district planning authority” there shall be inserted “ any authority which (but for section 4A) would be or, as the case may be, which is ”;
  - (c) in sub-paragraph (b), for “the district planning” there shall be substituted “ any such ”.
- (8) In paragraph 4 of Schedule 4—
- (a) in sub-paragraph (1)—
    - (i) in paragraph (a), after “a metropolitan county” there shall be inserted “ or in any National Park for which a National Park authority is the local planning authority ”; and
    - (ii) in paragraph (b), for “outside a metropolitan county” there shall be substituted “ to which paragraph (a) above does not apply ”; and
  - (b) in sub-paragraph (2), after “county planning authority” there shall be inserted “ or National Park authority ”.

#### **Commencement Information**

- II** Sch. 10 para. 33 wholly in force at 1.4.1997; Sch. 10 para. 33 not in force at Royal Assent see s. 125(3); Sch. 10 para. 33(1)-(5) in force at 23.11.1995 by S.I. 1995/2950, **art. 2(1)** (subject to **art. 2(2)**); Sch. 10 para. 33(6)-(8) in force at 1.4.1997 by S.I. 1996/2560, **art. 2**

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