

Status: Point in time view as at 12/08/2019.

Changes to legislation: Environment Act 1995, Cross Heading: Local authority members is up to date with all changes known to be in force on or before 29 August 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 7

NATIONAL PARK AUTHORITIES

Local authority members

- 2 (1) The local authority members of a National Park authority shall be appointed by such of the councils for the principal areas wholly or partly comprised in the relevant Park as may be specified in or determined under the relevant order.
- (2) Each of the councils who are to appoint the local authority members of a National Park authority shall be entitled to appoint such number of those members as may be so specified or determined and to make any appointment required by reason of a vacancy arising in respect of a member appointed by that council.
- (3) Before making any provision by the relevant order as to—
- (a) the number of members of a National Park authority who are to be local authority members,
 - (b) the councils by whom the local authority members of a National Park authority are to be appointed, or
 - (c) the number of members to be appointed by each such council,
- the Secretary of State shall consult the council for every principal area the whole or any part of which is comprised in the relevant Park; and the Secretary of State may make provision for excluding the council for any such area from the councils by whom the local authority members of a National Park authority are to be appointed only at the request of that council.
- (4) A person shall not be appointed as a local authority member of a National Park authority unless he is a member of a principal council the area of which is wholly or partly comprised in the relevant Park; and, in appointing local authority members of a National Park authority, a principal council shall have regard to the desirability of appointing members of the council who represent wards, or (in Wales) electoral divisions, situated wholly or partly within the relevant Park.
- (5) Subject to the following provisions of this Schedule, where a person who qualifies for his appointment by virtue of his membership of any council is appointed as a local authority member of a National Park authority—
- (a) he shall hold office from the time of his appointment until he ceases to be a member of that council; but
 - (b) his appointment may, before any such cessation, be terminated for the purposes of, and in accordance with, sections 15 to 17 of the ^{M1}Local Government and Housing Act 1989 (political balance).

[^{F1}(5A) Sub-paragraph (5B) applies to a person who retires from being a member of a council by virtue of an election.

Status: Point in time view as at 12/08/2019.

Changes to legislation: Environment Act 1995, Cross Heading: Local authority members is up to date with all changes known to be in force on or before 29 August 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)

- (5B) Sub-paragraph (5)(a) does not terminate his office as member of a National Park authority until—
- (a) three months after he retires from being a member of the council, or
 - (b) if earlier, the day on which the National Park authority receives notice of a proposed replacement appointment;
- but if he is re-elected he is eligible for re-appointment to the National Park authority.]
- (7) The appointment of any person as a local authority member of a National Park authority may provide that he is not to be treated for the purposes of sub-paragraph (5) above as qualifying for his appointment by virtue of his membership of any council other than that specified in the appointment.
- (8) In paragraph 2(1) of Schedule 1 to the ^{M2}Local Government and Housing Act 1989 (bodies to which appointments have to be made taking account of political balance), after paragraph (b) there shall be inserted the following paragraph—
- “(ba) a National Park authority;”.

Textual Amendments

- F1** Sch. 7 para. 2(5A)(5B) substituted for Sch. 7 para. 2(6) (10.5.2007) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), **ss. 61(3)**, 107(3)(b); S.I. 2007/816, art. 3

Marginal Citations

- M1** 1989 c. 42.
M2 1989 c. 42.

Status:

Point in time view as at 12/08/2019.

Changes to legislation:

Environment Act 1995, Cross Heading: Local authority members is up to date with all changes known to be in force on or before 29 August 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.