

Status: Point in time view as at 16/05/2017.

Changes to legislation: Environment Act 1995, Paragraph 13 is up to date with all changes known to be in force on or before 14 July 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

Committees and sub-committees and officers

- 13 (1) Sections 101 to 106 of the 1972 Act (arrangements for committees and sub-committees) shall have effect as if a National Park authority were a local authority for the purposes of those sections.
- (2) Accordingly, section 13 of the ^{M1}Local Government and Housing Act 1989 (voting rights of members of certain committees) shall have effect as if a National Park authority were a relevant authority for the purposes of that section.
- (3) It shall be the duty of a National Park authority, in relation to any committee or sub-committee to which this sub-paragraph applies, to secure—
- (a) that the membership of the committee or sub-committee consists of or includes both local authority members of the authority and at least one member appointed to the authority by the Secretary of State;
 - (b) that the division of members of the authority who are members of the committee or sub-committee between—
 - (i) local authority members, and
 - (ii) members appointed to the authority by the Secretary of State,is (as nearly as possible using whole numbers) in the same proportions as required, by virtue of paragraph 1(2) above, in the case of the authority itself; and
 - (c) that the quorum of the committee or sub-committee includes at least one local authority member of the authority and at least one member appointed to the authority by the Secretary of State.
- (4) Sub-paragraph (3) above applies in the case of any National Park authority to the following committees and sub-committees, except those appointed under section 102(4) or (4A) of the 1972 Act (advisory committees), that is to say—
- (a) any committee or sub-committee of the authority;
 - (b) any joint committee on which the authority is represented; and
 - (c) any sub-committee of such a joint committee.
- (5) The proceedings of a committee or sub-committee to which sub-paragraph (3) above applies shall not be invalidated by any failure of a National Park authority to perform its duty under that sub-paragraph.
- (6) The provisions of sections 112 to 119 and 151 of the 1972 Act (staff of local authorities) and of section 30 of the ^{M2}Local Government (Miscellaneous Provisions) Act 1976 (power to forgo repayment of remuneration) shall have effect as if a National Park authority were a local authority for the purposes of those provisions.

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- (7) The following provisions of the ^{M3}Local Government and Housing Act 1989 shall apply in relation to a National Park authority as they apply in relation to the authorities which are relevant authorities for the purposes of those provisions, that is to say—
- (a) section 4 (designation and reports of head of paid service);
 - (b) section 5 (designation and reports of monitoring officer); and
 - (c) with the omission of subsection (4)(d) (assistants for political groups), section 8 (standing orders with respect to staff);
- and section 7 of that Act (staff to be appointed on merit) shall apply to any appointment to paid office or employment under a National Park authority as it applies to an appointment to paid office or employment under a body which is a local authority for the purposes of Part I of that Act.
- (8) Section 12 of that Act of 1989 (conflict of interest in staff negotiations) shall have effect as if references in that section to a local authority included references to a National Park authority.

Marginal Citations

- M1** 1989 c. 42.
M2 1976 c. 57.
M3 1989 c. 42.

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