

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: Environment Act 1995, Paragraph 1 is up to date with all changes known to be in force on or before 26 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 9

#### MISCELLANEOUS STATUTORY FUNCTIONS OF NATIONAL PARK AUTHORITIES

##### *Common land etc.*

- 1 (1) The enactments specified in sub-paragraph (2) below shall have effect in relation to any registered common which—
- (a) is within any National Park for which a National Park authority is the local planning authority, and
  - (b) is not owned by, or vested in, any other body which is a local authority,
- as if the National Park authority were a local authority for the purposes of those enactments and as if the relevant Park were that authority’s area.
- (2) The enactments mentioned in sub-paragraph (1) above are—
- (a) section 1 of the <sup>M1</sup>Commons Act 1899 (scheme for regulation);
  - <sup>F1</sup>(b) .....
  - (c) section 23 of and Schedule 2 to the <sup>M2</sup>Caravan Sites and Control of Development Act 1960 (power of district council to prohibit caravans on commons); and
  - (d) [<sup>F2</sup>section 45 of the Commons Act 2006] (protection of unclaimed common land).
- (3) In the <sup>M3</sup>Commons Act 1899 references to the council by which a scheme is made under section 1 of that Act shall be construed accordingly; and the powers conferred by sections 7 and 12 of that Act (acquisition of land and contributions to expenses) shall be exercisable by a National Park authority in relation to the relevant Park as they are exercisable by a district council in relation to their district.
- (4) A National Park authority shall have the same power to make an application under section 18 of the <sup>M4</sup>Commons Act 1899 (modification of provisions for recreation grounds) as a local authority.
- (5) References in this paragraph, in relation to an enactment specified in sub-paragraph (2) above or to any enactment contained in section 18 of the Commons Act 1899, to a local authority are references to any such local authority, within the <sup>M5</sup>meaning of the 1972 Act, as has functions conferred on it by or by virtue of that enactment.
- (6) In this paragraph “registered common” means any land registered as common land or as a town or village green under [<sup>F3</sup>Part 1 of the Commons Act 2006].

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#### Textual Amendments

- F1** Sch. 9 para. 1(2)(b) repealed (1.10.2007 for E. 1.4.2012 for W.) by [Commons Act 2006 \(c. 26\)](#), s. 56, [Sch. 6 Pt. 2](#) (with s. 60); [S.I. 2007/2584](#), art. 2(d)(ii); [S.I. 2012/739](#), art. 2(h)
- F2** Words in Sch. 9 para. 1(2)(d) substituted (20.2.2007 for E., 6.9.2007 for W.) by [Commons Act 2006 \(c. 26\)](#), s. 56, Sch. 5 para. 6(a) (with s. 60); [S.I. 2007/456](#), art. 2(a)(ii); [S.I. 2007/2386](#), art. 3(o)(ii)
- F3** Words in Sch. 9 para. 1(6) substituted (31.10.2011 for E. in relation to the pilot areas) by [Commons Act 2006 \(c. 26\)](#), s. 56, [Sch. 5 para. 6\(b\)](#) (with s. 60); [S.I. 2011/2460](#), art. 2(b)

#### Marginal Citations

- M1** 1899 c. 30.  
**M2** 1960 c. 62.  
**M3** 1899 c. 30.  
**M4** 1899 c. 30.  
**M5** 1899 c. 30.

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