



# Environment Act 1995

## 1995 CHAPTER 25

### PART III

#### NATIONAL PARKS

##### *Purposes of National Parks*

#### **62 Duty of certain bodies and persons to have regard to the purposes for which National Parks are designated.**

- (1) After section 11 of the National Parks and Access to the <sup>M1</sup>Countryside Act 1949 (general powers of local planning authorities in relation to National Parks) there shall be inserted—

#### **“11A Duty of certain bodies and persons to have regard to the purposes for which National Parks are designated.**

- (1) A National Park authority, in pursuing in relation to the National Park the purposes specified in subsection (1) of section five of this Act, shall seek to foster the economic and social well-being of local communities within the National Park, but without incurring significant expenditure in doing so, and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of the National Park.
- (2) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to the purposes specified in subsection (1) of section five of this Act and, if it appears that there is a conflict between those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.
- (3) For the purposes of this section “relevant authority” means—
- (a) any Minister of the Crown,

*Status: Point in time view as at 22/07/2004.*

*Changes to legislation: Environment Act 1995, Section 62 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)*

- (b) any public body,
  - (c) any statutory undertaker, or
  - (d) any person holding public office.
- (4) In subsection (3) of this section—  
“public body” includes—
- (a) any local authority, joint board or joint committee;
  - (b) any National Park authority;
- “public office” means—
- (a) an office under Her Majesty;
  - (b) an office created or continued in existence by a public general Act of Parliament; or
  - (c) an office the remuneration in respect of which is paid out of money provided by Parliament.
- (5) In subsection (4) of this section, “joint board” and “joint committee” mean—
- (a) a joint or special planning board for a National Park reconstituted by order under paragraph 1 or 3 of Schedule 17 to the <sup>M2</sup>Local Government Act 1972, or a joint planning board within the meaning of section 2 of the <sup>M3</sup>Town and Country Planning Act 1990;
  - (b) a joint committee appointed under section 102(1)(b) of the <sup>M4</sup>Local Government Act 1972.
- (6) In this section, “local authority”—
- (a) in relation to England, means a county council, district council or parish council;
  - (b) in relation to Wales, means a county council, county borough council, district council or community council.”
- (2) The duty imposed by subsection (1) of the section 11A inserted by subsection (1) above shall take effect, in the case of any particular National Park, as from the time when a National Park authority becomes the local planning authority for that Park.

**Marginal Citations**

- M1** 1949 c. 97.
- M2** 1972 c. 70.
- M3** 1990 c. 8.
- M4** 1972 c. 70.

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