



Environment Act 1995

1995 CHAPTER 25

PART III **E+W**

NATIONAL PARKS

Functions of National Park authorities

65 **General purposes and powers.** **E+W**

- (1) This Part so far as it relates to the establishment and functions of National Park authorities shall have effect for the purposes specified in section 5(1) of the National Parks and Access to the ^{M1}Countryside Act 1949 (purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of National Parks and of promoting opportunities for the understanding and enjoyment of the special qualities of those Parks by the public).
- (2) Sections 37 and 38 of the ^{M2}Countryside Act 1968 (general duties as to the protection of interests of the countryside and the avoidance of pollution) shall apply to National Park authorities as they apply to local authorities.
- (3) The functions of a National Park authority in the period (if any) between the time when it is established and the time when it becomes the local planning authority for the relevant Park shall be confined to the taking of such steps as the authority, after consultation with the Secretary of State and any existing authority for that Park, considers appropriate for securing that it is able properly to carry out its functions after that time.
- (4) In the application of subsection (3) above in the case of a National Park authority established in relation to a National Park in Wales, the reference to any existing authority for that Park shall have effect as respects consultation carried out during so much of that period as falls before 1st April 1996 as including a reference to any principal council whose area is wholly or partly comprised in that Park.

Status: Point in time view as at 28/03/2016.

Changes to legislation: Environment Act 1995, Section 65 is up to date with all changes known to be in force on or before 30 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)

- (5) The powers of a National Park authority shall include power to do anything which, in the opinion of that authority, is calculated to facilitate, or is conducive or incidental to—
- (a) the accomplishment of the purposes mentioned in subsection (1) above; or
 - (b) the carrying out of any functions conferred on it by virtue of any other enactment.
- [^{F1}Paragraph (b) is subject to subsection (6A).]
- (6) The powers conferred on a National Park authority by subsection (5) above shall not include either—
- (a) power to do anything in contravention of any restriction imposed by virtue of this Part in relation to any express power of the authority; or
 - (b) a power to raise money (whether by borrowing or otherwise) in a manner which is not authorised apart from that subsection;
- but the things that may be done in exercise of those powers shall not be treated as excluding anything by reason only that it involves the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights.
- [^{F2}(6A) Subsection (5)(b) does not apply in relation to a National Park authority for a National Park in England (see instead section 65A for general powers of such authorities).]
- (7) Schedule 8 to this Act shall have effect with respect to the supplemental and incidental powers of a National Park authority.

Textual Amendments

- F1** Words in s. 65(5) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\), s. 25\(2\)](#), [Sch. 5 para. 14\(2\)](#)
- F2** S. 65(6A) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\), s. 25\(2\)](#), [Sch. 5 para. 14\(3\)](#)

Marginal Citations

- M1** 1949 c. 97.
- M2** 1968 c. 41.

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