



# Environment Act 1995

## 1995 CHAPTER 25

### PART III

#### NATIONAL PARKS

##### *Finances of National Park authorities*

#### **71 National Park authorities to be levying bodies.**

- (1) A National Park authority shall have power in respect of every financial year beginning after the establishment of that authority to issue levies to the councils by whom the local authority members of that authority fall to be appointed.
- (2) Subject to the following provisions of this section, a levy issued by virtue of this section shall be issued in accordance with regulations under section 74 of the <sup>M1</sup>Local Government Finance Act 1988 (power to make regulations authorising a levying body to issue a levy); and, accordingly, a National Park authority shall be deemed to be a levying body within the meaning of that section.
- (3) Subject to any maximum specified in or determined in accordance with any regulations under that section 74, the amount of the levies issued by a National Park authority in respect of any financial year shall be equal to the sum by which the aggregate of the amounts specified in subsection (4) below is exceeded by the aggregate of the sums which it estimates it will require in respect of that year for the following purposes, that is to say—
  - (a) meeting the expenditure of the authority which will fall to be charged for that year to any revenue account;
  - (b) making such provision as may be appropriate for meeting contingencies the expenditure on which would fall to be so charged;
  - (c) securing the availability to the authority of adequate working balances on its revenue accounts; and
  - (d) providing the authority with the funds required for covering any deficit carried forward from a previous financial year in any revenue account.

*Status: Point in time view as at 28/04/2022.*

*Changes to legislation: Environment Act 1995, Section 71 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)*

- (4) The amounts mentioned in subsection (3) above in relation to any financial year are—
- (a) any amounts to be received by the authority in respect of that year by way of grant under section 72 below;
  - (b) the authority's estimate of the amounts which are likely for that year to be credited to any revenue account in respect of sums payable to the authority for things done in the course of, or in connection with, the carrying out of its functions; and
  - (c) the authority's estimate of the amounts not falling within paragraph (a) or (b) above which apart from this section are, or are likely to be, available to it for that year for the purposes mentioned in subsection (3) above.
- (5) Where agreement as to the apportionment of the amount to be raised by a National Park authority in respect of any financial year by way of levies is entered into, before 1st December in the immediately preceding financial year, by all the authorities to whom the levies in respect of that year may be issued by that authority, that amount shall be apportioned between those authorities in accordance with the agreement, instead of in accordance with any provision made by virtue of that section 74.
- (6) Regulations under that section 74 may include provision for requiring an authority to anticipate a levy by virtue of this section when making any calculations which fall, for the financial year following that in which any National Park authority is established, to be made (whether originally or by way of substitute) under section [F131A or 42A (calculation of council tax requirement by authorities in England) or section 32 or 42 (calculation of budget requirement by authorities in Wales) of the Local Government Finance Act 1992.]
- (7) A National Park authority shall not by virtue of this section be a local authority within the meaning of the <sup>M2</sup>Town and Country Planning Act 1990.

#### Textual Amendments

- F1** Words in s. 71(6) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 7 para. 32](#); [S.I. 2011/2896](#), art. 2(i)

#### Marginal Citations

- M1** [1988 c. 41](#).  
**M2** [1990 c. 8](#).

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