



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97 12 13 and 14 Geo 6

PART II

NATIONAL PARKS

6 General duties of Commission in relation to National Parks.

- (1) It shall be the duty of the Commission as soon as may be after the commencement of this Act, and thereafter from time to time, to consider what areas there are in England [^{F1}and Wales] falling within subsection (2) of the last foregoing section, to determine in what order they should be designated under subsection (3) of that section, and to proceed with their designation at such times as the Commission may determine.
- (2) The power of the Minister to give directions under section three of this Act shall extend to the giving of directions as to the order and time of designation of the said areas, notwithstanding that the directions may be of a specific character.
- (3) As respects areas designated as National Parks, it shall be the duty of the Commission—
 - (a) to consider, generally and in relation to particular National Parks, in what way action needs to be taken under this Act and [^{F2}the ^{M1}Town and Country Planning Act 1971] for the purposes specified in subsection (1) of the last foregoing section, and to make such recommendations with respect thereto to the Minister and to local authorities as may appear to the Commission to be necessary or expedient, and
 - (b) to keep under review the progress made from time to time in accomplishing the said purposes and to make to the Minister or, where the Commission deem it appropriate, to any other Minister or any local authority or other persons, such representations as appear to the Commission to be necessary or expedient as to any matter affecting the accomplishment of those purposes.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 6. (See end of Document for details)

- (4) Without prejudice to the generality of the last foregoing subsection, it shall be the duty of the Commission, subject to and in accordance with the following provisions of this Act in that behalf—
- (a) as respects any area designated as a National Park, to give advice to the appropriate planning authorities as to the arrangements to be made for administering the area as a National Park;
 - (b)^{F3}
 - (c) to assist such authorities in formulating proposals as to the exercise by such authorities of their powers under this Act for securing the provision of accommodation, access for open-air recreation and other facilities for persons visiting National Parks and otherwise as to the exercise of their powers under this Act as respects National Parks, and to consult with such authorities with respect to the recommendations to be made by the Commission as to the payment of grants by the Minister under this Act;
 - (d)^{F4}
 - (e) to give advice where any Minister consults the Commission as to proposals for development of land in a National Park, or the appropriate planning authority consult them (whether in compliance with a requirement imposed under this Act or [^{F2}the ^{M2}Town and Country Planning Act 1971] or otherwise) in connection with the preparation or amendment of a development plan or in connection with an application for permission to develop any such land;
 - (f) to make recommendations to the Minister and, where the Commission deem it appropriate, to other Ministers as to any proposals for the development of land in a National Park, being proposals for development in a way which appears to the Commission to be inconsistent with the maintenance of the area as a Park;
 - (g) to notify to the Minister, or where the Commission deem it appropriate to other Ministers, the general nature of the action which will in the opinion of the Commission need to be taken as respects land in a National Park for any of the purposes specified in subsection (1) of the last foregoing section, in cases where it appears to the Commission that the Minister in question should be informed thereof before considering future proposals for the development of the land for other purposes; and
 - (h) if in any case the Commission are not satisfied that effect will be given to their recommendations or advice as to any matter mentioned in the foregoing paragraphs of this subsection, to refer the matter to the Minister and to advise the Minister as to the exercise of any powers of direction or enforcement (including powers of making orders) conferred on him by this Act or [^{F2}the ^{M3}Town and Country Planning Act 1971].
- (5) Nothing in this section shall be construed as modifying the effect of any provision of this Act whereby any specific power or duty is conferred or imposed on the Commission or whereby an obligation is imposed on any other person to consult with the Commission.
- (6) In this section the expression “appropriate planning authority” means a local planning authority whose area consists of or includes the whole or any part of a National Park, and includes a local authority, not being a local planning authority, by whom any powers of a local planning authority as respects a National Park are exercisable, whether under the following provisions of this Act in that behalf or otherwise; and references in this section to a Minister include references to any Board in charge of a Government department.

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Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 6. (See end of Document for details)

Textual Amendments

- F1** Words repealed (*prosp.*) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 130, 164(3), **Sch. 8 para. 1(5)**
- F2** Words substituted by virtue of [Town and Country Planning Act 1971 \(c. 78, SIF 123:1\)](#), **Sch. 24 para. 2**
- F3** [S. 6\(4\)\(b\)](#) repealed by [Countryside Act 1968 \(c. 41, SIF 46:1\)](#), **Sch. 5**
- F4** [S. 6\(4\)\(d\)](#) repealed by [Countryside Act 1968 \(c. 41, SIF 46:1\)](#), **Sch. 5**
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Marginal Citations

- M1** [1971 c. 78.\(123:1\)](#).
- M2** [1971 c. 78.\(123:1\)](#).
- M3** [1971 c. 78.\(123:1\)](#).

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