



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97 12 13 and 14 Geo 6

PART VI **E+W+S**

GENERAL, FINANCIAL AND SUPPLEMENTARY

General Powers of Local Planning Authorities

90 Local authority byelaws. **E+W+S**

(1) A local planning authority may, as respects land in their areas belonging to them and comprised either in a National Park or area of outstanding natural beauty, or as respects land or a waterway to which the public are given access by an agreement or order, or in consequence of acquisition, under Part V of this Act, make byelaws for the preservation of order, for the prevention of damage to the land or waterway or anything thereon or therein, and for securing that persons resorting thereto will so behave themselves as to avoid undue interference with the enjoyment of the land or waterway by other persons.

(2) F1

(3) Without prejudice to the generality of subsection (1) of this section, byelaws under that subsection—

- (a) may prohibit or restrict the use of the land or waterway, either generally or in any manner specified in the byelaws, by traffic of any description so specified;
- (b) may contain provisions prohibiting the depositing of rubbish and the leaving of litter;
- (c) may regulate or prohibit the lighting of fires;
- (d) may be made so as to relate either to the whole or to any part of the land or waterway, and may make different provisions for different parts thereof:

..... F2

Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 90. (See end of Document for details)

- (4) Before making bylaws under the foregoing provisions of this section as respects a National Park or area of outstanding natural beauty, [^{F3}the local planning authority] shall consult with [^{F4}Natural England][^{F5}(as regards land in England) or the [^{F6}Natural Resources Body for Wales] (as regards land in Wales)].
- (5) A local planning authority may, as respects parking places provided in pursuance of arrangements made by them under Part II of this Act, make byelaws as to the conditions of use, and charges to be made for the use, of such parking places, and for prohibiting or restricting persons from plying for hire with vehicles at such parking places.

Nothing in this subsection shall be construed as limiting the general power of a local planning authority to make charges for any services or facilities provided by them under this Act.

- (6) A county council or county district council shall have power to enforce byelaws made under this section by another authority as respects land in the area of the council.

Textual Amendments

- F1** Ss. 89(2A), 90(2) repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), **Sch. 30**
- F2** S. 90(3) proviso repealed by [Countryside Act 1968 \(c. 41, SIF 46:1\)](#), **Sch. 5**
- F3** Words substituted by virtue of [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), **Sch. 17 para. 39**
- F4** Words in s. 90(4) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 10\(1\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F5** Words in s. 90(4) inserted (1.4.1991) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 130(1), **Sch. 8 para. 1(14)**; S.I. 1991/685, **art. 3**
- F6** Words in s. 90(4) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 22](#) (with Sch. 7)

Modifications etc. (not altering text)

- C1** S. 90 amended by [London Government Act 1963 \(c. 33, SIF 81:1\)](#), **s. 60(5)** and [Countryside Act 1968 \(c. 41, SIF 46:1\)](#), **s. 41(10)**
- C2** S. 90(3) restricted by [Countryside Act 1968 \(c. 41, SIF 46:1\)](#), **s. 41(12)**

Changes to legislation:

There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 90.