
Changes to legislation: Environment Act 1995, Paragraph 2 is up to date with all changes known to be in force on or before 11 May 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) View outstanding changes

SCHEDULES

SCHEDULE 8

SUPPLEMENTAL AND INCIDENTAL POWERS OF NATIONAL PARK AUTHORITIES

Powers in relation to land etc.

- 2 (1) After section 244 of the ^{M1}Town and Country Planning Act 1990 (powers of joint planning boards) there shall be inserted the following section—

“244A Powers of National Park authorities under Part IX.

- (1) A National Park authority shall, on being authorised to do so by the Secretary of State, have the same power to acquire land compulsorily as the local authorities to whom section 226 applies have under that section.
- (2) A National Park authority shall have the same power to acquire land by agreement as the local authorities mentioned in subsection (1) of section 227 have under that subsection.
- (3) Sections 226(1) and (7), 227, 229, 230, 232, 233 and 235 to 242 shall apply with the necessary modifications as if a National Park authority were a local authority to which those sections applied and as if the Park in relation to which it carries out functions were the authority’s area.”
- (2) Every such reference in that Act to the acquisition or appropriation of land for planning purposes as falls to be construed in accordance with section 246 of that Act shall be taken (so far as it would not otherwise do so) to include a reference to an acquisition or appropriation of land under any power conferred by virtue of subparagraph (1) above.
- (3) The following provisions of that Act, that is to say—
- (a) sections 251(1), 258(1), 260(1), 261, 271, 272 and 274 (extinguishing rights of way and other rights), [^{F1}and]
 - (b) sections 275 and 276 (extension and modification of functions of statutory undertakers), ^{F2}...
 - ^{F2}(c)
- shall have effect as if a National Park authority were a local authority for the purposes of that Act.
- (4) The reference to a local authority in section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (which refers to the ^{M2}powers of a local authority under sections 232, 233 and 235(1) of the ^{M3}Town and Country Planning Act 1990) shall include a reference to a National Park authority.

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Textual Amendments

- F1** Word in Sch. 8 para. 2(3)(a) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 14 para. 24\(3\)\(a\)](#); S.I. 2016/733, reg. 3(h) (with reg. 6)
- F2** Sch. 8 para. 2(3)(c) and preceding word omitted (13.7.2016) by virtue of [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 14 para. 24\(3\)\(b\)](#); S.I. 2016/733, reg. 3(h) (with reg. 6)
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Marginal Citations

- M1** 1990 c. 8.
M2 1990 c. 8.
M3 1990 c. 9.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41(1)(s) inserted by [2021 c. 30 s. 57\(8\)](#)
- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)