



Circular from the
Department of the Environment
2 Marsham Street, London SW1P 3EB

11 September 1996

Environment Act 1995, Part III National Parks

Introduction

1. I am directed by the Secretary of State for the Environment to draw your attention to the action that is necessary to implement the provisions of Part III of the Environment Act 1995 (hereinafter referred to as the 1995 Act) as they relate to the administration of National Parks in England.
2. The 1995 Act enables authorities (hereinafter referred to as the "National Park Authorities") to be established to administer the National Parks in England and Wales. It also introduces revised purposes for the National Parks and imposes new duties on both the National Park Authorities, when established, and on other public bodies operating in the Parks.

Background

3. "Fit for the Future", the 1991 report of the National Parks Review Panel, defined the essence of the concept of National Parks as lying in "the striking quality and remoteness of much of their scenery, the harmony between man and nature it displays, and the opportunities it offers for suitable forms of recreation". This definition was endorsed by the Government in its 1992 policy statement in response to "Fit for the Future".
4. National Parks were designated under the provisions of the National Parks and Access to the Countryside Act 1949 for the twin purposes of preserving and enhancing their natural beauty, and of promoting their enjoyment by the public, as set out in section 5 of the 1949 Act. The twin purposes of conservation and public enjoyment have largely stood the test of time, but the Government's 1992 statement agreed that some revision was needed.
5. The addition of a third purpose, to promote the economic and social development of the communities within the Parks, was also considered by

the Review Panel, but rejected. The Government agrees. It is not for the National Park Authorities to assume the role of those development agencies which already exist for these purposes. However, it is essential that the National Park Authorities take full account of the economic and social needs of local communities in fulfilling the purposes of the Parks and this can only be achieved by working in close co-operation with local authorities, landowners and land managers and those other agencies and persons with interests in the Parks. (See paragraphs 25-29).

6. The Government regards National Park designation as conferring the highest status of protection as far as landscape and scenic beauty are concerned. The national significance which led to the designation of the Parks continues to be reflected in both the funding and membership arrangements for National Park Authorities. Three quarters of the National Park Authorities' approved expenditure comes direct from central Government; the remaining quarter via local authorities. Similarly, one half plus one of each National Park Authority's members are appointed by the constituent local authorities. The remainder are appointed by the Secretary of State, of whom one half minus one are nominated by parish councils in the Park (see paragraphs 30-41).

National Park purposes

7. The revised National Park purposes, as set out in section 61 of the 1995 Act, are:

- (i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and
- (ii) to promote opportunities for the understanding and enjoyment of the special qualities [of the Parks] by the public.

These revised purposes are an explicit expression of the wider-ranging view which the National Park Authorities should take, and which the National Park Boards and Committees have previously reflected in the integrated planning and management of their Parks. The revision of the purposes takes into account the changing nature of the Parks and the pressures upon them whilst ensuring that the conservation values which the Parks represent continue to be fully reflected. The new purposes in themselves are not, however, expected to result in a major change to the way the National Parks in England operate.

Conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Parks

8. The National Parks are areas of exceptional natural beauty. They contain important wildlife species and habitats, many of which have been designated as being of national and international interest. But the Parks are also living and working landscapes and over the centuries their natural beauty has been moulded by the influence of human activity. Their character is reflected in local traditions which have influenced farming and other land management practices. It is also reflected in the local building materials and vernacular style, monuments and landscape, often of archaeological or historical significance, and in the words, music, customs, crafts and art

which mark the individual characteristics of each Park. The Parks represent an important contribution to the cultural heritage of the nation.

9. As they develop and implement policies for the management and planning of their areas, the National Park Authorities will need to determine how best to reflect the qualities of natural beauty, wildlife and cultural heritage which they are to conserve and enhance. The National Park Authorities will be particularly expected to respond to and seek to conserve the individual character of the area for which they are responsible. In meeting the revised conservation purpose, the National Park Authorities will be expected to work closely with appropriate bodies including local authorities, the Countryside Commission, MAFF, English Nature and English Heritage.

Promoting opportunities for the understanding and enjoyment of the special qualities of National Parks by the public

10. The attraction of the special qualities of the National Parks has long been recognised and is demonstrated by the numbers of visitors who seek the enjoyment of these beautiful areas and the opportunities they afford for open-air recreation. In setting out the criteria for designating National Parks, the 1949 Act recognised the opportunities the Parks provide in this respect.

11. The Government believes that individual National Park Authorities are best placed to identify the nature of the special qualities of their Parks. These qualities will be determined within the context of each Park's natural beauty, wildlife and cultural heritage and the national purpose of the Parks to conserve and enhance them. Particular emphasis should be placed on identifying those qualities associated with their wide open spaces, and the wildness and tranquillity which are to be found within them.

12. The National Park Authorities should consider how best to promote the understanding of the special qualities of their areas by the public. They should produce strategies to promote this understanding, which may involve the use of the Parks' own specialist staff and services, such as rangers, wardens and education officers, publicity and educational material, and information and study centres. It will also involve working in partnership with other organisations, including local education authorities; schools, colleges and their teachers; training organisations; tourist boards and tourist operators; relevant Government bodies; local and national amenity societies; and writers, artists, publishers and broadcasters.

13. The National Park Authorities should continue to promote the widest range of opportunities for recreation to reflect the variety of ways in which the Parks can be enjoyed. But the conservation values which the Parks represent and which have led to so many appreciating their special qualities must be fully respected. The National Park Authorities will need to take into account the Parks' limited environmental capacity. It will not be appropriate for all forms of recreation to take place in every part of the Parks and the Government accepts that some recreational activities could cause unacceptable damage or disturbance to their natural beauty, wildlife or cultural heritage. The intrusive nature of some recreational activities or the damage they cause to conservation interests may unacceptably affect other people's understanding and enjoyment of the Parks.

14. Nevertheless the Government does not accept that particular activities should be excluded from throughout the Parks as a matter of principle. They contain a variety of landscapes, capable of accepting and absorbing many different types of leisure activity. In most instances, it should be possible to reconcile any conflict which may arise by co-operation between relevant interests and the National Park Authorities, and through careful planning and positive management strategies.

15. National Park Authorities will be expected to take a positive role in implementing the revised second National Park purpose and should play a proper role in promoting those opportunities. They should work closely with the Countryside Commission, the Sports Council, the Tourist Boards, the Forestry Commission and English Nature to achieve this. The Government believes that the promotion of the second purpose is not incompatible with the equally legitimate demand that many parts of the Parks should continue to be quietly enjoyed by many people for much of the time. It further believes that co-operation is the best means of ensuring sensitive use of the National Parks. Nor must the second National Park purpose be interpreted so as to imply undue interference with the everyday lives of those who live and work in the Parks. It is of particular importance that those experiences which are unique to the National Parks should be protected and fostered.

Sandford principle

16. "Fit for the Future" strongly endorsed the recommendation of the Sandford Committee in 1974 that the statutory purposes of the Parks should make it clear that their enjoyment by the public "shall be in a manner and by such means as will leave their natural beauty unimpaired for the enjoyment of this and future generations". The Sandford Committee concluded that most conflicts could be resolved by good management, but stated that "where it is not possible to prevent excessive or unsuitable use by such means, so that conflict between the two purposes becomes acute, the first one must prevail in order that the beauty and ecological qualities of the national parks may be maintained." The intention behind this principle, which has been Government policy for over 20 years and is known as the "Sandford principle", is now enshrined in section 62 of the 1995 Act. The Government believes that it continues to stand the Parks in good stead.

17. The National Park Authorities and other public bodies, as they exercise their functions in the National Parks, should make every effort to reconcile any conflicts which may arise between the two National Park purposes. The National Park Authorities in particular will be expected to encourage mediation, negotiation and co-operation, but there may be instances where reconciliation proves impossible. In those cases, the conservation purpose should take precedence. For example, in cases where excessive visitor pressure, or a particular type of activity, is likely to destroy or degrade, some management of access may be necessary, otherwise there may be nothing left to conserve or to enjoy. As the National Park Authorities are ultimately responsible for ensuring that National Park purposes are met, it is for them to determine when conflict arises between the two Park purposes, although it is important for them to keep in mind and fully consider the views of all in the Parks.

Sustainable Development

18. The Government is committed to the principle of sustainable development as the cornerstone of policies to reconcile the needs of economic development with those of environmental protection. The Government believes that the National Parks are in a strong position to influence the way in which we care for our countryside, to be models for the sustainable management of the wider countryside, and to help to further general understanding and appreciation of the means by which development and conservation can be better balanced. The National Park Authorities will have regard to the principles of sustainable development as they undertake their duties. Sustainable development is an important principle in achieving the well-being of local communities while aiding the conservation and enhancement of biodiversity.

The application of National Park purposes

19. Section 62 of the 1995 Act places a general duty on all relevant authorities, including the National Park Authorities, statutory undertakers and other public bodies, to have regard to the purposes of the Parks as set out in revised form in section 61. This ensures that they take account of Park purposes when coming to decisions or carrying out their activities relating to or affecting land within the Parks. Relevant authorities will be expected to be able to demonstrate that they have fulfilled this duty. They will wish to consider whether they could usefully make reference to it in their annual reports. It may sometimes be the case that the activities of certain authorities outside a National Park may have an impact within the Park. In such cases it will be important to ensure mutual co-operation across Park boundaries, particularly in planning and highway matters.

The economic and social well-being of Park communities

20. The Government is concerned to ensure that there is no incompatibility between conserving the National Parks and their remaining as living and working communities. The qualities for which the Parks have been designated are as much the products of man's hand as of nature. It is in the interests of the conservation of those qualities that the National Park Authorities have a duty to work with and for their local communities.

21. For these reasons, in pursuing the purposes of the Parks, section 62 of the 1995 Act places on the National Park Authorities a duty to seek to foster the economic and social well-being of their local communities. This new duty reinforces the need for the Parks to take a positive view of the well-being of their local communities, although it does not enable the National Park Authorities to make additional financial resources available and gives them no new powers, except in relation to National Park purposes. The National Park Authorities will need to consult MAFF and the Forestry Commission over the socio-economic effects of their policies.

22. The Government expects the National Park Authorities to ensure that they carry out the duty to foster the economic and social well-being of their local communities in ways which are compatible with their pursuit of National Park purposes and with the need for appropriate economic development. The natural disadvantages which may exist for those living in

National Parks, such as remoteness, climate and geography, are well recognised and are legitimate concerns to be taken into account by the National Park Authorities as local planning authorities. However, the economic advantages resulting from National Park designation should also be emphasised: tourism may result in significant benefits in terms of local purchasing and employment and is also supported by the National Park Authority through the operation of its visitor services; areas within the Parks qualify for funding under Objective 5b and the Rural Development Programme; and farmers and landowners receive assistance from the Park Authorities in their stewardship of land within the Parks.

23. The National Parks are part of the social, economic and environmental structure of a wider area. The Government expects the National Park Authorities to continue to co-operate with local authorities, and other agencies, such as the Rural Development Commission, whose task it is to promote the social or economic development of rural areas.

24. It is the Government's view that it is not appropriate for the National Park Authorities themselves to assume the role of promoting economic and social development in the Parks, nor to compete with those agencies which have the power to do so. Section 62 of the 1995 Act therefore prevents National Park Authorities from incurring significant expenditure in carrying out their duty towards the social and economic well-being of local communities, for example, expenditure other than appropriate administration costs resulting from liaison with local authorities and other agencies. This ensures that the financial resources of the Park Authorities remain focused on those purposes for which the Parks were created, but does not constrain any other of the Parks' powers to aid local interests through grants or management agreements. Expenditure in support of National Park purposes which has the indirect benefit of fostering the economic well-being of local communities is entirely proper provided that the expenditure is primarily incurred for those National Park purposes.

Consultation with national and local interests

25. In formulating policies for the administration and management of the Parks, the National Park Authorities must have in mind the wide range of interests which can be affected by their decisions. These interests include those of people who live and work in the Parks, those whose living is derived from the resources of the Parks, and those who visit the Parks.

26. The National Park Authorities will especially be expected to work closely with the Countryside Commission, which has statutory responsibilities in respect of National Park designation and boundary variation procedures and in advising the Secretary of State on National Park financial and membership matters. They will also be expected to draw on the knowledge and expertise associated with the statutory responsibilities of other national agencies; in particular, in the light of the revised first National Park purpose, of English Nature and English Heritage; and in the light of the second purpose, of the Sports Council, the Central Council for Physical Recreation and the regional Tourist Boards. They will also be expected to work in close co-operation with the Environment Agency established under Part I of the 1995 Act, all relevant Government organisations including

MAFF and the Forestry Commission, and appropriate commercial bodies and non-governmental organisations.

27. It is especially important that the National Park Authorities should work closely with their constituent local authorities in matters which impinge on their responsibilities. The Government urges both the National Park Authorities and the local authorities within whose boundaries the Parks lie to seek effective co-operation which fosters the health and vitality of local communities whilst respecting the special qualities of the Parks.

28. The Government in turn looks to all these agencies and organisations to involve the National Park Authorities fully in their activities as they affect the Parks.

29. The Government also emphasises the importance of ensuring that the views of local people are fully considered. All National Park Authorities should make formal arrangements to ensure that local people as well as local voluntary groups and recognised user interests in the Parks, have a proper and regular opportunity to make known their views. Paragraph 16 of Schedule 7 to the 1995 Act requires National Park Authorities to make particular arrangements with each parish council, whose area lies wholly or partly within the Park, to inform and consult them about the Authority's discharge of its functions. Collective consultation arrangements are generally to be encouraged.

Membership

30. The National Park Authorities (England) Order 1996 (SI 1996 No. 1243), made by the Secretary of State under Section 63 of the 1995 Act, sets out the membership distribution of each National Park Authority. Before making the order, the Secretary of State was required to consult the principal local authorities about the composition of the Authority, including the overall number of members and the number of members which each local authority should appoint. Schedule 7, paragraph 2(3) to the 1995 Act makes provision for the Secretary of State to consider the exclusion of a council from membership of the National Park Authority only at the request of that council. Mid Devon District Council has been so excluded in respect of Dartmoor.

31. Local authorities appoint one half plus one of the members of the National Park Authorities. The remainder are appointed by the Secretary of State, of whom one half minus one are parish representatives. Training is to be offered to all appointees by National Park staff, assisted as appropriate by the Countryside Commission.

Allowances and time off for members

32. Paragraph 11 of Schedule 7 to the 1995 Act states that the provisions of the Local Government Act 1972 and the Local Government and Housing Act 1989 regarding allowances for travelling, conferences and visits and basic attendance and special responsibility allowances respectively, shall apply equally to Secretary of State members of National Park Authorities as they do to local authority members. The payment of allowances is the responsibility of the National Park Authority, which will be required to make an annual statement of such payments.

Local authority appointments

33. Paragraph 2 of Schedule 7 to the 1995 Act requires local authority appointees to be serving councillors of their appointing local authority, and also requires local authorities to have regard to the desirability of appointing members who represent divisions or wards situated wholly or partly within the relevant Park. They should also have relevant experience and close links to the Park. In determining the overall size of the National Park Authorities, the Secretary of State has taken into account the requirements of the 1995 Act to ensure that every relevant local authority is represented. In areas where two tier principal local authorities exist, the Secretary of State has ensured that the total number of members from each tier is equal. In conjunction with these principles, the Secretary of State believes that the membership numbers of each National Park Authority should be kept as small as possible consistent with effectiveness and an equitable distribution of local representation.

Appointments by the Secretary of State

34. The Secretary of State will take steps to encourage all those with an interest in the Parks to make nominations for appointments to the National Park Authorities. In making his appointments, the Secretary of State will be concerned to take account of the national purposes for which the Parks have been designated. In selecting, after consultation with the Countryside Commission, persons suitable for appointment, the Secretary of State will look for a capacity to present this wider viewpoint in discussions within the Authority and for experience, preferably in a combination of fields, with direct relevance to the character of the particular National Park and to the responsibilities of the Authority. Wherever possible the Secretary of State will give preference to candidates who combine these qualities with local association to the Park to which they are appointed.

35. Individuals will be selected for their personal qualities and experience and not as representatives of specific groups or organisations. Whilst the Secretary of State expects his members to have regard to the interests of all those concerned with a specific Park, his primary concern is that they should bring to the Authorities' deliberations the wider national viewpoint.

36. Secretary of State members are usually appointed for a three year term, although the Secretary of State has discretion to appoint his members for shorter periods. Members are eligible for reappointment but are not usually expected to serve more than three successive terms. Nominations for appointment will be invited each year by the Department of the Environment. It should be borne in mind that very few vacancies arise each year. Nominees will remain on the list of potential candidates for appointment for three years and, unless a fresh nomination is received, will be removed at the end of that period. Those putting forward nominations should inform nominees that they have done so. The Countryside Commission has a statutory role in advising on National Park appointments and will continue to be asked to interview those candidates shortlisted by Ministers for appointment prior to a final selection by the Secretary of State.

37. The Secretary of State does not propose to appoint as a Secretary of State member anyone who is a serving councillor of a county or district council appointing members to the National Park Authority, or anyone employed by such a council.

Parish members

38. Paragraph 3 of Schedule 7 to the 1995 Act enables the Secretary of State to appoint parish members to the National Park Authorities. Parish members must either be members of a parish council, or the chairman of the parish meeting of a parish which does not have a separate parish council, wholly or partly situated within the National Park. Parish members of a National Park Authority are to hold office from the time of their appointment until they cease to be a member of the parish council or chairman of the parish meeting. The need to stand for re-election to the parish council or as chairman of the parish meeting will terminate their appointment to the National Park Authority, but they will be eligible for re-appointment if they are re-elected. Parish members will be appointed on the same terms and conditions, and subject to all the usual rules on conduct, as local authority and Secretary of State members of the National Park Authorities.

39. The appointment by the Secretary of State of parish members to the National Park Authorities is to ensure that local people have a greater involvement in the running of the National Parks and in the management of Park affairs. It enables a proper balance to be achieved between the wider national interest, that of local authorities and the truly local concerns of those who live and work in the Parks.

40. Parish members are appointed to represent the wider Park view and not just the interest of their own parish, and are representatives rather than delegates of the grouping of parishes nominating them. The Secretary of State looks to parishes in each National Park to maintain a local mechanism to select candidates commanding general support whom he can appoint to the Authority. He does not propose to determine the mechanism, but will look to a result which will enable the full range of areas within the Park to be represented. Where the requisite number of parish members comes forward the Secretary of State would propose generally to appoint them. In default of such agreement, the Secretary of State would select candidates from amongst the local nominees.

41. The Secretary of State does not propose to appoint as a parish member anyone who is a serving councillor of a county or district council appointing members to the National Park Authority, or anyone employed by such a council.

Finance

42. Sections 71 and 72 of the 1995 Act provide for a local and national element in the financing of the National Park Authorities. Given the present general arrangements for the financing of local authorities, the Secretary of State intends to provide 75% of the approved expenditure of the National Park Authorities, with the remaining 25% provided by those principal local authorities appointing members to the Authority. The local authorities'

contributions will be raised by levy issued by the National Park Authorities. Section 71(5) of the 1995 Act gives the opportunity for all the local authorities to whom a levy may be issued for a particular Park to agree before 1 December on how the levy should be apportioned for the following year.

43. The Secretary of State is confident that the local authorities will be able to reach agreement on the proportions which each will contribute towards the total local authority contribution for National Park Authority expenditure. In the event that they cannot reach agreement, however, provision is made in the 1995 Act for the matter to be decided in accordance with regulations under section 74 of the Local Government Finance Act 1988.

Annual reports

44. In accordance with section 230 of the Local Government Act 1972, the Secretary of State expects reports to be produced each year. The National Park Authorities will be required to produce, publish and give wide circulation to annual reports of their stewardship of the Parks. Copies should be sent to the Secretary of State and all relevant national agencies. The reports will be expected to include consideration of matters which are of interest to their constituent local authorities, parish councils and other bodies operating within the Park. These reports are important as a basis for the continuing dialogue between the National Park Authorities and their local communities.

45. The reports should show how each National Park Authority has sought to achieve the purposes of the Park, exercised its statutory duties and implemented the policies in the National Park Management Plan. They should also include a summary of the state of the Park environment, and refer to the achievement of key Government policies. There should also be a summary financial statement, a breakdown of expenditure and details of any special achievements over the year.

Planning responsibilities of the National Park Authorities

46. As sole local planning authority for its area under section 4A of the Town and Country Planning Act 1990, a National Park Authority is responsible for maintaining structure plan, local plan, and minerals and waste local plans coverage. If the Secretary of State so orders under section 67(2) of the 1995 Act, it will instead be responsible for preparing a unitary development plan; although the Secretary of State does not propose to make any such orders in the first instance. The National Park Authority will also exercise development control functions for its area.

47. A National Park Authority will be the strategic land-use planning authority for its area. Unless the Secretary of State has made an order under section 67(2) of the 1995 Act, the authority will exercise that responsibility by updating or replacing the existing structure plan provisions for its area. Where it is desirable, the Authority may seek, and is encouraged, to make voluntary arrangements under section 101 of the Local Government Act 1972 with one or more neighbouring strategic planning authority to prepare a joint structure plan for their combined area. Except in the case of the Peak

District National Park for which a single area-wide strategic plan continues to be appropriate, the Secretary of State is looking to the National Park Authorities to work with neighbouring strategic planning authorities to maintain a joint structure plan for their combined areas. Where necessary (there is already a joint structure plan for Cumbria and the Lake District National Park), the provisions of paragraph 5 of Schedule 4 to the National Park Authorities (England) Order 1996 facilitate the desired pattern of joint structure plan working.

48. A structure plan sets out key strategic planning policies as a framework for more detailed policies in local plans, which should be aimed at guiding development in the Park. The National Park Authority will need to consult its constituent local authorities before preparing their development plan proposals. In accordance with the development plan provisions of the 1990 Act, and the provisions of the Town and Country Planning (Development Plans) Regulations 1991, it will also need to consult a number of other bodies (which are listed in Annex E to Planning Policy Guidance Note 12). These include all relevant national and local agencies and organisations and statutory undertakers, as well as Government Departments with an interest in the development plan proposals.

Major Development

49. Government planning policy towards the National Parks, as well as the Broads and the New Forest, is that major development should not take place in these areas save in exceptional circumstances. Because of the serious impact that major developments may have on their natural beauty, applications for such developments must be subject to the most rigorous examination and should be demonstrated to be in the public interest before being allowed to proceed. Consideration of such applications should therefore normally include an assessment of:

the need for the development, in terms of national considerations, and the impact of permitting it or refusing it upon the local economy;

the cost of and scope for developing elsewhere outside the area or meeting the need for it in some other way;

any detrimental effect on the environment and the landscape, and the extent to which it should be moderated.

Old Minerals Permissions

50. Part V of the 1995 Act incorporates provisions requiring minerals planning authorities to prepare lists of active and dormant pre-1982 minerals sites within their areas. All sites wholly or partly within National Parks are Phase I sites where either the whole or greater part of the land is subject to relevant planning permissions granted after 30 June 1948 and before 22 February 1982. Separate guidance has been issued.

National Park Management Plans

51. Section 66 of the 1995 Act requires National Park Authorities to prepare and publish National Park Management Plans as statements of their policy for managing and carrying out their functions in relation to the

Parks. All National Park Authorities already have National Park Plans for their areas which perform a similar role and which are required to be reviewed every five years. Under section 66(2) of the 1995 Act a new National Park Authority will be permitted to adopt the existing plan as its Management Plan, providing that it publishes notice that it has done so. If an existing Plan is due for review within 12 months after the new National Park Authority is established, the National Park Authority may review the Plan before adopting it.

52. At the request of the Secretary of State the Countryside Commission publishes advisory notes on the production of National Park Plans. The guidance advises on the process for producing National Park Management Plans and on their content. It emphasises the importance of working closely with appropriate interested bodies and highlights the role of the Plans as strategic documents outlining overall policies. New Plans should reflect the revised National Park purposes, the duties of the National Park Authorities and the need for statutory consultation as appropriate. They should complement the structure, local and minerals and waste local plan coverage of the Parks. They may be supported by inventories of Park resources and a range of more detailed documents dealing with specific topics, such as nature conservation or forestry or management plans for particular areas.

Roads and traffic

53. Circular 125/77 (Department of Transport Circular 182/77) 'Roads and Traffic - National Parks' - remains extant. It advocates close working between highway authorities and the National Park Authorities, including periodic consultation on proposed road programmes and notification of all individual improvements. Highway and traffic authorities are advised to play their proper part in the implementation of National Park plans. The Circular recommends definition of a functional road hierarchy within the Parks, with appropriate traffic management measures.

54. The policy on major developments in National Parks (paragraph 49) applies to transport developments. There is a statutory duty to consult the Countryside Commission when an environmental statement is required for a highway development within a National Park. The Government encourages the National Park Authorities to work closely with local highway and traffic authorities (including the Highways Agency) to develop appropriate schemes for traffic and transport management, in full consultation with local interests. Consultation with the Department of Transport (including the Government Office for the Region and the Highways Agency, as appropriate) is encouraged where schemes are innovative in nature.

Rights of Way Responsibilities

55. Relevant highway authorities are asked to consider positively their relationship to the new National Park Authorities, and to work closely with them. They are urged to enter into agency agreements to delegate rights of way work to National Park Authorities where that has not already been done. Those agreements will enable National Park Authorities to continue to promote and protect footpaths and bridleways to meet the particular circumstances of their Park.

Defence use of National Parks

56. Parts of some of the National Parks have a long tradition of defence use, which pre-dates the designation of the Parks by many years. While the Government accepts these existing uses will continue into the foreseeable future, it is nevertheless committed to ensuring that new, renewed or intensified use of land in the National Parks for defence purposes should be subject to formal consultation with the National Park Authorities and the Countryside Commission and to an environmental impact assessment, and should be tested against any provisions set out in planning policy guidance. It acknowledges however, that there can be conflicts between defence use and Park purposes, but believes these will be best resolved through co-operation with the National Park Authorities. The Ministry of Defence will continue to give a high priority to conservation.

57. Defence use of National Parks makes a major contribution to the country's defence capability, and provides essential facilities which could not be easily replicated elsewhere. It can also be an important factor in contributing to the local economic and social well-being of Park communities.

Circular 4/76

58. The guidance in this Circular replaces that contained in DOE Circular 4/76 "Report of the Review of the National Park Policies Review Committee". The Annex to that Circular, which contains the conclusions of the Government of the day on the Report of the National Parks Policies Review Committee (the Sandford Report), nevertheless remains of interest as an important contribution to the development of policy for the National Parks.

R M PRITCHARD, *Assistant Secretary*

The Chief Executive

All County Councils, District Councils and Unitary Authorities in England whose area falls partly within the designated area of a National Park

National Park Officers in England

The Chief Executive, the Broads Authority

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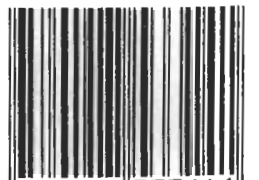
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