



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART IV

AREAS OF OUTSTANDING NATURAL BEAUTY

83 Procedure for designation orders.

- (1) Where [^{F1}Natural England] or the [^{F2}NRBW] propose to make an order under section 82, [^{F1}Natural England] or the [^{F2}NRBW] shall consult every local authority whose area includes any part of the area to which the proposed order is to relate.
- (2) Before making the order, [^{F3}Natural England] or the [^{F2}NRBW] shall then publish, in the London Gazette and in one or more newspapers circulating in the area of every such local authority, notice that they propose to make the order, indicating the effect of the order and stating the time within which and manner in which representations with respect to the proposed order may be made to [^{F3}Natural England] or the [^{F2}NRBW] (as the case may be), and shall consider any representations duly made.
- (3) An order under section 82 shall not come into operation unless and until confirmed—
 - (a) in the case of an order made by [^{F4}Natural England], by the Secretary of State, or
 - (b) in the case of an order made by the [^{F2}NRBW], by the National Assembly for Wales,

and, in submitting any such order to the Secretary of State or the Assembly, [^{F4}Natural England] or [^{F2}NRBW] shall forward to the Secretary of State or the Assembly any representations made by a local authority consulted under subsection (1) or made by any other person under subsection (2), other than representations to which effect is given by the order as submitted to the Secretary of State or the Assembly.

- (4) The Secretary of State or the National Assembly for Wales may confirm an order submitted to him or it under this section either as submitted or with such modifications as the Secretary of State or the Assembly thinks expedient.
- (5) Before refusing to confirm an order under section 82, or determining to confirm it with modifications, the Secretary of State shall consult [^{F5}Natural England] and every

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local authority whose area includes any land to which the order as submitted, or as proposed to be modified, relates.

- (6) Before refusing to confirm an order under section 82, or determining to confirm it with modifications, the National Assembly for Wales shall consult the [F²NRBW] and every local authority whose area includes any land to which the order as submitted, or as proposed to be modified, relates.
- (7) An order under section 82 may be revoked or varied by a subsequent order under that section.
- (8) Without prejudice to the powers of [F⁶Natural England] or the [F²NRBW] to vary an order under section 82, the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may by order vary any order under that section made by [F⁶Natural England] or the [F²NRBW]; and subsection (1) applies to any order under section 82 made by the Secretary of State or the Assembly by virtue of this subsection with the substitution for references to [F⁶Natural England] of references to the Secretary of State and for references to the [F²NRBW] of references to the Assembly.
- (9) It is the duty of [F⁷Natural England] and the [F²NRBW] to secure that copies of any order under section 82 relating to England or, as the case may be, to Wales, are available for inspection by the public at all reasonable times—
 - (a) at the office of [F⁷Natural England] or, as the case may be, the [F²NRBW],
 - (b) at the offices of each local authority whose area includes any part of the area to which the order relates, and
 - (c) at such other place or places in or near that area as [F⁷Natural England] or, as the case may be, the [F²NRBW] may determine.

Textual Amendments

- F1** Words in s. 83(1) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(a\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F2** Words in s. 83 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 408](#) (with Sch. 7)
- F3** Words in s. 83(2) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(a\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F4** Words in s. 83(3) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(a\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F5** Words in s. 83(5) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(a\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F6** Words in s. 83(8) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(a\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F7** Words in s. 83(9) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\), s. 107, Sch. 11 para. 164\(a\)](#); S.I. 2006/2541, art. 2 (with Sch.)

Commencement Information

- I1** Pt IV (ss. 82-93) wholly in force at 1.5.2001; Pt. IV not in force at Royal Assent see s. 103(3); Pt. IV in force for E. at 1.4.2001 by [S.I. 2001/114, art. 2\(2\)\(e\)](#); Pt. IV in force for W. at 1.5.2001 by [S.I. 2001/1410, art. 2\(g\)](#)

Changes to legislation:

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 15(1)(e) and word inserted by [2023 asc 3 Sch. 13 para. 179](#)
- s. 55A inserted by [2015 c. 20 s. 20](#)
- s. 56A inserted by [2015 c. 20 s. 21](#)
- s. 56B inserted by [2015 c. 20 s. 22\(1\)](#)