



Wildlife and Countryside Act 1981

1981 CHAPTER 69

PART II **E+W+S**

NATURE CONSERVATION, COUNTRYSIDE AND NATIONAL PARKS

^{x1}[^{F1} Sites of special scientific interest and limestone pavements]

[^{F1}28A Variation of notification under section 28. **E+W**

- (1) At any time after notice has been given under section 28(5)(b) confirming a notification (with or without modifications), [^{F2}Natural England] may by notice vary the matters specified or stated in the confirmed notification (whether by adding to them, changing them, or removing matter from them).
- (2) The area of land cannot be varied under this section.
- (3) [^{F2}Natural England] shall give notice setting out the variation to—
 - (a) the local planning authority [^{F3}(if any)] in whose area the land is situated,
 - (b) every owner and occupier of any of the land who in the opinion of the Council may be affected by the variation, and
 - (c) the Secretary of State,and after service of a notice under paragraph (b) the notification under section 28(1)(b) shall have effect in its varied form.
- (4) Section 28(3) shall apply to such a notice as it applies to a notification under section 28(1).
- (5) Where a notice under subsection (3) has been given, [^{F2}Natural England] may within the period of nine months beginning with the date the last of the owners and occupiers referred to in subsection (3)(b) was served with the notice either—
 - (a) give notice to the persons mentioned in subsection (3) withdrawing the notice; or
 - (b) give notice to them confirming the notice (with or without modifications).

Changes to legislation: *Wildlife and Countryside Act 1981, Section 28A is up to date with all changes known to be in force on or before 17 April 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*

- (6) A notice under subsection (3) shall cease to have effect—
- (a) on the giving of notice of its withdrawal under subsection (5)(a) to any of the persons mentioned in subsection (3); or
 - (b) if not withdrawn or confirmed by notice under subsection (5) within the period of nine months referred to in that subsection, at the end of that period.
- (7) As from the time when there is served on the owner or occupier of any land a notice under subsection (5)(b) confirming a notice of variation with modifications, the notification under section 28(1)(b) shall have effect as so varied.
- (8) A local land charge existing by virtue of section 28(9) shall be varied in accordance with a notice under subsection (3) or (5)(b).]

Textual Amendments

- F1** Ss. 28-28R substituted for s. 28 (E.W.) (30.1.2001) by 2000 c. 37, ss. 75(1), 103(2), **Sch. 9 para. 1** (with **Sch. 11 paras. 1-17, 20**)
- F2** Words in s. 28A substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105(1), 107, **Sch. 11 para. 79**; S.I. 2006/2541, **art. 2**
- F3** Words in s. 28A(3)(a) inserted (E.W.) (12.1.2010 for E., 12.12.2014 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), ss. 148, 324(2)(b)(ii), **Sch. 13 para. 3**; S.I. 2014/3088, **art. 2(b)**

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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. 53(3)(c)(ia) inserted by [2015 c. 20 Sch. 7 para. 2\(b\)](#)
- s. 53B(4A)(4B) inserted by [2015 c. 20 Sch. 7 para. 4](#)
- s. 53ZA inserted by [2015 c. 20 Sch. 7 para. 3](#)
- s. 54B54C inserted by [2015 c. 20 Sch. 7 para. 5](#)
- Sch. 13A inserted by [2015 c. 20 Sch. 7 para. 6](#)
- Sch. 14A inserted by [2015 c. 20 Sch. 7 para. 7](#)