



# Wildlife and Countryside Act 1981

## 1981 CHAPTER 69

### PART II

#### NATURE CONSERVATION, COUNTRYSIDE AND NATIONAL PARKS

#### *<sup>x1</sup>[<sup>F1</sup> Sites of special scientific interest and limestone pavements ]*

#### **[<sup>F1</sup>28D Denotification.**

- (1) Where [<sup>F2</sup>Natural England] are of the opinion that all or part of a site of special scientific interest
  - [ is [<sup>F4</sup>not] of special interest by reason of any of the matters mentioned in <sup>F3</sup>(a) section 28(1), [<sup>F5</sup>or
  - (b) should no longer be the subject of a notification under section 28(1) because that land has been designated as (or as part of) a marine conservation zone under section 116 of the Marine and Coastal Access Act 2009.]they may decide to notify that fact.
- (2) If they do so decide, the persons whom they must notify are—
  - (a) the local planning authority [<sup>F6</sup>(if any)] in whose area [<sup>F7</sup>the land mentioned in subsection (1)] is situated;
  - (b) every owner and occupier of any of that land;
  - (c) the Secretary of State;
  - (d) the Environment Agency; and
  - (e) every relevant undertaker (within the meaning of section 4(1) of the <sup>M1</sup> Water Industry Act 1991) and every internal drainage board (within the meaning of section 61C(1) of the <sup>M2</sup> Land Drainage Act 1991) whose works, operations or activities may affect the land.
- (3) [<sup>F2</sup>Natural England] shall also publish a notification of [<sup>F8</sup>the fact mentioned in subsection (1)(a) or (b)] in at least one local newspaper circulating in the area in which the land referred to in subsection (2)(a) is situated.

**Changes to legislation:** *Wildlife and Countryside Act 1981, Section 28D is up to date with all changes known to be in force on or before 10 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*

- (4) Section 28(3) shall apply to a notification under subsection (2) or (3) as it applies to a notification under section 28(1).
- (5) Where a notification under subsection (2) has been given, [<sup>F2</sup>Natural England] may within the period of nine months beginning with the date on which the notification was served on the Secretary of State either—
- (a) give notice to the persons mentioned in subsection (2) withdrawing the notification, or
  - (b) give notice to those persons confirming the notification, or confirming it in relation to an area of land specified in the notice which is smaller than that specified in the notification under subsection (2),
- but if they do neither the notification shall cease to have effect.
- (6) A notification under subsection (2) shall have effect in relation to any land as from the time a notice under subsection (5)(b) is served on its owner or occupier, and from that time a notification under section 28(1)(b) in relation to that land shall cease to have effect.
- (7) A local land charge existing by virtue of section 28(9) shall be discharged in relation to land which is the subject of a notice under subsection (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. 28D 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. 28D(1) renumbered (E.W.) (12.1.2010 for E., 12.12.2014 in so far as not already in force) as s. 28D(1)(a) by virtue of **Marine and Coastal Access Act 2009 (c. 23)**, ss. 148, 324(2)(b)(ii), **Sch. 13 para. 9(2)**; S.I. 2014/3088, **art. 2(b)**
- F4** Words in s. 28D substituted (31.5.2006) by **Natural Environment and Rural Communities Act 2006 (c. 16)**, ss. 56, 107; S.I. 2006/1382, **art. 2**
- F5** S. 28D(1)(b) and preceding word 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. 9(2)**; S.I. 2014/3088, **art. 2(b)**
- F6** Words in s. 28D(2)(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. 9(3)(a)**; S.I. 2014/3088, **art. 2(b)**
- F7** Words in s. 28D(2)(a) substituted (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. 9(3)(b)**; S.I. 2014/3088, **art. 2(b)**
- F8** Words in s. 28D(3) substituted (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. 9(4)**; S.I. 2014/3088, **art. 2(b)**

#### Marginal Citations

- M1** 1991 c. 56.  
**M2** 1991 c. 59.

**Changes to legislation:**

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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](#)