



Wildlife and Countryside Act 1981

1981 CHAPTER 69

PART IV

MISCELLANEOUS AND GENERAL

[^{F1}70B Effect of failure to serve certain notices

- (1) This section applies where the relevant conservation body—
 - (a) has (whether before or after the commencement of this section) taken all reasonable steps to ensure that, under any provision listed in subsection (2), notice is served on every owner and occupier of any land to which the notice relates, but
 - (b) has failed to do so.
- (2) The provisions are—
 - (a) section 28(1) (notification of SSSI);
 - (b) section 28(5) (confirmation or withdrawal of notification of SSSI);
 - (c) section 28A(3) (notice varying notification under section 28);
 - (d) section 28A(5) (notice confirming or withdrawing variation of notification);
 - (e) section 28B(2) (notification of additional land to be included in SSSI);
 - (f) section 28B(7) (confirmation or withdrawal of notification);
 - (g) section 28C(2) (notification of enlargement of SSSI);
 - (h) section 28C(3) (confirmation or withdrawal of notification of enlargement);
 - (i) section 28D(2) (denotification);
 - (j) section 28D(5) (withdrawal or confirmation of denotification);
 - (k) section 28J(3) (notice of proposed management scheme);
 - (l) section 28J(8) (withdrawal or confirmation of management scheme).
- (3) The validity of the notice is not affected by the failure to serve it on every owner and occupier of the land.

Changes to legislation: Wildlife and Countryside Act 1981, Section 70B is up to date with all changes known to be in force on or before 20 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) For the purposes of sections 28 to 28Q, the time when the notice is to be treated as having been served is the time when the relevant conservation body took the last of the steps referred to in subsection (1)(a).
- (5) If the relevant conservation body becomes aware of its failure to serve a notice on an owner or occupier, it must serve a copy of the notice on that owner or occupier.
- (6) Nothing in subsection (3) or (4) renders the owner or occupier liable—
- (a) in relation to anything done or omitted to be done before the commencement of this section, or
 - (b) under section 28P(1) or 28Q(4) in relation to anything done or omitted to be done before the copy of the notice is served under subsection (5).
- (7) “The relevant conservation body” means—
- (a) in relation to land in an area in England—
 - (i) subject to sub-paragraph (ii), Natural England;
 - (ii) in relation to any time before the commencement of section 27AA, English Nature;
 - (b) in relation to land in an area in Wales, [^{F2}the Natural Resources Body for Wales].]

Textual Amendments

- F1** S. 70B inserted (31.5.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), **ss. 57**, [107](#); [S.I. 2006/1382](#), **art. 2**
- F2** Words in s. 70B(7)(b) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), **art. 1(2)**, **Sch. 2 para. 179** (with [Sch. 7](#))

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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](#)