

**Changes to legislation:** *Countryside and Rights of Way Act 2000, SCHEDULE 10 is up to date with all changes known to be in force on or before 18 September 2019. 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*

## SCHEDULES

### SCHEDULE 10

Section 76(1).

#### CONSEQUENTIAL AMENDMENTS RELATING TO SITES OF SPECIAL SCIENTIFIC INTEREST

##### PART I

##### AMENDMENTS OF WILDLIFE AND COUNTRYSIDE ACT 1981

- 1 (1) The 1981 Act is amended as follows.
  - (2) In section 28 (areas of special scientific interest)—
    - (a) in subsection (8)(a), “Part III of the Town and Country Planning Act 1990 or” is omitted; and
    - (b) subsections (10) and (11) are omitted.
  - (3) In section 29 (special protection for certain areas of special scientific interest), in subsection (9)(a), “Part III of the Town and Country Planning Act 1990 or” is omitted.
  - (4) In section 30 (compensation where order is made under section 29)—
    - (a) in subsection (4)(c), “section 10 of the Land Compensation Act 1973 (mortgages, trusts for sale and settlements) or” is omitted;
    - (b) in subsection (5), “section 5 of the Land Compensation Act 1961 or” is omitted;
    - (c) in subsection (7), “section 32 of the Land Compensation Act 1961 or” is omitted;
    - (d) in subsection (8), “the Lands Tribunal or” is omitted; and
    - (e) in subsection (9), “sections 2 and 4 of the Land Compensation Act 1961 or” is omitted.
- 2 In section 74 of the 1981 Act (short title, commencement and extent), after subsection (5) there is inserted—
 

“(5A) Sections 29 and 30 extend to Scotland only.”

##### PART II

##### OTHER AMENDMENTS

##### *Harbours Act 1964 (c. 40)*

- 3 In Schedule 3 to the Harbours Act 1964 (procedure for making harbour revision and empowerment orders), in paragraph 1 (interpretation), for paragraph (a) of the definition of “sensitive area” there is substituted—

**Changes to legislation:** *Countryside and Rights of Way Act 2000, SCHEDULE 10 is up to date with all changes known to be in force on or before 18 September 2019. 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*

“(a) land within a site of special scientific interest (within the meaning of the Wildlife and Countryside Act 1981);”.

*Conservation of Seals Act 1970 (c. 30)*

4 In section 10 of the Conservation of Seals Act 1970 (power to grant licences to kill or take seals), in subsection (4), for paragraph (b) there is substituted—

“(b) is a site of special scientific interest (within the meaning of the <sup>M1</sup>Wildlife and Countryside Act 1981); or”.

<p><b>Marginal Citations</b></p> <p>M1 1981 c. 69.</p>
--

*Highways Act 1980 (c. 66)*

5 In section 105A of the Highways Act 1980 (environmental impact assessments), in subsection (6), for paragraph (a) there is substituted—

“(a) a site of special scientific interest (within the meaning of the Wildlife and Countryside Act 1981);”.

*Channel Tunnel Act 1987 (c. 53)*

6 In section 9 of the Channel Tunnel Act 1987 (planning permission), for subsection (7) there is substituted—

“(7) Section 28I of the Wildlife and Countryside Act 1981 (statutory undertakers: duty in relation to authorising operations) shall not apply in relation to any operation which is connected with the carrying out of any works authorised to be carried out by this Act and which is carried out within the limits of land to be acquired for any of those works, and neither shall the following—

(a) section 28E(1) (prohibition of operations on land forming part of a site of special scientific interest), in relation to an owner or occupier other than an authority to which section 28G of that Act applies;

(b) sections 28G(2) (general duty of statutory undertakers) and 28H (duty of statutory undertakers when carrying out operations), in relation to such an authority.”

*Town and Country Planning Act 1990 (c. 8)*

7 In section 87 of the Town and Country Planning Act 1990 (exclusion of certain descriptions of land or development from a simplified planning zone), in subsection (1), for paragraph (f) there is substituted—

“(f) land within a site of special scientific interest (within the meaning of the Wildlife and Countryside Act 1981).”.

*Environmental Protection Act 1990 (c. 43)*

F18 .....

**Changes to legislation:** *Countryside and Rights of Way Act 2000, SCHEDULE 10 is up to date with all changes known to be in force on or before 18 September 2019. 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*

### Textual Amendments

- F1** Sch. 10 para. 8 repealed (6.4.2008) by [The Environmental Permitting \(England and Wales\) Regulations 2007 \(S.I. 2007/3538\)](#), reg. 1(1)(b), [Sch. 23](#) (with reg. 72, Sch. 4)

#### *Water Industry Act 1991 (c. 56)*

- 9 In section 156 of the Water Industry Act 1991 (restriction on disposals of land), in subsection (8), for paragraph (b) in the definition of “area of outstanding natural beauty or special scientific interest” there is substituted—
- “(b) is a site of special scientific interest within the meaning of the Wildlife and Countryside Act 1981;”.

#### *Environment Act 1995 (c. 25)*

- 10 In Schedule 13 to the Environment Act 1995 (review of old mineral planning permissions), for paragraph 2(4)(b) there is substituted—
- “(b) a site of special scientific interest (within the meaning of the Wildlife and Countryside Act 1981);”.

#### *Channel Tunnel Rail Link Act 1996 (c. 61)*

- 11 In Schedule 10 to the Channel Tunnel Rail Link Act 1996 (disapplication and modification of miscellaneous controls), for paragraph 6 and the heading preceding it there is substituted—

#### *“ Sites of special scientific interest*

- 6 Section 28I of the <sup>M2</sup>Wildlife and Countryside Act 1981 (statutory undertakers: duty in relation to authorising operations) shall not apply to any operation carried out for the purposes of or in connection with the exercise of any of the powers conferred by this Part of this Act with respect to works, and neither shall the following—
- (a) section 28E(1) (prohibition of operations on land forming part of a site of special scientific interest), in relation to an owner or occupier other than an authority to which section 28G of that Act applies;
- (b) sections 28G(2) (general duty of statutory undertakers) and 28H (duty of statutory undertakers when carrying out operations), in relation to such an authority.”.

### Marginal Citations

- M2** 1981 c. 69.

**Changes to legislation:**

Countryside and Rights of Way Act 2000, SCHEDULE 10 is up to date with all changes known to be in force on or before 18 September 2019. 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.

[View outstanding changes](#)

**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. 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\(1\)](#)