
Changes to legislation: *Countryside and Rights of Way Act 2000, Cross Heading: Section 29 is up to date with all changes known to be in force on or before 19 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*

SCHEDULES

SCHEDULE 11

TRANSITIONAL PROVISIONS AND SAVINGS RELATING TO SITES OF SPECIAL SCIENTIFIC INTEREST

Section 29

- 15 Paragraphs 16 and 17 apply where, immediately before the coming into force of paragraph 2 of Schedule 9 to this Act, there is in effect an order applying section 29(3) to any land (“the relevant land”).
- 16 (1) If the relevant land is not included in a site of special scientific interest, section 28E applies to it as if it were (and accordingly section 28P(1) applies also); and references in section 28E to a notification under section 28(1)(b) shall be construed as references to an order under section 29.
- (2) Whether or not the relevant land is included in a site of special scientific interest, a notice given under section 29(4)(a) has effect as if it were a notice given under section 28E(1)(a), except as provided in paragraph 17.
- (3) Whether or not the relevant land is included in a site of special scientific interest, a consent given under section 29(5)(a) has effect as if it were a consent given under section 28E(3)(a), and in relation to such a consent section 28E has effect as if for subsections (7) and (8) there were substituted—
- “(7) A notice under subsection (6) must include a notice of—
- (a) the Council’s reasons for withdrawing or modifying the consent;
 - (b) the rights of appeal under section 28F;
 - (c) the effect of subsection (9); and
 - (d) the effect of section 28M.”
- 17 (1) This paragraph applies where—
- (a) a notice has been given under section 29(4)(a) before the repeal of section 29 by paragraph 2 of Schedule 9 to this Act;
 - (b) on the date on which paragraph 2 of Schedule 9 to this Act comes into force, neither of the conditions set out in section 29(5)(a) and (b) is fulfilled; and
 - (c) on that date the period mentioned in paragraph (c) of section 29(5) (or in that paragraph as it has effect by virtue of section 29(6) or (7)) has expired.
- (2) Where this paragraph applies, but subject to paragraph 9(7) as it has effect by virtue of sub-paragraph (3) of this paragraph, the prohibition in section 28E(1) on carrying out, or causing or permitting to be carried out, an operation does not apply in relation to an operation specified in the notice under section 29(4)(a).
- (3) Paragraphs 9(3) to (11) and 11 of this Schedule apply also in relation to this paragraph, but as if—

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- (a) in those provisions references to a notice under old section 28(5)(a) were to a notice under section 29(4)(a); and
 - (b) the reference to “sub-paragraph (2)” in paragraph 9(7) were to sub-paragraph (2) of this paragraph.
- 18 (1) This paragraph applies where—
- (a) as a result of the coming into force of paragraph 2 of Schedule 9 to this Act, a local inquiry or a hearing (as mentioned in paragraph 4(1)(a) and (b) respectively of Schedule 11 to the 1981 Act) comes to an end, and
 - (b) an owner or occupier of land in relation to which an order under section 29 has been made has incurred expense in connection with opposing the order at the local inquiry or hearing.
- (2) If this paragraph applies, the Nature Conservancy Council shall (subject to sub-paragraph (3)) pay a person’s expenses referred to in paragraph (1)(b) to the extent that they are reasonable.
- (3) The Council need not pay any such expenses unless the person—
- (a) applies to the Council for such a payment; and
 - (b) satisfies the Council that he has incurred the expenses.

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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\(1\)](#)