Changes to legislation: *Norfolk and Suffolk Broads Act 1988, Part II is up to date with all changes known to be in force on or before 09 June 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 2

VARIATION OF AREA TREATED AS THE BROADS

PART II

VARIATION BY ORDER

3 Where [F1 Natural England] has received a proposal from the Authority that the area which constitutes the Broads (for the purposes of this Act) should be varied, it shall consider the proposal and either reject it or conduct a review under this Schedule.

Textual Amendments

F1 Words in Sch. 2 para. 3 substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 113(a)**; S.I. 2006/2541, art. 2 (with Sch.)

4 Where [F2 Natural England] conducts a review under this Schedule it shall take such steps as it considers appropriate to secure that those persons who appear to it to have an interest in the proposal being reviewed—

(a) are informed of the proposal; and

(b) are given an opportunity to make representations on it within such a reasonable period as may be specified by [F2 Natural England].

Textual Amendments

F2 Words in Sch. 2 para. 4 substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 113(b)**; S.I. 2006/2541, art. 2 (with Sch.)

5 [F3 Natural England] shall have regard to any representations duly made to it under paragraph 4 above.

Textual Amendments

F3 Words in Sch. 2 para. 5 substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 113(b)**; S.I. 2006/2541, art. 2 (with Sch.)

6 Where, following the review of any proposal under this Schedule, [F4 Natural England] considers that the proposal should be adopted (either as originally made or as modified by [F4 Natural England] in consequence of its review), it may notify the Secretary of State to that effect.

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Textual Amendments

F4 Words in Sch. 2 para. 6 substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 113(b)**; S.I. 2006/2541, art. 2 (with Sch.)

7 The Secretary of State may by order give effect to any proposal of which he is notified by **[**[F5] Natural England **]** under paragraph 6 above; and in doing so the Secretary of State may modify the proposed variation in such manner as he thinks fit.

Textual Amendments

F5 Words in Sch. 2 para. 7 substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 113(b)**; S.I. 2006/2541, art. 2 (with Sch.)

8 Before deciding whether or not to give effect to any such proposal the Secretary of State may hold a local inquiry.

9 Without prejudice to the generality of section 24(3) of this Act, an order under paragraph 7 above may make such amendments in, and repeals of, local enactments as the Secretary of State considers appropriate in consequence of the order.

10 Before making to **[**[F6] Natural England **]** any proposal of any kind mentioned in paragraph 3 above, the Authority shall consult—

(a) each of the appointing authorities other than the Secretary of State; and

(b) the internal drainage board for any internal drainage district which appears to the Authority to be likely to be affected by the proposal.

Textual Amendments

F6 Words in Sch. 2 para. 10 substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, **Sch. 11 para. 113(b)**; S.I. 2006/2541, art. 2 (with Sch.)

Changes to legislation:
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View outstanding changes

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. 9(8A) inserted by 2008 c. 29 s. 224(2)(b)