These notes refer to the Natural Environment and Rural Communities Act 2006 (c.16)

EXPLANATORY NOTES

NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

INTRODUCTION

SUMMARY

BACKGROUND

THE ACT

PART 1: NATURAL ENGLAND AND THE COMMISSION FOR RURAL COMMUNITIES

PART 2: NATURE CONSERVATION IN THE UK

PART 3: WILDLIFE ETC.

PART 4: SITES OF SPECIAL SCIENTIFIC INTEREST

PART 5: NATIONAL PARKS AND THE BROADS

PART 6: RIGHTS OF WAY

PART 7: INLAND WATERWAYS

PART 8: FLEXIBLE ADMINISTRATIVE ARRANGEMENTS

PART 9: MISCELLANEOUS

PART 10: FINAL PROVISIONS

TERRITORIAL EXTENT

COMMENTARY ON SECTIONS

PART 1: NATURAL ENGLAND AND THE COMMISSION FOR RURAL COMMUNITIES

Chapter 1: Natural England

Constitution and general purpose

Section 1: Constitution

Section 2: General purpose

Advisory functions

Section 3: Review and research

Section 4: Advice

General implementation powers

Section 5: Carrying out proposals etc.

Section 7: Management agreements

Section 8: Experimental schemes

Other functions

Sections 9 and 10: Information, consultancy and training services etc.

Section 11: Power to charge for services and licences

Section 12: Power to bring criminal proceedings

Section 13: Incidental powers

Powers of Secretary of State

Section 15: Guidance

Section 16: Directions

Chapter 2: Commission for Rural Communities

The Commission and its general purpose

Section 17: Commission for Rural Communities

Section 18: Commission's general purpose

Functions

Section 19: Representation, advice and monitoring

Section 20: Research

Section 21: Information services etc.

Section 22: Power to charge for services

Section 23: Incidental powers

Powers of Secretary of State

Section 24: Grants

Section 25: Directions

Chapter 3: Supplementary

Transfer schemes etc.

Section 26: Transfers on dissolution of English Nature and Countryside Agency

Section 27: Continuing powers to make transfer schemes

Section 29: Interim arrangements

PART 2: NATURE CONSERVATION IN THE UK

Joint Nature Conservation Committee etc.

Section 31: Joint Nature Conservation Committee

Section 32: UK conservation bodies

Section 33: Purpose of functions under this Part

Coordinated functions

Section 34: Functions of national or international significance

Section 35: Advice from joint committee to UK conservation body

Section 36: GB functions with respect to wildlife

Directions

Section 38: Directions

PART 3: WILDLIFE ETC.

Biodiversity

Section 40: Duty to conserve biodiversity

Section 41: Biodiversity lists and action (England)

Section 42: Biodiversity lists and action (Wales)

Pesticides harmful to wildlife

Section 43: Possession of pesticides harmful to wildlife

Section 44: Enforcement powers in connection with pesticides

Section 45 Codes of Practice

Section 46: Interpretation

Protection of birds

Section 47: Protection of nests of certain birds which re-use their nests

Section 48: Birds released into the wild as part of a re-population programme

Section 49: Registration etc. of certain captive birds

Invasive non-native species

Section 50: Sale etc. of invasive non-native species

Section 51: Codes of practice in connection with invasive non-native species

Enforcement etc of provisions relating to wildlife

Section 52: Enforcement powers in connection with wildlife

PART 1 OF SCHEDULE 5 - AMENDMENTS OF THE 1981 ACT

Police powers enhanced

Wildlife inspector powers enhanced

PART 2 OF SCHEDULE 5 – ENFORCEMENT OF FOUR OTHER ACTS

PART 3 OF SCHEDULE 5 – CODES OF PRACTICE

PART 4 OF SCHEDULE 5 – CONSTABLE'S SEARCH WARRANT POWER EXTENDED TO CERTAIN OTHER ACTS

Section 53: Wildlife offences: time limit for proceedings

Section 54: Application of Part 1 of the 1981 Act to Crown

PART 4: SITES OF SPECIAL SCIENTIFIC INTEREST (SSSIS)

Section 55: Offences in connection with SSSIs

Section 56: Denotification

Section 57: Effect of failure to serve certain notices

Section 58: Notices and signs relating to SSSIs

PART 5: NATIONAL PARKS AND THE BROADS

Section 59: Criteria for designating National Parks

Section 60: Procedure for orders designating National Parks

Section 61: Members of National Park authorities

Section 62: Expenditure by National Park authorities

Section 63: Notification of agricultural operations on moor and heath in National Parks

Section 64: Functions of Broads Authority and others in relation to the Broads

Section 65: Emergency financial assistance

PART 6: RIGHTS OF WAY

Section 66: Restriction on creation of new public rights of way

Section 67: Ending of certain existing unrecorded public rights of way

Section 66: Presumed dedication of restricted byways and use by pedal cycles etc.

Section 67: Presumed dedication and applications under section 53(5) of the 1981 Act

Section 70: Supplementary

Section 71: Interpretation

Section 72: Traffic regulation on byways etc. in National Parks in England and Wales

PART 7: INLAND WATERWAYS

Section 73: Inland Waterways Advisory Council

Section 74: Constitution of Council

Section 75: Term of office, procedure etc.

Section 76: Functions of Council: England and Wales

Section 77: Functions of Council: Scotland

PART 8: FLEXIBLE ADMINISTRATIVE ARRANGEMENTS

Chapter 1: Agreements with designated bodies

Powers to enter into agreements

Section 78: Agreement between Secretary of State and designated body

Section 79: Agreement between designated bodies

Section 80: Designated bodies

Section 81: Reserved functions

Section 82: Maximum duration of agreement

Section 83: Particular powers

Section 84: Agreements with local authorities

Section 85: Supplementary provisions with respect to agreements

Chapter 2: Powers to reform agricultural etc. bodies

Power to create boards

Section 87: Power to establish boards

Section 88: Permissible purposes of boards

Section 89: Permissible function of boards

Section 90: Ancillary provisions

Power to dissolve existing levy bodies and boards

Section 91: Power to dissolve existing levy bodies

Section 92: Power to dissolve board

Section 93: Dissolution: supplementary

Powers of appropriate authority

Section 94: Grants

Section 95: Directions

Chapter 3 Financial assistance

Section 98: Financial assistance

PART 9: MISCELLANEOUS

Section 99: Natural beauty in the countryside

Section 100: Byelaws relating to land drainage

Section 101: Abolition of certain agricultural etc. committees

PART 10: FINAL PROVISIONS

Section 102: Crown land

Section 103: Wales

Section 104: Power to make further provision

Section 105: Minor and consequential amendments etc.

Section 108: Extent

TERRITORIAL APPLICATION: WALES

COMMENCEMENT DATE

HANSARD REFERENCES