

Wildlife and Countryside Act 1981

1981 CHAPTER 69

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An Act to repeal and re-enact with amendments the Protection of Birds Acts 1954 to 1967 and the Conservation of Wild Creatures and Wild Plants Act 1975; to prohibit certain methods of killing or taking wild animals; to amend the law relating to protection of certain mammals; to restrict the introduction of certain animals and plants; to amend the Endangered Species (Import and Export) Act 1976; to amend the law relating to nature conservation, the countryside and National Parks and to make provision with respect to the Countryside Commission; to amend the law relating to public rights of way; and for connected purposes.

[30th October 1981]

Extent

Preamble: England, Wales, Scotland

PART I

WILDLIFE

Protection of birds

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[Scotland](#) | [England](#) | [Wales](#)

 Law In Force

Scotland

- ⁹ Words substituted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.175(5) (April 1, 2013: substitution has effect subject to transitional provisions and savings specified in SI 2013/755 art.10 and Sch.7)

Extent

Pt II s. 37A(1)-(5): England, Wales, Scotland

Countryside



Law In Force With Amendments Pending

39.— Management agreements with owners and occupiers of land.

- (1) A relevant authority may, for the purpose of conserving or enhancing the natural beauty or amenity of any land which is [...] ¹ within their area or promoting its enjoyment by the public, make an agreement (in this section referred to as a “management agreement”) with any person having an interest in the land with respect to the management of the land during a specified term or without limitation of the duration of the agreement.
- (2) Without prejudice to the generality of subsection (1), a management agreement—
- (a) may impose on the person having an interest in the land restrictions as respects the method of cultivating the land, its use for agricultural purposes or the exercise of rights over the land and may impose obligations on that person to carry out works or agricultural or forestry operations or do other things on the land;
 - (b) may confer on the relevant authority power to carry out works for the purpose of performing their functions under the 1949 Act and the 1968 Act; and
 - (c) may contain such incidental and consequential provisions (including provisions for the making of payments by either party to the other) as appear to the relevant authority to be necessary or expedient for the purposes of the agreement.
- (3) The provisions of a management agreement with any person interested in the land shall, unless the agreement otherwise provides, be binding on persons deriving title under or from that person and be enforceable by the relevant authority against those persons accordingly.
- (4) Schedule 2 to the Forestry Act 1967 (power for tenant for life and others to enter into forestry dedication covenants) shall apply to management agreements as it applies to forestry dedication covenants.
- (5) In this section “the relevant authority” means—
- (a) [...] ²
 - [(aa) as respects land within the Broads, the Broads Authority;] ³
 - (b) [...] ⁴
 - (c) as respects any other land, the local planning authority [;] ¹
 - [
 - (d) [...] ⁵
 - (e) [...] ⁶

(f) as respects land in any area of outstanding natural beauty designated under section 82 of the Countryside and Rights of Way Act 2000 for which a conservation board has been established under section 86 of that Act, that board.]¹

(6) The powers conferred by this section on a relevant authority shall be in addition to and not in derogation of any powers conferred on such an authority by or under any enactment.

Notes

- ¹ Amended by Countryside and Rights of Way Act 2000 c. 37 Pt V s.96 (May 1, 2001 as SI 2001/1410)
- ² Repealed by Environment Act 1995 c. 25 Sch.24 para. (April 1, 1997 as SI 1996/2560)
- ³ S. 39(5)(aa) inserted by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(5), 23(2), 27(2), Sch. 3 para. 31(2)
- ⁴ Repealed by Local Government Act 1985 (c.51), ss. 1, 102, Sch. 17
- ⁵ Repealed subject to transitional provisions specified in SI 2006/2541 Sch.1 para.5 by Natural Environment and Rural Communities Act 2006 c. 16 Sch.12 para.1 (October 1, 2006 as SI 2006/2541; repeal has effect subject to transitional provisions specified in SI 2006/2541 Sch.1 para.5)
- ⁶ Repealed by Environment (Wales) Act 2016 anaw. 3 Sch.2(1) para.3(5) (May 21, 2016)

Amendments Pending

Pt II s. 39(5)(a): words inserted by Environment Act 1995 c. 25 Sch. 10 para. 22(1) (date to be appointed: insertion cannot take effect as 1995 c.25 Sch.10 para.22(1) never came into force)

Commencement

Pt II s. 39: November 30, 1981 (1981 c. 69 Pt IV s. 74(2))

Extent

Pt II s. 39(1)-(6): England, Wales

 Law In Force

40. [...] ¹

Notes

- ¹ Substitutes new s. 4(1) for s. 4(1)(2) in Countryside Act 1968 (c. 41) and repealed on May 21, 2016 by 2016 (anaw 3), ss. 27, 64, 70, 81, 86 and Sch. 2 para. 3(6)

Commencement

Pt II s. 40: November 30, 1981 (1981 c. 69 Pt IV s. 74(2))

Extent

Pt II s. 40: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
[England and Wales](#) | [Scotland](#) |