



Environment Act 2021

2021 CHAPTER 30

PART 7

CONSERVATION COVENANTS

VALID FROM 30/09/2022

Miscellaneous

133 Effect of acquisition or disposal of affected land by responsible body

If the responsible body under a conservation covenant acquires an estate in land to which an obligation under the covenant relates (whether an obligation of the landowner or of the responsible body under the covenant)—

- (a) the acquisition does not have effect to extinguish the obligation,
- (b) section 122(2)(b) applies to the body as it would apply to any other person acquiring the estate in land in the same circumstances, and
- (c) any obligation of the responsible body under the covenant continues to bind the body in accordance with this Part.

Commencement Information

- II** S. 133 not in force at Royal Assent, see [s. 147\(3\)](#)

134 Effect of deemed surrender and re-grant of qualifying estate

- (1) Subsection (2) applies if a term of years absolute which is the qualifying estate in relation to an obligation under a conservation covenant is deemed to be surrendered and re-granted by operation of law.

Status: Point in time view as at 01/05/2022. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Cross Heading: Miscellaneous. (See end of Document for details)

- (2) In the application of sections 122, 123 and 127 to the period after the deemed surrender, references to the qualifying estate are to be read as including a reference to the term of years deemed to be granted.

Commencement Information

I2 S. 134 not in force at Royal Assent, see [s. 147\(3\)](#)

135 Declarations about obligations under conservation covenants

- (1) The court or Upper Tribunal may on the application of any person interested declare—
- (a) whether anything purporting to be a conservation covenant is a conservation covenant,
 - (b) whether any land is land to which an obligation under a conservation covenant relates,
 - (c) whether any person is bound by, or entitled to the benefit of, an obligation under a conservation covenant and, if so, in respect of what land,
 - (d) what, upon the true construction of any instrument by means of which an obligation under a conservation covenant is created or modified, is the nature of the obligation.
- (2) No application under section 84(2) of the Law of Property Act 1925 (which enables the court on application to make declarations about restrictions under instruments) may be made in relation to an obligation under a conservation covenant.
- (3) In this section “the court” means the High Court or the county court.

Commencement Information

I3 S. 135 not in force at Royal Assent, see [s. 147\(3\)](#)

136 Duty of responsible bodies to make annual return

- (1) A designated body must make an annual return to the Secretary of State stating whether, during the period to which the return relates, there were any conservation covenants under which an obligation was owed to it as the responsible body.
- (2) If there were any such conservation covenants, the annual return must—
- (a) state the number of conservation covenants;
 - (b) state, for each conservation covenant, the area of the land in relation to which the body was owed any obligation as the responsible body.
- (3) The annual return must also give any information that is prescribed under subsection (4).
- (4) The Secretary of State may by regulations make provision about annual returns to be made by a designated body.
- (5) The provision which may be made under subsection (4) includes, in particular, provision—

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- (a) prescribing information to be included in an annual return (but see subsection (10)), and
 - (b) provision as to the period to which an annual return is to relate and the date by which an annual return is to be made.
- (6) Subject to any provision made as mentioned in subsection (5)(b)—
- (a) the period to which an annual return is to relate, and
 - (b) the date by which an annual return is to be made,
- are such period and date as the Secretary of State may direct.
- (7) On giving a direction under subsection (6) the Secretary of State must take all reasonable steps to draw the direction to the attention of each responsible body affected by it.
- (8) A direction under subsection (6) may be varied or revoked by a further such direction.
- (9) Regulations under subsection (4) and directions under subsection (6) may make—
- (a) provision of general application, or
 - (b) provision applicable only to one or more particular responsible bodies or to responsible bodies of a particular description.
- (10) Any information prescribed for inclusion in an annual return made by a designated body must be information about or connected with—
- (a) the designated body;
 - (b) its activities over the period to which the return relates;
 - (c) any conservation covenant under which an obligation was owed to it as the responsible body during that period;
 - (d) the land in relation to which it was owed such an obligation.
- (11) Regulations under this section are subject to the negative procedure.

Commencement Information

14 S. 136 not in force at Royal Assent, see [s. 147\(3\)](#)

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