
STATUTORY INSTRUMENTS

2010 No. 2600

**The Tribunal Procedure (Upper
Tribunal) (Lands Chamber) Rules 2010**

[^{F1}PART 6A

Applications under section 130 or 135 of the Environment Act 2021
(discharge or modification of an obligation under a conservation
covenant, and declarations about conservation covenants)

[^{F1}Method of making application

39B.—(1) An application under section 130 or 135 is made by sending or delivering to the Tribunal an application which must be signed and dated and must state—

- (a) the name and address of the applicant and, if represented—
 - (i) the name and address of the applicant's representative; and
 - (ii) the professional capacity, if any, in which the applicant's representative acts;
 - (b) an address where documents for the applicant may be sent or delivered;
 - (c) the address or description of the application land;
 - (d) whether the applicant is a landowner or a responsible body;
 - (e) the relevant obligation;
 - (f) the name and address of any person who is bound by the relevant obligation, or any person who the applicant believes may be so bound, and the reasons for that belief;
 - (g) if the applicant is a landowner—
 - (i) the applicant's interest in the application land;
 - (ii) the name and address of any other person with an interest in the application land and what is their interest;
 - (iii) the name and address of the responsible body;
 - (h) if the applicant is applying to discharge or modify the relevant obligation under section 130, details of the discharge or modification sought, and details of the matters in paragraph 3 or 9 of Schedule 18 on which the applicant relies;
 - (i) if the applicant is applying for a declaration under section 135, details of the declaration and the reasons for seeking it.
- (2) The applicant must provide with the application—
- (a) a copy of the conservation covenant agreement imposing the application covenant including any attached plan coloured in accordance with the original;
 - (b) a plan identifying the application land; and
 - (c) the fee payable to the Tribunal.

- (3) An application may be made jointly by two or more persons if—
- (a) each of those persons is entitled to make an application under section 130 or 135;
 - (b) the application [^{F2}land] is (for each person) the same land or different parts of the same land; and
 - (c) the application covenant is (for each person) the same conservation covenant.

(4) When the Tribunal receives an application under this Part, it must send a copy of the application and any accompanying documents to any person, other than the applicant, that is identified in the application either as landowner [^{F3}or as] having an interest in the application land or in other land to which the application relates, or as a responsible body.]

Textual Amendments

- F1** Pt. 6A inserted (1.11.2022) by The Tribunal Procedure (Amendment No. 2) Rules 2022 (S.I. 2022/1030), rules 1, **6(3)**
- F2** Word in rule 39B(3)(b) inserted (6.4.2023) by The Tribunal Procedure (Amendment) Rules 2023 (S.I. 2023/327), rules 1, **6(3)(a)**
- F3** Words in rule 39B(4) inserted (6.4.2023) by The Tribunal Procedure (Amendment) Rules 2023 (S.I. 2023/327), rules 1, **6(3)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010, Section 39B.