

*Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, SCHEDULE 20. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 20

Section 139

#### CONSEQUENTIAL AMENDMENTS RELATING TO PART 7

##### *Acquisition of Land Act 1981 (c. 67)*

1 The Acquisition of Land Act 1981 is amended as follows.

###### Commencement Information

- I1** Sch. 20 para. 1 not in force at Royal Assent, see [s. 147\(3\)](#)  
**I2** [Sch. 20 para. 1](#) in force at 30.9.2022 by [S.I. 2022/48, reg. 5\(d\)](#)

2 (1) Section 12 (notice of compulsory purchase by local and other authorities) is amended as follows.

(2) In the title, for “and occupiers” insert “, occupiers and others”.

(3) In subsection (2)—

- (a) omit the “or” at the end of paragraph (a), and  
(b) at the end of paragraph (b) insert “, or  
(c) the person is entitled to the benefit of an obligation under a conservation covenant (within the meaning of Part 7 of the Environment Act 2021) relating to the land.”

###### Commencement Information

- I3** Sch. 20 para. 2 not in force at Royal Assent, see [s. 147\(3\)](#)  
**I4** [Sch. 20 para. 2](#) in force at 30.9.2022 by [S.I. 2022/48, reg. 5\(d\)](#)

3 (1) Paragraph 3 of Schedule 1 (notice of compulsory purchase by Ministers) is amended as follows.

(2) In the title, for “and occupiers” insert “, occupiers and others”.

(3) In sub-paragraph (2)—

- (a) omit the “or” at the end of paragraph (a), and  
(b) at the end of paragraph (b) insert “, or  
(c) the person is entitled to the benefit of an obligation under a conservation covenant (within the meaning of Part 7 of the Environment Act 2021) relating to the land.”

###### Commencement Information

- I5** Sch. 20 para. 3 not in force at Royal Assent, see [s. 147\(3\)](#)

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**I6** Sch. 20 para. 3 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

**Commencement Information**

- I1** Sch. 20 para. 1 not in force at Royal Assent, see s. 147(3)
- I2** Sch. 20 para. 1 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)
- I3** Sch. 20 para. 2 not in force at Royal Assent, see s. 147(3)
- I4** Sch. 20 para. 2 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)
- I5** Sch. 20 para. 3 not in force at Royal Assent, see s. 147(3)
- I6** Sch. 20 para. 3 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

*Housing and Planning Act 2016 (c. 22)*

4 The Housing and Planning Act 2016 is amended as follows.

**Commencement Information**

- I7** Sch. 20 para. 4 not in force at Royal Assent, see s. 147(3)
- I8** Sch. 20 para. 4 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

5 (1) Section 203 (power to override easements and other rights) is amended as follows.

(2) In subsections (1)(b) and (4)(b)—

- (a) the words after “breaching” become sub-paragraph (i), and
- (b) after that sub-paragraph insert “, or  
 (ii) an obligation under a conservation covenant.”

(3) In subsection (10)—

- (a) omit the “or” at the end of paragraph (a), and
- (b) at the end of paragraph (b)(ii) insert “, or  
 (c) a breach of an obligation under a conservation covenant owed to the National Trust.”

**Commencement Information**

- I9** Sch. 20 para. 5 not in force at Royal Assent, see s. 147(3)
- I10** Sch. 20 para. 5 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

6 (1) Section 204 (compensation for overridden easements etc) is amended as follows.

(2) In subsection (1), after “section 203” insert “(1)(a) or (b)(i) or (4)(a) or (b)(i)”.

(3) After subsection (1) insert—

“(1A) But a person is not liable to pay compensation under this section for breaching an obligation under a conservation covenant.”

**Commencement Information**

- I11** Sch. 20 para. 6 not in force at Royal Assent, see s. 147(3)
- I12** Sch. 20 para. 6 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

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- 7 In section 205(1) (interpretation), at the appropriate place insert—  
““obligation under a conservation covenant” has the same meaning as in Part 7 of the Environment Act 2021;”.

**Commencement Information**

- I13 Sch. 20 para. 7 not in force at Royal Assent, see [s. 147\(3\)](#)  
I14 Sch. 20 para. 7 in force at 30.9.2022 by [S.I. 2022/48](#), [reg. 5\(d\)](#)

**Commencement Information**

- I7 Sch. 20 para. 4 not in force at Royal Assent, see [s. 147\(3\)](#)  
I8 Sch. 20 para. 4 in force at 30.9.2022 by [S.I. 2022/48](#), [reg. 5\(d\)](#)  
I9 Sch. 20 para. 5 not in force at Royal Assent, see [s. 147\(3\)](#)  
I10 Sch. 20 para. 5 in force at 30.9.2022 by [S.I. 2022/48](#), [reg. 5\(d\)](#)  
I11 Sch. 20 para. 6 not in force at Royal Assent, see [s. 147\(3\)](#)  
I12 Sch. 20 para. 6 in force at 30.9.2022 by [S.I. 2022/48](#), [reg. 5\(d\)](#)  
I13 Sch. 20 para. 7 not in force at Royal Assent, see [s. 147\(3\)](#)  
I14 Sch. 20 para. 7 in force at 30.9.2022 by [S.I. 2022/48](#), [reg. 5\(d\)](#)

*Neighbourhood Planning Act 2017 (c. 20)*

- 8 The Neighbourhood Planning Act 2017 is amended as follows.

**Commencement Information**

- I15 Sch. 20 para. 8 not in force at Royal Assent, see [s. 147\(3\)](#)  
I16 Sch. 20 para. 8 in force at 30.9.2022 by [S.I. 2022/48](#), [reg. 5\(d\)](#)

- 9 In section 20 (notice requirements relating to taking temporary possession), at the end insert—

“(10) For the purposes of subsection (1), a person entitled to the benefit of an obligation under a conservation covenant is to be treated as having an interest in the land to which the obligation relates.”

**Commencement Information**

- I17 Sch. 20 para. 9 not in force at Royal Assent, see [s. 147\(3\)](#)  
I18 Sch. 20 para. 9 in force at 30.9.2022 by [S.I. 2022/48](#), [reg. 5\(d\)](#)

- 10 In section 23 (compensation), after subsection (5) insert—

“(5A) For the purposes of subsections (2) and (3), the person is not entitled to compensation under this section by virtue of being the person entitled to the benefit of an obligation under a conservation covenant.”

**Commencement Information**

- I19 Sch. 20 para. 10 not in force at Royal Assent, see [s. 147\(3\)](#)

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**I20** Sch. 20 para. 10 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

11 (1) Section 27 (powers of acquiring authority in temporary possession of land) is amended as follows.

(2) In subsection (3)—

- (a) omit the “or” at the end of paragraph (a), and
- (b) at the end of paragraph (b), insert “, or
- (c) causing a person to be in breach of an obligation under a conservation covenant relating to the land.”

(3) After subsection (4) insert—

“(4A) The acquiring authority is not bound by an obligation under a conservation covenant relating to the land by virtue of acquiring a right to use the land under this section.”

(4) In subsection (6)—

- (a) omit the “or” at the end of paragraph (a), and
- (b) at the end of paragraph (b), insert “, or
- (c) a use of land that causes a person (or, if the person were to permit or suffer the use, would cause the person) to be in breach of an obligation under a conservation covenant relating to the land owed to the National Trust.”

#### Commencement Information

**I21** Sch. 20 para. 11 not in force at Royal Assent, see s. 147(3)

**I22** Sch. 20 para. 11 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

12 In section 30 (interpretation), at the appropriate place, insert—

““obligation under a conservation covenant” has the same meaning as in Part 7 of the Environment Act 2021;”.

#### Commencement Information

**I23** Sch. 20 para. 12 not in force at Royal Assent, see s. 147(3)

**I24** Sch. 20 para. 12 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

#### Commencement Information

**I15** Sch. 20 para. 8 not in force at Royal Assent, see s. 147(3)

**I16** Sch. 20 para. 8 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

**I17** Sch. 20 para. 9 not in force at Royal Assent, see s. 147(3)

**I18** Sch. 20 para. 9 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

**I19** Sch. 20 para. 10 not in force at Royal Assent, see s. 147(3)

**I20** Sch. 20 para. 10 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

**I21** Sch. 20 para. 11 not in force at Royal Assent, see s. 147(3)

**I22** Sch. 20 para. 11 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

**I23** Sch. 20 para. 12 not in force at Royal Assent, see s. 147(3)

**I24** Sch. 20 para. 12 in force at 30.9.2022 by S.I. 2022/48, reg. 5(d)

**Changes to legislation:**

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