Environment Act 1995

1995 CHAPTER 25

PART V

MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS

Hedgerows etc.

98 Grants for purposes conducive to conservation.

(1) The appropriate Minister, with the consent of the Treasury **[**[F1]as respects England and Wales**]**, may by regulations make provision for and in connection with the making of grants to persons who do, or who undertake to that Minister that they will do, anything which in the opinion of that Minister is conducive to—

(a) the conservation or enhancement of the natural beauty or amenity of the countryside (including its flora and fauna and geological and physiographical features) or of any features of archaeological interest there; or

(b) the promotion of the enjoyment of the countryside by the public.

(2) Regulations under this section may—

(a) make different provision for different cases or classes of case or for different areas;

(b) provide for grants to be made subject to conditions;

(c) confer power on the appropriate Minister to modify, in any particular case, the conditions to which a grant would otherwise be subject, if he is satisfied that the making of that grant, subject to the conditions as so modified, is consistent with the purposes for which the regulations are made;

(d) make provision for or in connection with the recovery of any sums paid by way of grant, or the withholding of any further payments of grant, in cases where the applicant for the grant—

(i) in making the application, or in furnishing any information in connection with the application, has made a statement which was false or misleading in a material respect;

***Changes to legislation:** Environment Act 1995, Section 98 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(ii) has failed to do something which he undertook to do if the grant was made; or

(iii) is in breach of any condition subject to which the grant was made.

(3) The power to make regulations under this section shall be exercisable by statutory instrument; and a statutory instrument containing any such regulations shall be subject to annulment pursuant to a resolution of either House of Parliament.

(4) The powers conferred by this section are in addition to any other powers of the Secretary of State or the Minister of Agriculture, Fisheries and Food.

(5) In this section "the appropriate Minister" means—

(a) as respects England, the Minister of Agriculture, Fisheries and Food;

(b) as respects Wales, the Secretary of State;

(c) as respects Scotland, the Secretary of State.

Textual Amendments

F1 Words in s. 98(1) inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 120(7)**; S.I. 1998/3178, **art. 3**

Modifications etc. (not altering text)

C1 S. 98 extended (to Isles of Scilly) (1.5.1996) by S.I. 1996/1030, **art. 3**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41(1)(s) inserted by 2021 c. 30 s. 57(8)
- s. 80(8) inserted by 2024 asc 2 s. 12(1)
- s. 80(9)(10) inserted by 2024 asc 2 s. 13
- s. 81B inserted by 2024 asc 2 s. 14(1)
- s. 82(1A) inserted by 2024 asc 2 s. 16(3)
- s. 83B inserted by 2024 asc 2 s. 17(1)
- s. 85(3)(e)(f) inserted by 2024 asc 2 s. 18(b)
- s. 87(2)(o)(i) words in s. 87(2)(o) renumbered as s. 87(2)(o)(i) by 2024 asc 2 s. 24(2)(a)(i)
- s. 87(2)(o)(ii) and word inserted by 2024 asc 2 s. 24(2)(a)(ii)
- s. 87(2B) inserted by 2024 asc 2 s. 24(2)(b)
- s. 87(7A)(7B) inserted by 2024 asc 2 s. 15
- s. 87(9A) inserted by 2024 asc 2 s. 12(2)
- s. 88(4)(5) inserted by 2024 asc 2 s. 14(3)(b)
- Sch. 7 para. 7(4A)(4B) inserted by 2007 c. 28 Sch. 14 para. 4(3)