
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 2

CONSERVATION OF NATURAL HABITATS AND HABITATS OF SPECIES

Management agreements

Existing agreements

17.—(1) For the purposes of these Regulations, any agreement made before 1st April 2010 in relation to land in England or Wales which on or after that date becomes land within a European site, or adjacent to such a site, being an agreement made under—

- (a) section 16 of the 1949 Act⁽¹⁾ (agreements for management of nature reserves),
- (b) section 15 of the Countryside Act 1968⁽²⁾ (areas of special scientific interest), or
- (c) section 7 of the Natural Environment and Rural Communities Act 2006⁽³⁾ (management agreements),

has effect upon the designation of the site as if it were a management agreement entered into by Natural England or the Countryside Council for Wales (as the case may be) under regulation 16.

(2) Any other thing done or deemed to have been done under—

- (a) any provision of Part 3 (nature conservation) of the 1949 Act, or under Part 6 (general, financial and supplementary) of that Act so far as it applies for the purposes of Part 3, or
- (b) section 15 of the Countryside Act 1968,

in respect of any land prior to that land becoming land within a European site, or adjacent to such a site, continues to have effect as if done under the corresponding provision of these Regulations.

(3) Any reference in a relevant enactment to a nature reserve within the meaning of section 15⁽⁴⁾ (meaning of “nature reserve”) of the 1949 Act is to be construed as including a reference to a European site, and in this paragraph “a relevant enactment” means an enactment not contained in, or in an instrument made under, the 1949 Act or the WCA 1981.

(1) Relevant amendments were made to section 16 by the Natural Environment and Rural Communities Act 2006 (c. 16), paragraph 14 of Schedule 11.

(2) 1968 c. 41; relevant amendments were made to section 15 by the WCA 1981, section 72(8) and Part 1 of Schedule 17; the Environmental Protection Act 1990 (c. 43), paragraph 4(2) of Schedule 9 and Part 6 of Schedule 16; the Countryside and Rights of Way Act 2000 (c. 37), section 75(3); and the Natural Environment and Rural Communities Act 2006 (c. 16), paragraph 48 of Schedule 11 and Schedule 12.

(3) 2006 c. 16.

(4) Section 15 was substituted by the Natural Environment and Rural Communities Act 2006 (c. 16), paragraph 12 of Schedule 11.