

*Status: Point in time view as at 30/01/2001.*

*Changes to legislation: Countryside and Rights of Way Act 2000, Part II is up to date with all changes known to be in force on or before 31 May 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)*

## SCHEDULES

### SCHEDULE 1

#### EXCEPTED LAND FOR PURPOSES OF PART I

#### PART II

#### SUPPLEMENTARY PROVISIONS

14 In this Schedule—

“building” includes any structure or erection and any part of a building as so defined, but does not include any fence or wall, or anything which is a means of access as defined by section 34; and for this purpose “structure” includes any tent, caravan or other temporary or moveable structure;

“development” and “minerals” have the same meaning as in the <sup>M1</sup>Town and Country Planning Act 1990;

“ploughing” and “drilling” include respectively agricultural or forestry operations similar to ploughing and agricultural or forestry operations similar to drilling;

“statutory undertaker” means—

- (a) a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of hydraulic power,
- (b) any public gas transporter, within the meaning of Part I of the <sup>M2</sup>Gas Act 1986,
- (c) any water or sewerage undertaker,
- (d) any holder of a licence under section 6(1) of the <sup>M3</sup>Electricity Act 1989, or
- (e) the Environment Agency, the Post Office or the Civil Aviation Authority;

“statutory undertaking” means—

- (a) the undertaking of a statutory undertaker, or
- (b) an airport to which Part V of the <sup>M4</sup>Airports Act 1986 applies.

#### Marginal Citations

- M1** 1990 c. 8.
- M2** 1986 c. 44.
- M3** 1989 c. 29.
- M4** 1986 c. 31.

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- 15 (1) Land is not to be treated as excepted land by reason of any development carried out on the land, if the carrying out of the development requires planning permission under Part III of the <sup>M5</sup>Town and Country Planning Act 1990 and that permission has not been granted.
- (2) Sub-paragraph (1) does not apply where the development is treated by section 191(2) of the <sup>M6</sup>Town and Country Planning Act 1990 as being lawful for the purposes of that Act.

**Marginal Citations**

**M5** 1990 c. 8.

**M6** 1990 c. 8.

- 16 The land which is excepted land by virtue of paragraph 10 does not include—
- (a) any means of access, as defined by section 34, or
  - (b) any way leading to such a means of access,
- if the means of access is necessary for giving the public reasonable access to access land.
- 17 Land which is habitually used for the training of racehorses is not to be treated by virtue of paragraph 11 as excepted land except—
- (a) between dawn and midday on any day, and
  - (b) at any other time when it is in use for that purpose.

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