



Environment Act 2021

2021 CHAPTER 30

PART 7

CONSERVATION COVENANTS

Breach and enforcement

125 Enforcement of obligation

- (1) In proceedings for the enforcement of an obligation under a conservation covenant, the available remedies are—
 - (a) specific performance,
 - (b) injunction,
 - (c) damages, and
 - (d) order for payment of an amount due under the obligation.
- (2) On an application for a remedy under subsection (1)(a) or (b), a court must, in considering what remedy is appropriate, take into account any public interest in the performance of the obligation concerned.
- (3) Subject to subsection (4), contract principles apply to damages for breach of an obligation under a conservation covenant.
- (4) In the case of breach of an obligation of the landowner under a conservation covenant, a court may award exemplary damages in such circumstances as it thinks fit.
- (5) For the purposes of the Limitation Act 1980, an action founded on an obligation under a conservation covenant is to be treated as founded on simple contract.

Commencement Information

- I1** S. 125 not in force at Royal Assent, see [s. 147\(3\)](#)
- I2** [S. 125](#) in force at 30.9.2022 by [S.I. 2022/48, reg. 5\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Environment Act 2021, Section 125.