

SCHEDULE 1

Article 1(2)

Article 1(2) land

1. Subject to paragraph 2, the whole of the areas of the following are specified for the purposes of article 1(2)—

- (a) Bournemouth, Christchurch and Poole Council
- (b) Cheshire East Council
- (c) Cheshire West and Chester Council
- (d) Devon County Council
- (e) Dorset Council
- (f) East Riding of Yorkshire Council
- (g) East Sussex County Council
- (h) Essex County Council
- (i) Halton Borough Council
- (j) Hampshire County Council
- (k) Hull City Council
- (l) Kent County Council
- (m) Lancashire County Council
- (n) Leicestershire County Council
- (o) Liverpool City Council
- (p) Medway Council
- (q) North East Lincolnshire Council
- (r) North Lincolnshire Council
- (s) Plymouth City Council
- (t) Portsmouth City Council
- (u) Salford City Council
- (v) Solihull Metropolitan Borough Council
- (w) Somerset County Council
- (x) Southampton City Council
- (y) Suffolk County Council
- (z) Thurrock Council
- (aa) Trafford Council
- (bb) Warrington Borough Council
- (cc) Warwickshire County Council

2. This Order does not apply to any land within an area specified in paragraph 1 if, at the date on which this Order is made, such land is, forms part of, or contains—

- (a) a national park designated under section 5(3) of the National Parks and Access to the Countryside Act 1949 (National Parks)(1);

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(1) 1949 c. 97. Section 5 was amended by the Environment Act 1995 (c. 25), section 61 and the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11, paragraph. 10(a). There are further amendments that are not relevant to this Order.

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- (b) any battlefield, garden or park of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953 (register of gardens)(2);
- (c) a World Heritage Site appearing on the World Heritage List kept under article 11(2) of the UNESCO Convention for the Protection of the World Cultural and Natural Heritage adopted at Paris on 16th November 1972(3);
- (d) a scheduled monument, as defined in section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979 (schedule of monuments)(4);
- (e) land to which section 28(1) of the Wildlife and Countryside Act 1981 (sites of special scientific interest, notification of additional land and enlargement of SSSI)(5), applies;
- (f) an area designated under the Ramsar Convention (as defined in section 37A of that Act)(6);
- (g) an area specified by the Secretary of State for the purposes of section 41(3) of that Act (enhancement and protection of the natural beauty and amenity of the countryside)(7);
- (h) the Broads;
- (i) the curtilage of a listed building, as defined in section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (listing of buildings of special architectural or historic interest)(8);
- (j) an area designated as a conservation area under section 69 (conservation areas) of that Act;
- (k) an area designated under section 83 of the Environment Act 1995 (designation of air quality management areas)(9);
- (l) an area of outstanding natural beauty designated as such by an order made by Natural England under section 82 of the Countryside and Rights of Way Act 2000 (designation of areas)(10) as confirmed by the Secretary of State;
- (m) a European site;
- (n) any site which forms part of compensatory measures—
  - (i) secured—
    - (aa) under regulation 68 of the Habitats Regulations, in relation to an agreement, decision, consent, permission or authorisation issued in accordance with regulation 64 of those Regulations; or
    - (bb) under regulation 109 of those Regulations in relation to a land use plan (as defined in regulation 111 of those Regulations) given effect in accordance with regulation 107 of those Regulations; or
  - (ii) notified under regulation 37 of the Conservation of Offshore Marine Habitats and Species Regulations 2017;

(2) 1953 c. 49. Section 8C was inserted by the National Heritage Act 1983 (c.47), Schedule 4, paragraph 10.

(3) See <http://whc.unesco.org/en/list>.

(4) 1979 c. 46. Section 1 was amended by the National Heritage Act 1983 (c. 47), Schedule 4, paragraph 25(2) and (as regards Scotland) by the Historic Environment Scotland Act 2014 asp 19, Schedule 2, Part 1, paragraphs 1 and 2(a).

(5) 1981 c. 69. Section 28 was substituted by the Countryside and Rights of Way Act 2000 (c. 37), Schedule 9, and was amended by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11 and the Marine and Coastal Access Act 2009 (c. 23), Schedule 13, paragraph 2.

(6) Section 37A was inserted by the Countryside and Rights of Way Act 2000 (c. 37), section 77. There are amendments that are not relevant to this Order.

(7) Section 41 of the 1981 Act was amended by the Agriculture Act 1986 (c. 49), section 20(4) and the Environment Act 1995 (c. 25), Schedule 10, paragraph 22(2). There are further amendments that are not relevant to this Order.

(8) 1990 c. 9. There are amendments that are not relevant to this Order.

(9) 1995 c. 25.

(10) 2000 c. 37. Section 82 was amended by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11. There are further amendments that are not relevant to this Order.

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- (o) any ancient woodland (that is, any area that has been wooded continuously since at least 1600 AD, including ancient semi-natural woodland and plantations on ancient woodland sites); or
- (p) any coast defined as a heritage coast by agreement between a local authority and the Countryside Commission or Natural England.