
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 300

AGRICULTURE

**Environmentally Sensitive Areas (West
Fermanagh and Erne Lakeland) Designation
(Amendment) Order (Northern Ireland) 1997**

Made - - - - *20th June 1997*

Coming into operation *28th July 1997*

Whereas, in accordance with Article 3(1) of the Agriculture (Environmental Areas) (Northern Ireland) Order 1987(1) (“the 1987 Order”), it appears to the Department of Agriculture that it is particularly desirable—

- (1) to conserve and enhance the natural beauty of the area referred to in Article 3 of the Environmentally Sensitive Areas (West Fermanagh and Erne Lakeland) Designation Order (Northern Ireland) 1993(2) (“the 1993 Order”);
- (2) to conserve the flora and fauna and geological and physiographical features of that area; and
- (3) to protect buildings and other objects of archaeological, architectural or historic interest in that area;

And whereas, in accordance with the said Article 3(1) of the 1987 Order it appears to the Department of Agriculture that the maintenance and adoption of the agricultural methods specified in the Schedules to the 1993 Order is likely to facilitate the aforementioned conservation, enhancement and protection;

Now, therefore, the Department of Agriculture, in exercise of the powers conferred on it by Article 3(1) and (3) of the 1987 Order and of every other power enabling it in that behalf, with the consent of the Department of Finance and Personnel, hereby makes the following Order:

Citation and commencement and interpretation

1. This Order may be cited as the Environmentally Sensitive Areas (West Fermanagh and Erne Lakeland) Designation (Amendment) Order (Northern Ireland) 1997 and shall come into operation on 28th July 1997.

(1) [S.I. 1987/458 \(N.I. 3\)](#); Article 3(3) was amended by [S.R. 1994 No. 419](#)
(2) [S.I. 1993 No. 180](#) as amended by [S.R. 1994 No. 377](#) and [S.R. 1996 No. 606](#)

Amendments to the Environmentally Sensitive Areas (West Fermanagh and Erne Lakeland) Designation Order (Northern Ireland) 1993

2. The Environmentally Sensitive Areas (West Fermanagh and Erne Lakeland) Designation Order (Northern Ireland) 1993 shall be amended as provided by Articles 3 to 6.

3. In Article 2 (Interpretation) for the definition of “the Commission Regulation” there shall be substituted—

““the Commission Regulation” means Commission Regulation (EC) No. 746/96(3) laying down detailed rules for the application of the Council Regulation, as amended by Commission Regulation (EC) No. 435/97”;(4);”

4. In Article 6(3) for the words “£30 per annum” there shall be substituted “£58 per annum”.

5.—(1) In Article 7(1) for the words “£60 per annum” there shall be substituted “£80 per annum”.

(2) In Article 7(2) for sub-paragraphs (a) to (c) there shall be substituted—

- (a) If the land is unimproved grassland at the rate of £150 per annum.
- (b) If the land is improved land at the rate of £300 per annum.
- (c) If the land is rough moorland grazing at the rate of £75 per annum.”

6. In Article 8 (Rates of payments under enhancement provisions) for paragraph (2) there shall be substituted—

“(2) Payments made by virtue of this Article shall not exceed—

- (a) £9,000 in any period of 3 years; or
- (b) subject to sub-paragraph (c), £3,000 in any year;
- (c) where the operation carried out under the provisions of Part IV of Schedule 3 is wholly or mainly the renovation of traditional farm buildings, or the provision of protective fencing, sub-paragraph (b) shall have effect as if for the figure “£3,000” there were substituted “£9,000”.”

Sealed with the Official Seal of the Department of Agriculture on

L.S.

20th June 1997.

Liam McKibben
Assistant Secretary

(3) O.J. No. L102, 25.4.96, p. 19

(4) O.J. No. L67, 7.3.97, p. 2

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The Department of Finance and Personnel hereby consents to the foregoing Order.
Sealed with the Official Seal of the Department of Finance and Personnel on

L.S.

20th June 1997.

D. Thomson
Assistant Secretary

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order further amends the Environmentally Sensitive Areas (West Fermanagh and Erne Lakeland) Designation Order (Northern Ireland) 1993.

This Order makes the following principal changes:—

1. Where an agreement relates to certain hay meadows the rate of additional payment is increased from £30 to £58 per annum per hectare.
2. Where an agreement relates to grassland used for overwintering by Whooper swans or Greenland white fronted geese the rate of payment is increased from £60 to £80 per annum per hectare.
3. Where an agreement relates to land set aside for wildlife corridors the rate of payment for each hectare of such land is increased—
 - (a) if the land is unimproved grassland, from £100 to £150 per annum;
 - (b) if the land is improved land, from £200 to £300 per annum;
 - (c) if the land is rough moorland grazing from £50 to £75 per annum.
4. The maximum rates of payments under enhancement provisions are increased to £3,000 in any year (or £9,000 in any year in relation to the renovation of traditional farm buildings or the provision of protective fencing), provided that the maximum payments in any period of 3 years does not exceed £9,000.

This Order also amends the definition of “the Commission Regulation”.