

**2001 No. 27**

**AGRICULTURE**

**The Environmentally Sensitive Areas (Argyll Islands)  
Designation Amendment Order 2001**

*Made* 6th February 2001

*Laid before the Scottish Parliament* 6th February 2001

*Coming into force* 8th March 2001

The Scottish Ministers, in exercise of the powers conferred by section 18(1), (4) and (11) of the Agriculture Act 1986(a) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

**1.** This Order may be cited as the Environmentally Sensitive Areas (Argyll Islands) Designation Amendment Order 2001 and shall come into force on 8th March 2001.

**Amendment of the Environmentally Sensitive Areas (Argyll Islands) Designation Order 1993**

**2.** In the Schedule to the Environmentally Sensitive Areas (Argyll Islands) Designation Order 1993(b)–

- (a) in paragraph 12(b)(vi) for the words “restore dykes and stone fanks” there shall be substituted the words “create dykes or measures to restore dykes and stone fanks, in each case”;
- (b) there shall be inserted after paragraph 12(b)(ix)–
  - “(x) where measures under paragraph 12(b)(ix) above are included in an agreement and if the crofter or farmer so wishes, the provision by that person of an additional area for early and late cover for birds subject as follows:–
    - (aa) grazing shall be prohibited between 28th February and 30th September except with the prior written consent of the Scottish Ministers;
    - (bb) grazing at times other than those specified in paragraph (x)(aa) above shall not exceed 0.3 Livestock Units per hectare except with the prior written consent of the Scottish Ministers;
    - (cc) cutting shall be prohibited except with the prior written consent of the Scottish Ministers; and

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(a) 1986 c.49; section 18(4) was amended by S.I. 1994/249. See section 17 for a definition of “the Minister”. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement to obtain Treasury consent was removed by section 55 of that Act.

(b) S.I. 1993/3136; amended by S.I. 1994/3067, 1996/1966 and 3082.

(dd) hay and silage shall be cut in a method that causes minimal damage to young birds.”.

St Andrew's House,  
Edinburgh  
6th February 2001

*ROSS FINNIE*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Environmentally Sensitive Areas (Argyll Islands) Designation Order 1993 by allowing for the creation of additional areas providing early and late cover for birds.

This option may be exercised only where the agreement also contains provisions under paragraph 12(b)(ix) of that Order.

It also allows for the creation of dykes as well as the restoration of dykes.

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