SCOTTISH STATUTORY INSTRUMENTS

2006 No. 213

The Land Management Contracts (Menu Scheme) (Scotland) Amendment Regulations 2006

Citation and commencement

1. These Regulations may be cited as the Land Management Contracts (Menu Scheme) (Scotland) Amendment Regulations 2006 and come into force on 15th May 2006.

Amendment of the Land Management Contracts (Menu Scheme) (Scotland) Regulations 2005

2. The Land Management Contracts (Menu Scheme) (Scotland) Regulations 2005(**1**) are amended in accordance with regulations 3 to 5.

Amendment of regulation 3

3. In regulation 3(1) (applications for aid) for "(4)" substitute "(2)".

Amendment of Schedule 1

4. In Schedule 1 (menu option activities, eligibility conditions and rates of payment)–

(a) in option 2 (membership of quality assurance and organic schemes) in column 2 (activities and eligibility conditions)–

(i) in paragraph (a) for "2006" substitute "in the scheme year"; and

(ii) in paragraph (b) for "2005 and 16th January 2006" substitute "and 16th January in the scheme year";

(b) in option 3 (training) in column 2 in paragraph (a) omit "in a secondary school, Further Education College or Higher Education establishment";

(c) in option 4 (farm and woodland visits) in column 2 for "woodland manager" substitute "representative of the business";

(d) in option 5 (off farm and woodland talks) in column 2 in paragraph (1) between "An applicant is eligible for payment under this Menu Option if the applicant" and "conducts" insert "or representative of the business";

(e) in option 7 (management of linear features: hedgerows and hedgerow trees; ditches; and dykes) in column 2–

(i) in paragraph (3)(ii)(a) (ditches) after "ditches" where it first appears insert "at least once within the 5 year period but";

(ii) in paragraph (3)(iii)(a) (dykes) for "drystone walls; and" substitute "drystane dykes;";

(iii) in paragraph (3)(iii)(b) for "wall" substitute "dyke"; and

(**1**) S.S.I. 2005/225, as amended by S.S.I. 2006/127.

(iv) at the end of paragraph (3)(iii)(b) insert–

"; and

(c) drystane dykes should be maintained with material traditional to the locality and to a standard and style normally found there";

(f) in option 8 (management of moorland grazing) in column 2 in paragraph (2)(a) after "interests" insert ", which plan must be in place by the start of the scheme year";

(g) in option 9 (management of rush pasture) in column 2 in paragraph (2)(b) before "maximum" on each occasion that it appears insert "minimum of one third and a";

(h) in option 10 (biodiversity cropping on in bye land) in column 2 in paragraph (1) for "This is a 5 year commitment" substitute "The number of hectares applied for in any year must be maintained for 5 years".

(i) in option 11 (retention of winter stubbles) in column 2 in paragraph (1) for "This is a 5 year commitment" substitute "The number of hectares applied for in any year must be maintained for 5 years";

(j) in option 12 (wild bird seed mixture) in column 2–

(i) for paragraph (1) substitute "(1) The number of hectares applied for in any year must be maintained for 5 years."; and

(ii) in paragraph (2)(a) after "bearing" for "crops" substitute "crop groups by 31st May";

(k) in option 15 (improving access) in column 2–

(i) in paragraph (2)(d) omit "use";

(ii) in paragraph (2)(e) for "at the start of the route at a convenient point of entry" substitute "along the path to help users keep to the route";

(iii) in paragraph (2)(i) after "items" insert "and sends a copy to the local Access Officer"; and

(l) in option 16 (farm woodland planning) in column 2 paragraph (2)(e)–

(i) for "2005" substitute "in the scheme year"; and

(ii) omit "within 2 months of its receipt".

Amendment of Schedule 3

5. In Schedule 3 (interpretation of Schedules)–

(a) after the definition of "cropped machair" insert–

""ditches" means a man-made channel or adapted watercourse on in-bye land, which has a bed width of not less than 0.3 metres and which generally carries water away from surrounding land or field drainage systems throughout the year;"; and

(b) after the definition of "livestock unit" insert–

""local Access Officer" means an Access Officer employed by a local authority or if within a National Park by the relevant National Park authority;

"local authority" means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(**2**);"; and

(c) after the definition of "muirburn" insert–

(**2**) 1994 c. 39.

““National Park authority” means a devolved public body that is a National Park authority, within the meaning of section 35 of the National Parks (Scotland) Act 2000(**3**);”.

Pentland House,
Edinburgh
20th April 2006

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A member of the Scottish Executive

(**3**))2000 asp10.