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**STATUTORY INSTRUMENTS**

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**1983 No. 1764****AGRICULTURE****HORTICULTURE***Approved by both Houses of Parliament***The Agriculture and Horticulture Grant (Variation) (No. 3)  
Scheme 1983**

<i>Made</i>	- - - -	<i>29th November 1983</i>
<i>Laid before Parliament</i>		<i>30th November 1983</i>
<i>Coming into Operation</i>		<i>1st December 1983</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred upon them by sections 28 and 29 of the Agriculture Act 1970(a) and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following scheme:—

*Citation and commencement*

1. This scheme may be cited as the Agriculture and Horticulture Grant (Variation) (No. 3) Scheme 1983 and shall come into operation on 1st December 1983.

*Application*

2. This scheme (except paragraph 5(a) and (c) and the proviso to paragraph 8 below) shall not apply in relation to any claim for grant towards expenditure incurred for the purposes of the Agriculture and Horticulture Grant Scheme 1980(b) (hereinafter called “the principal scheme”) before 1st December 1983.

*Variation of principal scheme*

3. The principal scheme shall be further varied in accordance with paragraphs 4 to 8 of this scheme.

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(a) 1970 c. 40.

(b) S.I. 1980/1072, varied by S.I. 1981/1533, 1983/273, 923.

4. In regulation 2(1) thereof (interpretation)—

(a) there shall be inserted immediately after the definition of “ECU” the following definition—

“ ‘glasshouse’ means a fixed or mobile structure, used for the production of horticultural produce for sale, which is mounted on durable foundations, is not less than 1.67 metres high at the ridge, and of which more than half the total area of the sides, ends and roof is of glass or such other translucent material as will give a durability and transparency similar to that of glass;”;

(b) there shall be inserted immediately after the definition of “less-favoured area” the following definition—

“ ‘main framework’, in relation to a building or structure, means the floor, outer walls and roof of that building or structure and any internal dividing walls which are integral to that building or structure;”.

5. In paragraph 5 thereof (restrictions on payment of grant)—

(a) in subparagraph (2)(b) there shall be inserted after the words “on or after 30th November 1981” the words “relating to expenditure incurred before 1st December 1983”, and for the words “and in any case” there shall be substituted the word “or”;

(b) there shall be inserted after subparagraph (2)(b) the following subparagraph—

“(bA) where that expenditure is incurred on or after 1st December 1983 and is in respect of any work, facility or transaction which is of a kind specified in any of paragraphs 1 to 5 of column 1 of the Schedule unless it appears to that Minister that, after completion of the works, facilities or transactions in respect of which the expenditure has been incurred, the number of pig places on the land on which there will be carried on the agricultural business in relation to which the expenditure has been incurred will not exceed 550, and in any of the above cases”;

(c) in subparagraph (3) there shall be inserted after the date “30th November 1981” the words “and before 1st December 1983”;

(d) there shall be inserted after subparagraph (3) the following subparagraph—

“(3A) The appropriate Minister shall not pay grant under paragraph 3(1) towards expenditure in respect of any work, facility or transaction which is of a kind specified in any of paragraphs 1 to 5 of column 1 of the Schedule and is incurred on or after 1st December 1983 in connection with the breeding or keeping of dairy cows unless it appears to him that after completion of the works, facilities or transactions in respect of which that expenditure has been incurred not more than 40 dairy cows will be kept on the land on which there will be carried on the agricultural business in relation to which the expenditure has been incurred.”.

6. In paragraph 7(1) thereof (restriction on payment of grant) there shall be inserted at the end the words “except to the extent that such excess expenditure or excess aggregate expenditure has been incurred in relation to any work,

facility or transaction of a kind specified in paragraph 2(ii) or 16(ii) of column 1 of the Schedule and does not exceed the further sum of 50,000 ECU.”.

7. In paragraph 9 thereof (amounts of grant)—

(a) in subparagraph (1)(a) the number “12(i)” shall be deleted;

(b) in subparagraph (1)(b) for the words “paragraphs 6, 7(i), 7(ii), 8 to 11, 12(ii) and 12(iii)” there shall be substituted the words “paragraphs 6, 7(i), 7(ii) and 8 to 12”.

8. The Schedule to this scheme shall be substituted for the Schedule to the principal scheme (eligible works, facilities and transactions and rates of grant):

Provided that such substitution shall not affect the operation of the principal scheme in relation to expenditure incurred before 1st December 1983.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th November 1983.

(L.S.)

*Michael Jopling,*  
Minister of Agriculture, Fisheries  
and Food.

29th November 1983.

*George Younger,*  
Secretary of State for Scotland.

29th November 1983.

*Nicholas Edwards,*  
Secretary of State for Wales.

We approve,

29th November 1983.

*T Garel-Jones,*  
*Alastair Goodlad,*  
Two of the Lords Commissioners  
of Her Majesty's Treasury.

## Paragraph 8

## SCHEDULE

## CONTAINING NEW SCHEDULE TO THE PRINCIPAL SCHEME

## Paragraphs 3(1) and 9

## "SCHEDULE

## ELIGIBLE WORKS, FACILITIES AND TRANSACTIONS AND RATES OF GRANT

Column 1	Column 2	Column 3	Column 4
Kind of work or facility or transaction	Agricultural business. Rate of grant. Per cent.	Agricultural business in Less-Favoured Area. Rate of grant. Per cent.	Horticultural production business. Rate of grant. Per cent.
1. (i) Provision, replacement, improvement, alteration, enlargement or reconditioning of the main framework of permanent buildings (except living accommodation or such buildings designed and intended for the drying or storage of grain (see paragraph 1(ii) of this Schedule) or for the production of horticultural produce (see paragraph 2(i) of this Schedule)), permanently sited durable structures for cladding with plastic (except such structures designed and intended for the production of horticultural produce (see paragraph 2(i) of this Schedule)), bulk dry stores or silos (except such stores or silos designed and intended for the drying or storage of grain (see paragraph 1(ii) of this Schedule)), yards, loading platforms, ramps or banks.	20	20	20
(ii) Provision, replacement, improvement, alteration, enlargement or reconditioning of the main framework of permanent buildings, bulk dry stores or silos designed and intended solely for the drying or storage of grain for consumption by livestock kept on the land used in connection with the carrying on of the agricultural business to which the claim for grant relates.	20	20	Nil

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Column 1	Column 2	Column 3	Column 4
Kind of work or facility or transaction	Agricultural business. Rate of grant. Per cent.	Agricultural business in Less-Favoured Area. Rate of grant. Per cent.	Horticultural production business. Rate of grant. Per cent.
2. (i) Replacement, reconstruction, alteration, reconditioning or other improvement to the main framework of permanent buildings, of glasshouses (except glasshouses of a kind specified in paragraph 2(ii) of this Schedule) or of durable structures for cladding with plastic (except the outer cladding of such structures where this outer cladding is of adequate durability) where such buildings, glasshouses or structures are designed and intended for production of horticultural produce.	Nil	Nil	20
(ii) Replacement, reconstruction, alteration, reconditioning or other improvement (including the supply and installation of permanent thermal insulation) of heated glasshouses in existence on 1st December 1983 being heated internally by means of permanent installations for the consumption of fuel.	Nil	Nil	37.5
3. Supply and installation of permanent thermal insulation, vapour sealing or gas sealing for the control of temperature or atmosphere in buildings designed and intended for horticultural use.	Nil	Nil	20
4. Provision, replacement or improvement of systems for the disposal of agricultural waste.	20	20	20
5. Provision, replacement or improvement of facilities for the supply of electricity or gas for agricultural purposes.	20	20	20

Column 1	Column 2	Column 3	Column 4
Kind of work or facility or transaction	Agricultural business. Rate of grant. Per cent.	Agricultural business in Less-Favoured Area. Rate of grant. Per cent.	Horticultural production business. Rate of grant. Per cent.
6.	20	50*	20
7. (i)	30	60*	30
(ii)	20	50*	20
(iii)	50	60	Nil
8.	20	40*	20
9.	20	50*	Nil

\*In accordance with paragraph 9(1)(b) these rates of grant are available only to agricultural businesses with an income per labour unit less than the comparable income.

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Column 1	Column 2	Column 3	Column 4
Kind of work or facility or transaction	Agricultural business. Rate of grant. Per cent.	Agricultural business in Less-Favoured Area. Rate of grant. Per cent.	Horticultural production business. Rate of grant. Per cent.
10. (i) Provision, replacement or improvement of hedges, walls and associated gates.	20	60*	20
(ii) Provision, replacement or improvement of permanent fences and associated gates.	20	50*	20
11. Provision, replacement or improvement of shelter belts.	Nil	60*	20
12. (i) Reseeding and regeneration of grassland; laying down of permanent pasture; application of lime and fertiliser (other than normal husbandry applications) for the benefit of grassland.	Nil	50*	Nil
(ii) Clearance and reclamation of land; burning heather or grass or making muirburn or regenerating heather by cutting; land levelling or grading (including filling in of ditches or ponds); removal of tree roots, boulders or other obstructions to cultivation; bracken control.	Nil	50*	Nil
13. (i) Orchard grubbing.	20	20	20
(ii) Replacement of apple orchards (other than apple orchards consisting of trees producing cider apples) which have been grubbed up after 7th November 1982 by an equal or smaller area of apple orchards consisting of— (a) the varieties of apple trees known as Cox's Orange Pippin apple, Bramley's Seedling apple or Spartan apple;	22.5	22.5	22.5

\*In accordance with paragraph 9(1)(b) these rates of grant are available only to agricultural businesses with an income per labour unit less than the comparable income.

Column 1	Column 2	Column 3	Column 4
Kind of work or facility or transaction	Agricultural business. Rate of grant. Per cent.	Agricultural business in Less-Favoured Area. Rate of grant. Per cent.	Horticultural production business. Rate of grant. Per cent.
<p>(b) any other named varieties of apple trees required for pollination (other than varieties producing cider apples) not exceeding in total one third of the number of trees of the varieties specified in subparagraph (a);</p> <p>(c) any species of crab apple tree and any hybrid varieties of crab apple tree required for pollination.</p> <p>(iii) Replacement of pear orchards (other than pear orchards consisting of trees producing perry pears) which have been grubbed up after 7th November 1982 by an equal or smaller area of pear orchards consisting of—</p> <p>(a) the varieties of pear trees known as Conference pear or Doyenne du Comice pear;</p> <p>(b) any other named varieties of pear trees required for pollination (other than varieties producing perry pears) not exceeding in total one third of the number of trees of the varieties specified in subparagraph (a).</p>	22.5	22.5	22.5
14.	Provision, replacement or improvement of stakes and wirework for—	20 Nil Nil	Nil 15 20
15.	(i) hop gardens; (ii) cane fruit. Provision, replacement, improvement, alteration, enlargement or reconditioning of watercress beds.	20 Nil Nil	Nil 15 20

\*In accordance with paragraph 9(1)(b) these rates of grant are available only to agricultural businesses with an income per labour unit less than the comparable income.



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Column 1	Column 2	Column 3	Column 4
Kind of work or facility or transaction	Agricultural business. Rate of grant. Per cent.	Agricultural business in Less-Favoured Area. Rate of grant. Per cent.	Horticultural production business. Rate of grant. Per cent.
<p>16. (i) Plant or equipment designed and intended for the preparation for market of harvested horticultural produce;</p> <p>(ii) Provision, installation or replacement of glasshouse heating systems including boilers.</p> <p>17. Any work, facility or transaction incidental to the carrying out or provision of any work, facility or transaction specified in any of paragraphs 1 to 16 of this Schedule or necessary or proper in carrying out or providing it or securing the full benefit thereof.</p>	<p>Nil</p>	<p>Nil</p>	<p>15</p>
		<p>The rate appropriate to that work, facility or transaction in accordance with the provisions of this scheme."</p>	

## EXPLANATORY NOTE

*(This Note is not part of the Scheme.)*

This scheme varies the Agriculture and Horticulture Grant Scheme 1980 ("the principal scheme") and is also made in accordance with provisions of Council Regulation (EEC) No. 1945/81 (OJ No. L 197, 20.7.81, p.31) and Commission Regulation (EEC) No. 2180/81 (OJ No. L 211, 31.7.81, p.28) both restricting investment aids for pig production and Council Regulation (EEC) No. 1946/81 (OJ No. L 197, 20.7.81, p.32) restricting investment aids for milk production.

The main change made by the scheme is the substitution of a new Schedule of eligible works, transactions, facilities and rates of grant for the existing Schedule to the principal scheme in relation to claims for grant towards expenditure incurred on or after 1st December 1983. New rates of grant are specified for most items, and revised descriptions are introduced in respect of paragraphs 1(i) and (ii) (main framework of permanent buildings and structures not intended for horticultural production and bulk dry stores and silos), paragraph 2(i) (main framework of permanent buildings, unheated glasshouses and durable structures similar to glasshouses, intended for horticultural production), paragraph 2(ii) (heated glasshouses), paragraph 9 (pens, dips, stells or other facilities for sheltering livestock) and paragraph 16 (plant or equipment for preparation for market of horticultural produce and glasshouse heating systems). Consequential amendments are made to paragraph 9(1) of the principal scheme, and definitions of "glasshouse" and "main framework" are introduced into paragraph 2(1) (interpretation) of that scheme.

The restriction that expenditure on the breeding or keeping of pigs is eligible for grant only to the extent that it does not make possible an increase to more than 550 pig places (paragraph 5(2)(b) of the principal scheme as inserted by paragraph 4 of the Agriculture and Horticulture Grant (Variation) Scheme 1981) is modified in relation to expenditure incurred on or after 1st December 1983 so that only expenditure on works of a kind specified in paragraphs 1 to 5 of column 1 of the Schedule is rendered ineligible if following such expenditure the number of pig places exceeds 550 (paragraph 5(a) and (b) of this scheme).

Grant towards expenditure on the breeding or keeping of dairy cows remains subject to the restriction that the expenditure must not result in an increase in the dairy herd to more than 40 cows (paragraph 5(3) of the principal scheme as inserted by paragraph 4 of the 1981 scheme) but is similarly modified, only expenditure on works of a kind specified in paragraphs 1 to 5 of column 1 of the Schedule incurred on or after 1st December 1983 being rendered ineligible by this restriction (paragraph 5(c) and (d) of this scheme).

Paragraph 7(1) of the principal scheme (restriction on grant) is also amended so that the maximum limit on expenditure which is eligible for grant is raised from 160,000 ECU to 210,000 ECU provided that the excess expenditure over 160,000 ECU has been incurred in relation to works of a kind specified in paragraph 2(ii) or 16(ii) of column 1 of the Schedule.



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