
STATUTORY INSTRUMENTS

1993 No. 3198

WATER RESOURCES, ENGLAND AND WALES

**The Nitrate Sensitive Areas
(Designation) (Amendment) Order 1993**

Made - - - - 20th December 1993
Laid before Parliament 21st December 1993
Coming into force - - 11th January 1994

The Minister of Agriculture, Fisheries and Food and the Secretary of State for the Environment, acting jointly, in exercise of the powers conferred on them by section 94 of the Water Resources Act 1991(1), and of all other powers enabling them in that behalf, with the consent of the Treasury, hereby make the following Order:

Title, commencement and extent

1.—(1) This Order may be cited as the Nitrate Sensitive Areas (Designation) (Amendment) Order 1993 and shall come into force on 11th January 1994.

(2) This Order shall apply to England only.

Amendment of the Nitrate Sensitive Areas (Designation) Order 1990

2. The Nitrate Sensitive Areas (Designation) Order 1990(2) shall be amended in accordance with article 3 below.

3. In Schedule 4 (Rates of payment) for the section headed “Premium Scheme” there shall be substituted the contents of the Schedule to this Order.

Saving

4. This Order shall not apply in respect of any claim for payment by a farmer in relation to a period ending before 1st August 1993.

(1) 1991 c. 57. The expression “the Minister” is defined in section 221(1).

(2) S.I.1990/1013, amended by S.I.1990/1187. These Orders were made under section 112 of the Water Act 1989 (1989 c. 15); that section has been replaced by sections 94 and 95 of the Water Resources Act 1991.

Status: This is the original version (as it was originally made).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

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th December 1993.

L.S.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

20th December 1993

John Gummer
Secretary of State for the Environment

We consent,

16th December 1993

Timothy Kirkhope
Nicholas Baker
Two of the Lords Commissioners of Her Majesty's Treasury

SCHEDULE

Article 3

“Premium Scheme*Option A conversion of arable land to grassland, unfertilised and ungrazed*

The payment for any land in the nitrate sensitive area named in Column 1 below which is the subject of a premium scheme agreement under which the farmer has complied with the obligations listed in Option A in Schedule 2 shall be at the rate per annum specified in the appropriate Column 2, 3 or 4 opposite that name for each hectare of the land.

(1) <i>Name of nitrate sensitive area</i>	(2) <i>£/ha/annum where under 25% of the holding is the subject of a premium scheme agreement</i>	(3) <i>£/ha/annum where 25%-75% of the holding is the subject of a premium scheme agreement</i>	(4) <i>£/ha/annum where over 75% of the holding is the subject of a premium scheme agreement</i>
Ogbourne St. George NSA	455	365	275
Egford NSA	455	365	275
Sleaford NSA	455	365	275
Branston Booths NSA	455	365	275
Kilham NSA	405	340	275
Old Chalford NSA	405	340	275
Wellings NSA	355	315	275
Tom Hill NSA	355	315	275
Wildmoor NSA	355	315	275
Boughton NSA	355	315	275

Option B conversion of arable land to grassland with grazing

The payment for any land in the nitrate sensitive area named in Column 1 below which is the subject of a premium scheme agreement under which the farmer has complied with the obligations listed in Option B in Schedule 2 shall be at the rate per annum specified in the appropriate Column 2, 3 or 4 opposite that name for each hectare of the land.

(1) <i>Name of nitrate sensitive area</i>	(2) <i>£/ha/annum where under 25% of the holding is the subject of a premium scheme agreement</i>	(3) <i>£/ha/annum where 25%-75% of the holding is the subject of a premium scheme agreement</i>	(4) <i>£/ha/annum where over 75% of the holding is the subject of a premium scheme agreement</i>
Ogbourne St. George NSA	425	335	245
Egford NSA	425	335	245
Sleaford NSA	425	335	245

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(1) <i>Name of nitrate sensitive area</i>	(2) <i>£/ha/annum where under 25% of the holding is the subject of a premium scheme agreement</i>	(3) <i>£/ha/annum where 25%-75%of the holding is the subject of a premium scheme agreement</i>	(4) <i>£/ha/annum where over 75%of the holding is the subject a premium scheme agreement</i>
Branston Booths NSA	425	335	245
Kilham NSA	375	310	245
Old Chalford NSA	375	310	245
Wellings NSA	325	285	245
Tom Hill NSA	325	285	245
Wildmoor NSA	325	285	245
Boughton NSA	325	285	245

Option C conversion of arable land to grassland with grazing and limited application of nitrogen fertiliser

The payment for any land in the nitrate sensitive area named in Column 1 below which is the subject of a premium scheme agreement under which the farmer has complied with the obligations listed in Option C in Schedule 2 shall be at the rate per annum specified in the appropriate Column 2, 3 or 4 opposite that name for each hectare of the land.

(1) <i>Name of nitrate sensitive area</i>	(2) <i>£/ha/annum where under 25% of the holding is the subject of a premium scheme agreement</i>	(3) <i>£/ha/annum where 25%-75%of the holding is the subject of a premium scheme agreement</i>	(4) <i>£/ha/annum where over 75%of the holding is the subject a premium scheme agreement</i>
Ogbourne St. George NSA	345	255	165
Egford NSA	345	255	165
Sleaford NSA	345	255	165
Branston Booths NSA	345	255	165
Kilham NSA	295	230	165
Old Chalford NSA	295	230	165
Wellings NSA	245	205	165
Tom Hill NSA	245	205	165
Wildmoor NSA	245	205	165
Boughton NSA	245	205	165

Option D conversion of arable land to grassland with woodland

The payment for any land in the nitrate sensitive area named in Column 1 below which is the subject of a premium scheme agreement under which the farmer has complied with the obligations listed in

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Option D in Schedule 2 shall be at the rate per annum specified in the appropriate Column 2, 3 or 4 opposite that name for each hectare of the land.

(1) <i>Name of nitrate sensitive area</i>	(2) <i>£/ha/annum where under 25% of the holding is the subject of a premium scheme agreement</i>	(3) <i>£/ha/annum where 25%-75% of the holding is the subject of a premium scheme agreement</i>	(4) <i>£/ha/annum where over 75% of the holding is the subject of a premium scheme agreement</i>
Ogbourne St. George NSA	355	265	175
Egford NSA	355	265	175
Sleaford NSA	355	265	175
Branston Booths NSA	355	265	175
Kilham NSA	305	240	175
Old Chalford NSA	305	240	175
Wellings NSA	255	215	175
Tom Hill NSA	255	215	175
Wildmoor NSA	255	215	175
Boughton NSA	255	215	175”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Nitrate Sensitive Areas (Designation) Order 1990 (“the principal Order”). Under section 95 of the Water Resources Act 1991 the Minister of Agriculture, Fisheries and Food may, in areas designated as nitrate sensitive areas, enter into agreements with farmers imposing obligations on them with respect to the management of the land in return for payments. The principal Order designates certain nitrate sensitive areas and differentiates between basic and premium scheme agreements.

Following a review of payment rates in accordance with article 7(2) of the principal Order, this Order increases the rates of payment for agreements made under the premium scheme (article 3 and the Schedule). The new rates will not apply in respect of any claim for payment in relation to a period ending before 1st August 1993 (article 4).