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STATUTORY INSTRUMENTS

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**1997 No. 1447**

**AGRICULTURE**

**The Environmentally Sensitive Areas (North Peak) Designation (Amendment) Order 1997**

<i>Made</i>	- - - -	<i>5th June 1997</i>
<i>Laid before Parliament</i>		<i>10th June 1997</i>
<i>Coming into force</i>	- -	<i>1st July 1997</i>

Whereas, pursuant to section 18(1) of the Agriculture Act 1986<sup>(1)</sup>, the Minister of Agriculture, Fisheries and Food has by order designated an area in the North Peak as an environmentally sensitive area;

Now, therefore, the said Minister, in exercise of the powers conferred on him by section 18(1) and (4)<sup>(2)</sup> of the said Act, and of all other powers enabling him in that behalf, with the consent of the Treasury, hereby makes the following Order:

**Title and commencement**

1. This Order may be cited as the Environmentally Sensitive Areas (North Peak) Designation (Amendment) Order 1997 and shall come into force on 1st July 1997.

**Interpretation**

2. In this Order “the principal Order” means the Environmentally Sensitive Areas (North Peak) Designation Order 1993<sup>(3)</sup>.

**Amendment of the principal Order**

3. The principal Order shall be amended in accordance with the following provisions of this Order.

**Rates of payment under agreement**

4. In article 6 of the principal Order—

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(1) 1986 c. 49. The expression “the Minister” is defined in section 18(11).  
(2) Section 18(4) was amended by S.I. 1994/249.  
(3) S.I. 1993/457, amended by S.I. 1994/922, 1995/189, 1996/3104.

- (a) in paragraph (1)—
  - (i) in sub-paragraph (b), for the amount “£40” there shall be substituted the amount “£45”;
  - (ii) for the amount “£7” there shall be substituted the amount “£8”;
- (b) in paragraph (2), in the table, in the right hand column—
  - (i) for the figure “85” there shall be substituted the figure “90”;
  - (ii) for the figure “43” there shall be substituted the figure “45”.

#### **Amendment to Schedule**

5. Schedule 4 (conservation plan operations) to the principal Order, for paragraph 2, there shall be substituted the following two paragraphs:

- “2. The creation or restoration of ponds.
- 2A. The restoration of wet areas.”.

#### **Saving**

6. The amendments made to the principal Order by article 4 of this Order shall not apply in respect of any annual payment to a farmer which relates wholly or in part to any period before 1st April 1997.

4th June 1997

*Elliot Morley*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food.

We consent,

5th June 1997

*Bob Ainsworth*  
*Jon Owen Jones*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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## EXPLANATORY NOTE

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

This Order further amends, with effect from 1st July 1997, the Environmentally Sensitive Areas (North Peak) Designation Order 1993 (S.I.1993/457, amended by S.I. 1994/922, 1995/189, 1996/3104), which designated an area in the North Peak as an environmentally sensitive area.

Subject to a saving provision, the Order amends the rates of payment to be made by the Minister of Agriculture, Fisheries and Food pursuant to a management agreement made under section 18(3) of the Agriculture Act 1986 (article 4).

An amendment is also made to add an option to the operations that may be included in a conservation plan (article 5).