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STATUTORY INSTRUMENTS

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**1997 No. 1449**

**AGRICULTURE**

**The Environmentally Sensitive Areas (Test Valley) 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 Test Valley 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 (Test Valley) 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 (Test Valley) 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. 1993/459, amended by S.I. 1994/919, 1995/191, 1996/3104.

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*Status: This is the original version (as it was originally made).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

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- (a) in paragraph (1) for the amount “£105” there shall be substituted the amount “£130”.
- (b) in paragraph (2), for amount “£240” there shall be substituted the amount “£265”.

**Amendment to Schedule**

- 5. In Schedule 3 (conservation plan operations) to the principal Order—
  - (a) for paragraph 2, there shall be substituted the following two paragraphs:
    - “2. The creation or restoration of ponds.
    - 2A. The restoration of pools or lakes.”;
  - (b) after paragraph 9, there shall be added the following paragraph:
    - “10. The reintroduction of pollarding management for neglected trees.”.

**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

## EXPLANATORY NOTE

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

This Order further amends, with effect from 1st July 1997, the Environmentally Sensitive Areas (Test Valley) Designation Order 1993 (S.I. [1993/459](#), amended by S.I. [1994/919](#), [1995/191](#), [1996/3104](#)), which designated an area in the Test Valley 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).

Amendments are also made to add further options to the operations that may be included in a conservation plan (article 5).