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STATUTORY INSTRUMENTS

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**1999 No. 1363**

**AGRICULTURE**

**The Environmentally Sensitive Areas (Lake District) Designation (Amendment) Order 1999**

<i>Made</i>	- - - -	<i>13th May 1999</i>
<i>Laid before Parliament</i>		<i>20th May 1999</i>
<i>Coming into force</i>	- -	<i>15th June 1999</i>

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

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

**Title and commencement**

1. This Order may be cited as the Environmentally Sensitive Areas (Lake District) Designation (Amendment) Order 1999 and shall come into force on 15th June 1999.

**Interpretation**

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

**Amendment of the principal Order**

3. The principal Order shall be amended in accordance with the following provisions.
4. In Schedule 2 to the principal Order (management activities), in Part I—
  - (a) in paragraph 5(a), for “40” there shall be substituted “38”;
  - (b) in paragraph 5(c), for “62” there shall be substituted “50”; and

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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; sub-section 18(4A) was inserted by S.I. 1997/1457.  
(3) S.I. 1993/85, amended by S.I. 1994/925, S.I. 1995/193, S.I. 1996/3104, S.I. 1997/1452, S.I. 1998/1295, S.I. 1998/1301 and S.I. 1998/2177.

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*Status: This is the original version (as it was originally made).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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(c) after paragraph 10 there shall be inserted—

(i) in column 1—

“**11.** Management of any kind referred to in items 1 to 9 above which is undertaken in relation to common land.”; and

(ii) in column 2, “5 (by way of supplement to the appropriate maximum rate)”.

**Saving**

**5.** This Order shall not have effect for the purposes of any payment to be made under the principal Order in respect of any period before 1st May 1999.

12th May 1999

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

We consent,

13th May 1999

*Jane Kennedy*  
*Jim Dowd*  
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 the Environmentally Sensitive Areas (Lake District) Designation Order 1993 (S.I.1993/85) (“the principal Order”), which designated an area in the Lake District as an environmentally sensitive area. The principal Order designated Council Regulation (EEC) No. 2078/92 (OJ No. L215, 30.7.92, p. 85) on agricultural production methods compatible with the requirements of protection of the environment and the maintenance of the countryside, as amended by Commission Regulation (EC) No. 2772/95 (OJ No. L288, 1.12.95, p. 35), as in turn rectified by Commission Regulation (EC) No. 1962/96 (OJ No. L259, 12.10.96, p. 7).

Subject to a saving provision, this Order amends the maximum rates of payment to be made by the Minister of Agriculture, Fisheries and Food in respect of the maintenance of heather fell and the enhanced management of heather fell.

In addition the Order provides for an additional payment to be made in respect of certain management activities undertaken in relation to common land.

No regulatory impact assessment has been prepared in respect of this Order.