
S T A T U T O R Y I N S T R U M E N T S

2000 No. 3052**AGRICULTURE, ENGLAND****The Environmentally Sensitive Areas (Stage IV)
Designation Order 2000**

Made - - - - - 13th November 2000

Laid before Parliament 14th November 2000

Coming into force - - 5th December 2000

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Whereas, as mentioned in section 18(1) of the Agriculture Act 1986(a), it appears to the Minister of Agriculture, Fisheries and Food (“the Minister”) that it is particularly desirable—

- (1) to conserve and enhance the natural beauty of the areas referred to in Part 1 of Schedules 1 to 6 to the following Order;
- (2) to conserve the flora and fauna and geological and physiographical features of those areas; and
- (3) to protect buildings and other objects of historic interest in those areas;

And whereas, as mentioned in the said section 18(1), it appears to the Minister that the maintenance or adoption of the agricultural methods specified in Parts 2 and 3 of Schedule 1, 2, 3, 4, 5 or 6 (as the case may be) to the following Order are likely to facilitate the aforementioned conservation, enhancement and protection;

Now, therefore, the Minister, in exercise of the powers conferred on him by section 18(1) and 4(d)(b) of the said Act, and of all other powers enabling him in that behalf, with the consent of the Treasury and after consultation with the Secretary of State, the Countryside Agency and the Nature Conservancy Council for England(c) as to the inclusion of the areas referred to in article 3 of the following Order and the features of those areas for which conservation, enhancement and protection are desirable, hereby makes the following Order:

Title and commencement

1. This Order may be cited as the Environmentally Sensitive Areas (Stage IV) Designation Order 2000 and shall come into force on 5th December 2000.

Interpretation

2.—(1) In this Order—

“agreement” means an agreement made under section 18(3) of the Agriculture Act 1986 as respects agricultural land in any of the areas designated by Article 3 and Part 1 of the relevant Schedule, whether made before or after the coming into force of this Order;

“capital activity” means an activity specified in Part 2 of the relevant Schedule;

“conservation plan” means a plan incorporated into an agreement for the carrying out of one or more capital activities within a specified period;

“cultivated land” means land which is regularly ploughed or otherwise cultivated or that is regularly treated with fertilizers;

“grassland” means land on which the vegetation consists primarily of grass species;

“management activity” means an activity specified in Part 3 of the relevant Schedule;

“Minister” means the Minister of Agriculture, Fisheries and Food;

“public access route” means a strip of land which is the subject of an agreement and to which access is given to the public;

“woodland” means land used for woodland where that use is ancillary to the farming of land for other agricultural purposes.

(2) In this Order, any reference to an article or Schedule is to an article of, or Schedule to, this Order, and a reference to “the relevant Schedule” means Schedule 1, 2, 3, 4, 5 or 6 as the case may be.

(3) Part IV of the relevant Schedule shall have effect for the purpose of interpreting Parts II and III thereof.

Designation of Stage IV environmentally sensitive areas

3. There are hereby designated as environmentally sensitive areas the areas of land described in Part 1 of Schedules 1 to 6.

(a) 1986 c. 49. The expression “the Minister” is defined in section 18(11).

(b) Section 18(4) was amended by S.I. 1994/249.

(c) The provisions in section 18 of the Agriculture Act 1986 concerning Nature Conservancy Councils were amended by Part VII of, and Schedule 9 to, the Environmental Protection Act 1990 (c. 43).

Matters in respect of which payments may be made

4.—(1) Payments to be made by the Minister under an agreement may be made in respect of a capital activity or a management activity.

(2) In the case of agreements made on or after 31st August 1999, payments may not be made in respect of—

- (a) item 13 or 14 in Part 3 of Schedule 3; or
- (b) item 10 or 11 in Part 3 of Schedule 6.

Rates of payment

5.—(1) In the case of a management activity, payments to be made by the Minister under an agreement shall not exceed the rate specified in respect of that activity in column 2 of Part 3 of the relevant Schedule, as the case may be, to this Order.

(2) Any works which form part of an activity which constitutes both a management activity and a capital activity may by virtue of an agreement be eligible for payment either as part of a management activity or as part of a capital activity, but the agreement, together with any conservation plan incorporated in it, shall not provide for payment to be made on both such bases in respect of the same works.

Revocation of existing legislation and saving

6.—(1) Subject to paragraph (2), the Orders are revoked.

(2) The Orders, including (so far as relevant) any saving provisions they contain, shall continue to apply in relation to payments to a farmer in respect of a relevant activity which relates, wholly or in part, to any period before 1st September 2000.

(3) In this article, “the Orders” means the Orders specified in Schedule 7 to this Order and “relevant activity” means any activity in respect of which the Orders, either in terms or by reference to any other Order, specify a payment rate or maximum payment rate in pounds sterling per hectare per annum.

9th November 2000

We consent,

13th November 2000

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

Jim Dowd and Clive Betts
Two of the Lords Commissioners of
Her Majesty's Treasury

SCHEDULE 1

articles 2(1) and
(3), 3 and 5(1)**BLACKDOWN HILLS**

PART 1

DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA

The area of land in the Blackdown Hills in the counties of Devon and Somerset which is shown coloured yellow on the maps contained in the volume of maps marked "Volume of maps of the Blackdown Hills environmentally sensitive area" dated 6th November 2000, signed on behalf of the Minister by the Parliamentary Secretary and deposited at the offices of the Ministry of Agriculture, Fisheries and Food, 17 Smith Square, London SW1P 3JR.

PART 2

CAPITAL ACTIVITIES

The planting of hedges (including the provision of hedge banks where appropriate), the laying and the coppicing of hedges and the restoration of non-stockproof hedges and hedgebanks.

The control of bracken or scrub.

The restoration of farm buildings using traditional materials.

Works to protect historic and archaeological features.

The reversion of land to heathland.

The provision of fencing and water supplies associated with the re-introduction of livestock for grazing.

The creation or restoration of ponds.

The restoration and re-planting of traditional orchards.

The selection and tagging of saplings to develop into hedgerow trees.

The provision or restoration of gates, stiles and footbridges where an agreement includes requirements as to public access.

Tree planting.

Fencing to exclude livestock from woodland.

Other works associated with habitat restoration or enhancement.

PART 3

MANAGEMENT ACTIVITIES

*Column 1**Activity**Column 2**Maximum rate in
£ per hectare of
land per annum
(except where
otherwise stated)*

1.	Management of cultivated land.	20
2.	Management of improved permanent grassland.	35
3.	Management of low input permanent grassland.	40
4.	Management of grassland field margins.	100
5.	Management of unimproved pasture and rough land.	80
6.	Management of species-rich hay meadows.	160
7.	Re-creation and management of heathland.	260
8.	In relation to woodland—	
	(a) maintenance of existing woodland	20
	(b) management of woodland to enhance its nature conservation and landscape value.	100
9.	Hedgerow management.	£0.25 per metre

Column 1*Activity***Column 2***Maximum rate in
£ per hectare of
land per annum
(except where
otherwise stated)*

- | | | |
|-----|--|---------------|
| 10. | Hedge and hedgebank restoration. | £11 per metre |
| 11. | The provision of public access routes. | 170 |

PART 4

DEFINITIONS

In this Schedule:

“heathland” means sandy or chalky land which is free-draining and covered by semi-natural vegetation;

“improved permanent grassland” means permanent grassland that is regularly treated with fertilizers, and used for pasture or for the production of hay or silage;

“low input permanent grassland” means permanent grassland used for pasture or hay or silage production, which receives little or no fertilizer and which has the potential to develop or has developed botanical diversity;

“permanent grassland” means grassland which has not been ploughed or re-seeded for at least five years.

SCHEDULE 2

articles 2(1) and
(3), 3 and 5(1)

COTSWOLD HILLS

PART 1

DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA

The area of land in the Cotswold Hills in the counties of Gloucestershire, Warwickshire, Wiltshire and Worcester which is shown coloured yellow on the maps contained in the volume of maps marked “Volume of maps of the Cotswold Hills environmentally sensitive area” dated 6th November 2000, signed on behalf of the Minister by the Parliamentary Secretary and deposited at the offices of the Ministry of Agriculture, Fisheries and Food, 17 Smith Square, London SW1P 3JR.

PART 2

CAPITAL ACTIVITIES

The provision of drystone walls.

The planting, laying, coppicing and gapping-up of hedges.

The creation or restoration of ponds.

The restoration of farm buildings using traditional materials.

Works to protect historic and archaeological features.

The control of bracken or scrub.

The provision of fencing and water supplies associated with the re-introduction of livestock for grazing.

The provision or restoration of gates, stiles and footbridges where an agreement includes requirements as to public access.

The re-introduction of pollarding management.

Tree planting.

The restoration and replanting of traditional orchards.

Diverse seed mix for arable reversion.

Fencing to protect habitats.

Other works associated with habitat restoration or enhancement.

PART 3

MANAGEMENT ACTIVITIES

Column 1

Activity

Column 2

Maximum rate in £ per hectare of land per annum (except where otherwise stated)

1.	Management of improved permanent grassland.	30
2.	Management of extensive permanent grassland.	70
3.	In relation to cultivated land—	
	(a) management of cultivated land	15
	(b) reversion of arable land to extensive permanent grassland	290
	(c) retention of stubbles over winter	80
	(d) creation and management of conservation headlands.	120
4.	Wall restoration.	£28 per metre
5.	Hedgerow restoration.	£5 per metre
6.	The provision of public access routes.	170

PART 4

DEFINITIONS

In this Schedule:

“conservation headland” means a strip of land subject to restrictions on the use of fertilizers and herbicides, that is between ten and twelve metres wide along the edge of a field growing arable crops;

“extensive permanent grassland” means permanent grassland which is receiving no or only minimal inputs of fertilizer or pesticides;

“improved permanent grassland” means permanent grassland that is regularly treated with fertilizers and used for pasture or for the production of hay or silage;

“permanent grassland” means grassland which has not been ploughed or re-seeded for at least five years.

SCHEDULE 3

articles 2(1) and
(3), 3 and 5(1)

DARTMOOR

PART 1

DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA

The area of land on Dartmoor in the county of Devon which is shown coloured yellow on the maps contained in the volume of maps marked "volume of maps of Dartmoor environmentally sensitive area" dated 6th November 2000, signed and sealed by the Minister and deposited at the offices of the Ministry of Agriculture, Fisheries and Food, 17 Smith Square, London SW1P 3JR.

PART 2

CAPITAL ACTIVITIES

The restoration of farm buildings using traditional materials.

The control of bracken or scrub.

Works to protect historic and archaeological features.

The planting, laying, coppicing and gapping-up of hedges.

The regeneration of suppressed heather.

The creation or restoration of ponds.

The rebuilding of walls and banks using traditional materials.

The provision or restoration of gates, stiles and footbridges where an agreement includes requirements as to public access.

Tree planting.

The provision of fencing and water supplies associated with the re-introduction of livestock for grazing.

Reversion to rough land, moorland, heather moorland or other heathland.

Restoration or replanting of traditional orchards.

Fencing to exclude livestock from woodland.

The provision of cattle grids.

The provision or restoration of timber gates and gateposts (including granite posts).

Other works associated with habitat restoration or enhancement.

PART 3

MANAGEMENT ACTIVITIES

Column 1

Activity

Column 2

*Maximum rate in
£ per hectare of
land per annum
(except where
otherwise stated)*

1.	Maintenance of cultivated land.	20
2.	Maintenance of improved permanent grassland.	30
3.	Maintenance of low input permanent grassland.	37
4.	Maintenance of unimproved pasture and enclosed rough land.	45
5.	Where maintenance of the kind referred to in item 4 above is undertaken, additional management for the purposes of enhancing biodiversity through the temporary exclusion of livestock.	50

<i>Column 1</i> Activity	<i>Column 2</i> Maximum rate in £ per hectare of land per annum (except where otherwise stated)
6. In relation to moorland—	
(a) maintenance of moorland	60
(b) enhanced management of moorland and other semi-natural vegetation	105
(c) where maintenance of the kind referred to in item 6(a) above is undertaken, additional management for the purposes of enhancing biodiversity through the early adoption of winter stocking restrictions	8.50
(d) where management of the kind referred to in item 6(a) above is undertaken, additional management for the purposes of enhancing biodiversity through the exclusion of cattle during winter	15
(e) where management of the kind referred to in item 6(a) or 6(b) above is undertaken, additional management for the purposes of enhancing biodiversity through the control of purple moor-grass by grazing during the summer	25
(f) where management of the kind referred to in item 6(b) above is undertaken, additional management for the purposes of enhancing biodiversity through the temporary exclusion of livestock during winter.	12
7. Re-creation and management of moorland.	250
8. In relation to woodland—	
(a) maintenance of existing woodland	15
(b) management of woodland to enhance its nature conservation and landscape value.	170
9. Hedge management.	£0.25 per metre
10. Wall or bank restoration.	£18 per metre
11. The provision of public access routes.	170
12. Management of any kind referred to in items 1 to 10 above which is undertaken in relation to common land—	
(a) in respect of any period before 1st April 2001	5
(b) in respect of any period beginning after 31st March 2001.	10
13. Management of species-rich hay meadows.	160
14. Enhanced management of heather moorland.	78

PART 4

DEFINITIONS

In this Schedule:

“improved permanent grassland” means permanent grassland that is regularly treated with fertilizers, and used for pasture or for the production of hay or silage;

“low input permanent grassland” means grassland used for pasture or hay or silage production, which receives little or no fertilizer and which has the potential to develop or has developed botanical diversity;

“permanent grassland” means grassland which has not been ploughed or re-seeded for at least ten years;

SCHEDULE 4

articles 2(1) and
(3), 3 and 5(1)

ESSEX COAST

PART 1

DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA

The area of land on the Essex Coast in the county of Essex which is shown coloured yellow on the maps contained in the volume of maps marked "Volume of maps of the Essex Coast environmentally sensitive area" dated 6th November 2000, signed on behalf of the Minister by the Parliamentary Secretary and deposited at the offices of the Ministry of Agriculture, Fisheries and Food, 17 Smith Square, London SW1P 3JR.

PART 2

CAPITAL ACTIVITIES

- The construction of water-penning structures or other works designed to control water levels
- The construction or reconstruction of culverts and other farm ditch crossings.
- The restoration of ditches and dykes.
- The creation or restoration of ponds.
- The creation or restoration of reedbeds and sedgebeds.
- The provision of water supplies, fencing and collection pens associated with the re-introduction of livestock for grazing.
- The planting, laying or coppicing of hedges.
- The creation or improvement of herb-rich grassland.
- Works to protect historic and archaeological features.
- The provision or restoration of gates, stiles and footbridges, where an agreement includes requirements as to public access.
- Management of scrub.
- The creation of scrapes.
- The restoration of dykes, ditches, gutters and footdrains.
- The installation and repair of windpumps for water-level management.
- Fencing to protect habitats.
- Other works associated with habitat restoration or enhancement.

PART 3

MANAGEMENT ACTIVITIES

Column 1*Activity***Column 2***Maximum rate in
£ per hectare of
land per annum*

- | | | |
|----|---|-----|
| 1. | Maintenance of permanent grassland. | 70 |
| 2. | Management of wet grassland. | 190 |
| 3. | Management of marshland. | 250 |
| 4. | Reversion of cultivated land to permanent grassland. | 275 |
| 5. | Where management of any kind referred to in item 1 or 4 above is undertaken, additional management for the purposes of enhancing biodiversity through water management, and restrictions on livestock and agricultural activities on grazing marsh. | 80 |

Column 1*Activity***Column 2***Maximum rate in
£ per hectare of
land per annum*

- | | | |
|----|---|-----|
| 6. | Where management of any kind referred to in item 1, 2 or 4 above is undertaken, additional management of water, and restrictions on livestock and agricultural activities for the purposes of enhancing biodiversity by encouraging wildfowl. | 50 |
| 7. | Provision of public access routes. | 170 |

PART 4**DEFINITIONS**

In this Schedule:

“permanent grassland” means grassland which has not been ploughed or re-seeded for at least five years;

“scrape” means a shallow excavation which may hold water seasonally;

“wet grassland” means grassland with the potential to retain winter and spring water levels on marshland to create field wetness or to allow shallow pools to develop.

SCHEDULE 5

articles 2(1) and
(3), 3 and 5(1)

SHROPSHIRE HILLS**PART 1****DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA**

The area of land in the Shropshire Hills in the county of Shropshire which is shown coloured yellow on the maps contained in the volume of maps marked “Volume of maps of the Shropshire Hills environmentally sensitive area” dated 6th November 2000, signed on behalf of the Minister by the Parliamentary Secretary and deposited at the offices of the Ministry of Agriculture, Fisheries and Food, 17 Smith Square, London SW1P 3JR.

PART 2**CAPITAL ACTIVITIES**

The planting, laying, coppicing and gapping-up of hedges.

The restoration of farm buildings using traditional materials.

The creation of species-rich meadows.

The control of bracken or scrub.

The creation or restoration of ponds.

Works to protect historic and archaeological features.

The regeneration of suppressed heather.

The provision or restoration of gates, stiles and footbridges, where an agreement includes requirements as to public access.

Tree planting.

The provision and protection of hedgerow saplings.

Fencing to protect habitats.

Other works associated with habitat restoration or enhancement.

PART 3

MANAGEMENT ACTIVITIES

<i>Column 1</i> Activity	<i>Column 2</i> Maximum rate in £ per hectare of land per annum (except where otherwise stated)
1. Maintenance of cultivated land.	20
2. Maintenance of permanent grassland.	35
3. Management of extensive permanent grassland.	55
4. Where management of the kind referred to in item 2 or 3 above is undertaken, additional management so as to conserve meadowland.	90
5. Where management of the kind referred to in item 2 or 3 above is undertaken, additional management for the purposes of enhancing biodiversity through restrictions on stocking.	60
6. In relation to moorland—	
(a) maintenance of moorland	60
(b) where management of the kind referred to in item 6(a) above is undertaken, additional management for the purposes of enhancing biodiversity through the removal of 50% of livestock from moorland	4.50
(c) where management of the kind referred to in item 6(a) above is undertaken, additional management for the purposes of enhancing biodiversity through the removal of all livestock from moorland over winter.	16
(d) enhanced management of moorland over winter.	95
7. Where management of the kind referred to in item 1, 2, 3 or 6(a) above is undertaken, additional management so as to create or enhance wet areas.	160
8. In relation to woodland—	
(a) maintenance of existing woodland	20
(b) management of woodland to enhance its nature conservation and landscape value.	150
9. Hedge restoration	£9 per metre
10. Management of any kind referred to in items 1 to 9 above which is undertaken in relation to common land—	
(a) in respect of the period ending on 31st August 2001.	5
(b) in respect of the period beginning after 31st August 2001.	10
11. The provision of public access routes.	170

PART 4

DEFINITIONS

In this Schedule:

“extensive permanent grassland” means permanent grassland which is receiving no or only minimal inputs of fertilizer or pesticides;

“meadowland” means grassland primarily used for the production of hay or silage;

“permanent grassland” means grassland which has not been ploughed or re-seeded for at least five years.

SCHEDULE 6

articles 2(1) and
(3), 3 and 5(1)

UPPER THAMES TRIBUTARIES

PART 1

DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA

The area of land in the valleys of the Upper Thames and its tributaries in the counties of Buckinghamshire, Gloucestershire, Northamptonshire and Oxfordshire which is shown coloured yellow on the maps contained in the volume of maps marked "Volume of maps of the Upper Thames Tributaries environmentally sensitive area" dated 6th November 2000, signed on behalf of the Minister by the Parliamentary Secretary and deposited at the offices of the Ministry of Agriculture, Fisheries and Food, 17 Smith Square, London SW1P 3JR.

PART 2

CAPITAL ACTIVITIES

The planting, laying, coppicing and gapping-up of hedges.

The creation or restoration of ponds.

The construction of water-penning structures or other works designed to control water levels.

The provision of fencing and water supplies associated with the re-introduction of livestock for grazing.

The restoration of fen habitats and reedbeds.

The restoration of stone walls.

The restoration of farm buildings using traditional materials.

The re-introduction of pollarding management.

The creation or improvement of herb-rich grassland

Works to protect historic and archaeological features.

The provision or restoration of gates, stiles and footbridges, where an agreement includes requirements as to public access.

The management of scrub.

The creation of scrapes.

The creation, reinstatement or reprofiling of dykes, ditches and footdrains.

The provision of silt traps in water courses.

Diverse seed mix for arable reversion.

Fencing to protect habitats.

Other works associated with habitat restoration or enhancement.

PART 3

MANAGEMENT ACTIVITIES

Column 1*Activity***Column 2***Maximum rate in
£ per hectare of
land per annum
(except where
otherwise stated)*

- | | | |
|----|---|----|
| 1. | Maintenance of permanent grassland. | 35 |
| 2. | Where management of the kind referred to in item 1 above is undertaken, additional management for the purpose of prohibiting the application of fertilizer within 6 metres of any field boundary. | 20 |

Column 1*Activity***Column 2***Maximum rate in
£ per hectare of
land per annum
(except where
otherwise stated)*

3.	Where management of the kind referred to in item 1 above is undertaken, additional management for the purposes of enhancing biodiversity through the exclusion of livestock.	50
4.	Management of extensive permanent grassland.	105
5.	Where management of the kind referred to in item 4 above is undertaken, additional management so as to conserve meadowland.	55
6.	Management of wet grassland.	270
7.	In relation to cultivated land—	
	(a) reversion of cultivated land to extensive permanent grassland	310
	(b) reversion of cultivated land to wet grassland	435
	(c) the creation and management of arable margin buffer strips.	400
8.	Hedgerow restoration	£7 per metre
9.	The provision of public access routes.	170
10.	Management of wet grassland.	155
11.	Reversion of cultivated land to wet grassland.	330

PART 4

DEFINITIONS

In this Schedule:

“buffer strip” means a strip of land which is subject to a prohibition of the use of fertilizers and pesticides, is at least five metres wide and is located at the edge of a field used for the production of arable crops;

“extensive permanent grassland” means permanent grassland which is receiving no or only minimal inputs of fertilizer or pesticides;

“permanent grassland” means grassland which has not been ploughed or re-seeded for at least ten years;

“scrape” means a shallow excavation which may hold water seasonally;

“wet grassland” means grassland with the potential to retain winter and spring water levels at marsh level to create field wetness or allow shallow pools to develop.

SCHEDULE 7

article 6

ORDERS REVOKED**Blackdown Hills Environmentally Sensitive Area**

The Environmentally Sensitive Areas (Blackdown Hills) Designation Order 1994(a)

The Environmentally Sensitive Areas (Blackdown Hills) Designation (Amendment) Order 1996(b)

The Environmentally Sensitive Areas (Blackdown Hills) Designation (Amendment) Order 1999(c)

(a) S.I. 1994/707.

(b) S.I. 1996/2106.

(c) S.I. 1999/2233.

Cotswold Hills Environmentally Sensitive Area

The Environmentally Sensitive Areas (Cotswold Hills) Designation Order 1994(a)

The Environmentally Sensitive Areas (Cotswold Hills) Designation (Amendment) Order 1995(b)

The Environmentally Sensitive Areas (Cotswold Hills) Designation (Amendment) Order 1996(c)

The Environmentally Sensitive Areas (Cotswold Hills) Designation (Amendment) Order 1998(d)

The Environmentally Sensitive Areas (Cotswold Hills) Designation (Amendment) Order 1999(e)

The Dartmoor Environmentally Sensitive Area

The Environmentally Sensitive Areas (Dartmoor) Designation Order 1994(f)

The Environmentally Sensitive Areas (Dartmoor) Designation (Amendment) Order 1996(g)

The Environmentally Sensitive Areas (Dartmoor) Designation (Amendment) Order 1999(h)

The Essex Coast Environmentally Sensitive Area

The Environmentally Sensitive Areas (Essex Coast) Designation Order 1994(i)

The Environmentally Sensitive Areas (Essex Coast) Designation (Amendment) Order 1996(j)

The Environmentally Sensitive Areas (Essex Coast) Designation (Amendment) Order 1999(k)

The Shropshire Hills Environmentally Sensitive Area

The Environmentally Sensitive Areas (Shropshire Hills) Designation Order 1994(l)

The Environmentally Sensitive Areas (Shropshire Hills) Designation (Amendment) Order 1996(m)

The Environmentally Sensitive Areas (Shropshire Hills) Designation (Amendment) Order 1999(n)

The Upper Thames Tributaries Environmentally Sensitive Area

The Environmentally Sensitive Areas (Upper Thames Tributaries) Designation Order 1994(o)

The Environmentally Sensitive Areas (Upper Thames Tributaries) Designation (Amendment) Order 1996(p)

The Environmentally Sensitive Areas (Upper Thames Tributaries) Designation (Amendment) Order 1998(q)

The Environmentally Sensitive Areas (Upper Thames Tributaries) Designation (Amendment) Order 1999(r)

-
- (a) S.I. 1994/708.
 - (b) S.I. 1995/200.
 - (c) S.I. 1996/2107.
 - (d) S.I. 1998/1800.
 - (e) S.I. 1999/2234.
 - (f) S.I. 1994/710.
 - (g) S.I. 1996/2110.
 - (h) S.I. 1999/2236.
 - (i) S.I. 1994/711.
 - (j) S.I. 1996/2108.
 - (k) S.I. 1999/2232.
 - (l) S.I. 1994/709.
 - (m) S.I. 1996/2109.
 - (n) S.I. 1999/2235.
 - (o) S.I. 1994/712.
 - (p) S.I. 1996/2105.
 - (q) S.I. 1998/1803.
 - (r) S.I. 1999/2237.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 18 of the Agriculture Act 1986 (“the 1986 Act”) gives the Minister of Agriculture, Fisheries and Food (“the Minister”) power to designate areas in England as environmentally sensitive areas where it appears to him particularly desirable to conserve, protect or enhance environmental features in those areas by the maintenance or adoption of particular agricultural methods.

This Order designates areas in the Blackdown Hills, the Cotswold Hills, Dartmoor, the Essex Coast, the Shropshire Hills and the Upper Thames Tributaries as environmentally sensitive areas (article 3). The designated areas are defined by reference to maps which are available for inspection during normal office hours at the offices of the Ministry of Agriculture, Fisheries and Food at Nobel House, 17 Smith Square, London SW1P 3JR.

Section 18(3) of the 1986 Act enables the Minister to enter into an agreement with any person having an interest in agricultural land in a designated area by which that person agrees in consideration of payments to be made by the Minister to manage the land in accordance with the agreement. The Order specifies what capital activities may attract aid and also specifies the maximum rates of payment which are payable in respect of various management activities.

“Stage IV” in the title to this Order refers to the fourth of four orders each designating a group of environmentally sensitive areas, and corresponds to the sequence in which those areas were originally designated and the consequent phasing of the dates for reviewing policy and payment reviews in respect of those areas.

This Order implements Articles 22 to 24 and 43(2) of Council Regulation (EC) No. 1257/1999 (OJ No. L160, 26.6.99, p. 80) (“the rural development Regulation”).

Agreements in respect of which applications were received after 29th July 1999 must be made in accordance with the England Rural Development Programme, which has been approved by the European Commission under Article 44 of the rural development Regulation, and a copy of which is available for inspection during normal office hours at the Ministry of Agriculture, Fisheries and Food at the address stated above, together with a copy of Commission Decision No. C(2000) 3003 approving it.

Penalties in respect of any breach of an agreement are provided by Article 48 of the rural development Regulation and by the England Rural Development Programme (Enforcement) Regulations 2000 (S.I.2000/3044).

No Regulatory Impact Assessment has been prepared in respect of this Order.

STATUTORY INSTRUMENTS

2000 No. 3052**AGRICULTURE, ENGLAND****The Environmentally Sensitive Areas (Stage IV)
Designation Order 2000**

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