

**2006 No. 770**

**ENVIRONMENTAL PROTECTION, ENGLAND**

**STATUTORY NUISANCES AND CLEAN AIR**

**The Statutory Nuisances (Insects) Regulations 2006**

<i>Made</i> - - - -	<i>10th March 2006</i>
<i>Laid before Parliament</i>	<i>16th March 2006</i>
<i>Coming into force</i> - -	<i>6th April 2006</i>

The Secretary of State is, in relation to England, the appropriate person as defined in section 79(7) of the Environmental Protection Act 1990(a), for the purpose of exercising the powers conferred by section 79(7C)(d) of that Act, and makes the following Regulations in exercise of those powers:

**Title, commencement and application**

1. These Regulations—

- (a) may be cited as the Statutory Nuisances (Insects) Regulations 2006;
- (b) come into force on 6th April 2006;
- (c) apply in England only.

**“Relevant industrial etc. premises”: further exclusions**

2. For the purposes of paragraph (d) of section 79(7C) of the Environmental Protection Act 1990, there is prescribed land in respect of which any payment is made under any of the schemes mentioned in the Schedule to these Regulations.

Date 10th March 2006

*Ben Bradshaw*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

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(a) 1990 c.43; the definition of the “appropriate person” in section 79(7) was inserted by section 101(4) of the Clean Neighbourhoods and Environment Act 2005 (c.16), and section 79(7C) was inserted by section 101(5) of the 2005 Act.

# SCHEDULE

Regulation 2

## SCHEMES

<i>Scheme</i>	<i>Legislation</i>
Countryside Stewardship Scheme	The Countryside Stewardship Regulations 2000 (S.I. 2000/3048)
Entry Level Pilot Scheme	The Entry Level Agri-Environment Scheme (Pilot) (England) Regulations 2003 (S.I. 2003/838)
Environmental Stewardship Scheme	The Environmental Stewardship (England) Regulations 2005 (S.I. 2005/621)
Environmentally Sensitive Areas Scheme	The Environmentally Sensitive Areas (Stage I) Designation Order 2000 (S.I. 2000/3049) The Environmentally Sensitive Areas (Stage II) Designation Order 2000 (S.I. 2000/3050) The Environmentally Sensitive Areas (Stage III) Designation Order 2000 (S.I. 2000/3051) The Environmentally Sensitive Areas (Stage IV) Designation Order 2000 (S.I. 2000/3052)
Farm Woodland Premium Scheme	The Farm Woodland Scheme 1988 (S.I. 1988/1291) The Farm Woodland Premium Scheme 1992 (S.I. 1992/905) The Farm Woodland Premium Scheme 1997 (S.I. 1997/829)
Habitat Scheme	The Habitat (Water Fringe) Regulations 1994 (S.I. 1994/1291) The Habitat (Salt-Marsh) Regulations 1994 (S.I. 1994/1293) The Conservation (Natural Habitats, &c.) Regulations 1994 (S.I. 1994/2716)
Nitrate Sensitive Areas Scheme	The Farm Waste Grant (Nitrate Vulnerable Zones) (England and Wales) Scheme 1996 (S.I. 1996/908) The Farm Waste Grant (Nitrate Vulnerable Zones) (England) Scheme 2000 (S.I. 2000/2890) The Farm Waste Grant (Nitrate Vulnerable Zones) (England) (No.2) Scheme 2000 (S.I. 2000/2911) The Farm Waste Grant (Nitrate Vulnerable Zones) (England) Scheme 2003 (S.I. 2003/562)
Organic Farming Scheme	The Organic Farming (Aid) Regulations 1994 (S.I. 1994/1721) The Organic Farming Regulations 1999 (S.I. 1999/590) The Organic Farming (England Rural Development Programme) Regulations 2001 (S.I. 2001/432) The Organic Farming (England Rural Development Programme) Regulations 2003 (S.I. 2003/1235)

## EXPLANATORY NOTE

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

Sections 101 and 103 of the Clean Neighbourhoods and Environment Act 2005 (c.16) add to the statutory nuisances in section 79(1) of the Environmental Protection Act 1990 (c.43) (“the 1990 Act”) the following (at section 79(1)(fa)): any insects emanating from “relevant industrial, trade or business premises” and being prejudicial to health or a nuisance.

Section 79(7C)(a)-(c) and (e) of the 1990 Act excludes certain types of land from the definition of “relevant industrial, trade or business premises”. Under section 79(7C)(d), the Secretary of State may prescribe other land which forms part of an agricultural unit (but which is not already excluded under section 79(7C)(a)-(c)) to be excluded from this definition.

These Regulations prescribe land in respect of which payments are made under any of the land management schemes described in the Schedule to the Regulations (*regulation 2 and the Schedule*).

A full regulatory impact assessment has not been produced for these Regulations as they have no impact on the costs of business.

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**£3.00**

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Stationery Office and Queen's Printer of Acts of Parliament.

E0427 3/2006 160427T 19585