

STATUTORY INSTRUMENTS

1984 No. 1924**AGRICULTURE****HORTICULTURE****The Farm and Horticulture Development (Amendment) (No. 2)
Regulations 1984***Made* - - - 6th December 1984*Laid before Parliament* 11th December 1984*Coming into Operation* 12th December 1984

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, being Ministers designated for the purposes of section 2(2) of the European Communities Act 1972(a) in relation to the common agricultural policy of the European Economic Community(b), in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Farm and Horticulture Development (Amendment) (No. 2) Regulations 1984 and shall come into operation on 12th December 1984.

Saving

2. These regulations shall not apply in relation to—

(a) any work, facility or transaction included in an application received by the appropriate Minister before 12th December 1984 for a variation of a development plan approved for the purposes of the Farm and Horticulture Development Regulations 1981(c) (hereinafter called “the principal regulations”); or

(b) any claim for grant towards expenditure incurred for the purposes of those regulations before that date;

and these regulations shall not affect the operation of the principal regulations in relation to any such work, facility or transaction or claim for grant.

(a) 1972 c.68.

(b) S.I. 1972/1811.

(c) S.I. 1981/1707; the relevant amending instruments are S.I. 1983/1762, 1984/620.

Amendment of principal regulations

3. The principal regulations shall be further amended in accordance with regulations 4 and 5 of these regulations.

4. In regulation 3(1) thereof (farm development grants) there shall be substituted for subparagraph (a) the following subparagraph—

“(a) has been or is to be incurred in respect of any work or facility, or part thereof, or transaction of a kind specified in—

(i) column 1 of Schedule 1;

(ii) paragraphs 1 to 13, 14(i), 14(ii), 14(iii) and 15 to 28 of column 1 of Schedule 2;

(iii) in relation to Northern Ireland only, paragraph 14(iv) of column 1 of Schedule 2, and”.

5. In Schedule 2 thereto—

(a) in paragraph 1(ii) thereof in column 1 there shall be substituted for the words “designed and intended solely for the drying or storage of grain for consumption by livestock” the words “designed and intended for the drying or storage of grain for consumption solely by livestock”.

(b) in paragraph 7 thereof in columns 2, 3 and 4 there shall be substituted for the existing figures the figures “32.5”, “50” and “32.5” respectively;

(c) in paragraph 9 thereof in column 3 there shall be inserted after the figure “50” the symbol “*” and there shall be inserted at the end of that Schedule the following footnote—

“*In accordance with regulation 12(2) this rate of grant is available only to agricultural businesses situated on severely disadvantaged land.”;

(d) in paragraph 12(i) and (ii) thereof in column 1 there shall be substituted for the existing descriptions the following descriptions—

“12. (i) Provision, replacement or improvement of hedges, walls and dykes (where the walls and dykes are built of materials traditional in the locality) and associated gates.

(ii) Provision, replacement or improvement of permanent fences, walls and dykes (where the walls and dykes are not built of materials traditional in the locality) and associated gates.”.

(e) for paragraph 14 thereof there shall be substituted the following paragraph in columns 1, 2, 3 and 4—

“14 (i) Reseeding and regeneration of grassland, laying down of permanent pasture and bracken control, including as part of a complete programme of work the application of lime or fertilizer.	32.5	Not Applicable	Not Applicable
(ii) Reseeding and regeneration of grassland and laying down of permanent pasture; bracken control; application of lime or fertilizer (other than normal husbandry applications) for the benefit of grassland.	Not Applicable	50	Not Applicable
(iii) Burning heather or grass or making muirburn or regenerating heather by cutting.	32.5	50	32.5
(iv) In Northern Ireland only, reclamation of land, including the removal of obstructions to cultivation.	32.5	50	32.5”

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th December 1984.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

6th December 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Farm and Horticulture Development Regulations 1981, as amended ("the principal regulations") (implementing Council Directive No. 72/159/EEC (OJ No. L96, 23.4.72, p.1 (OJ/SE 1972 (II) p.324)) on the modernisation of farms and Council Directive No. 75/268/EEC (OJ No. L128, 19.5.75, p.1) on mountain and hill farming and farming in certain less-favoured areas).

In relation to any work, facility or transaction included in an application for a variation of an approved development plan received on or after 12th December 1984 and to claims for grant towards expenditure incurred on or after that date the regulations—

- (a) reduce the rates of grant in relation to the provision, replacement or improvement of field drainage (regulations 2 and 5(b));
- (b) introduce revised descriptions in respect of paragraph 1(ii) (main framework of bulk dry stores or silos), paragraphs 12(i) and 12(ii) (hedges, walls, dykes and gates) and paragraphs 14(i), 14(ii), 14(iii) and 14(iv) (grassland) of Schedule 2 to the principal regulations (regulations 2, 5(a), 5(d) and 5(e)).

In Great Britain grant is no longer available in relation to the clearance and reclamation of land, but in Northern Ireland grant is available for reclamation of land and the removal of other obstructions to cultivation.

The regulations also insert a footnote into Schedule 2 to the principal regulations to make it clear that the higher rate of grant in respect of roads, paths and other permanent ways, hard standings, fords, bridges, culverts, railway crossings, creeps, piers, jetties or slips is available only to agricultural businesses situated on severely disadvantaged land (regulation 5(c)).

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