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STATUTORY INSTRUMENTS

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**1988 No. 604**

**PLANT HEALTH**

**The Dutch Elm Disease (Local Authorities) (Amendment) Order 1988**

<i>Made</i>	- - - -	<i>23rd March 1988</i>
<i>Laid before Parliament</i>		<i>30th March 1988</i>
<i>Coming into force</i>	- -	<i>1st May 1988</i>

The Forestry Commissioners, in exercise of the powers conferred on them by sections 3(1), (2) and 5(1) of the Plant Health Act 1967<sup>(1)</sup>, as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972<sup>(2)</sup>, and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Dutch Elm Disease (Local Authorities) (Amendment) Order 1988 and shall come into force on 1st May 1988.

**Amendment of the Dutch Elm Disease (Local Authorities) Order 1984**

2. The Dutch Elm Disease (Local Authorities) Order 1984<sup>(3)</sup> shall be amended by substituting for the Schedule to that Order (Local Authorities with powers under the Order and the areas within which those powers may be exercised) the Schedule to this Order.

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(1) 1967 c. 8; section 3(1) and (2) was amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8(1) and (3). The powers conferred by sections 3 and 5 of the Plant Health Act 1967 are conferred on "a competent authority", which expression is defined in section 1(2), as regards the protection of forest trees and timber from attack by pests, as the Forestry Commissioners.

(2) 1972 c. 62.

(3) S.I.1984/687.

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In Witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 23rd March 1988.

L.S.

*P. J. Clarke*  
Secretary to the Forestry Commissioners

SCHEDULE

Article 2

LOCAL AUTHORITIES WITH POWERS UNDER THIS ORDER AND THE AREAS WITHIN WHICH THOSE POWERS MAY BE EXERCISED

Column 1 Local Government areas the Councils of which have powers under this Order	Column 2 Those parts of the Local Government areas within which the powers may be exercised
<b>Counties</b>	
East Sussex	That part of the county which comprises the districts of Brighton, Eastbourne and Hove, those parts of the parishes of Chailey and Newick which lie south of the southern boundary of the road from Haywards Heath to Maresfield (A272), the parishes of Alciston, Alfriston, Arlington, Barcombe, Beddingham, Berwick, Chalvington, Chiddingly, Ditchling, East Chiltington, East Dean, Falmer, Firle, Folkington, Friston, Glynde, Hailsham, Hamsey, Hellingly, Iford, Isfield, Jevington, Kingston near Lewes, Laughton, Lewes, Litlington, Little Horsted, Lullington, Newhaven, Peacehaven, Pevensey, Piddinghoe, Plumpton, Polegate, Ringmer, Ripe, Rodmell, Selmeston, South Heighton, South Malling (Without), Southease, St Ann (Without), St John (Without), Streat, Tarring Neville, Telscombe, Westdean, Westham, Westmeston, Willingdon, Wilmington, Wivelsfield, the part of the parish of Framfield which lies to the south-west of the south-western boundary of the A22, and that part of the district of Lewes which lies east of the parish of Newhaven, south of the parish of South Heighton and south-west of the district of Wealden.
Lincolnshire	That part of the county which comprises the City of Lincoln.
West Sussex	That part of the county which comprises that part of the district of Adur south of the southern boundary of the district of Horsham and east of the eastern boundaries of the parishes of Coombes and Lancing.
<b>Districts</b>	
Barnsley	} The whole district in each case.
Blackburn	
Blackpool	
Burnley	

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Calderdale	
Chorley	
Doncaster	
Gateshead	
Hyndburn	
Kirklees	
Newcastle-upon-Tyne	
North Tyneside	
Pendle	
Rossendale	
South Tyneside	
Sunderland	
Wakefield	
<b>Regions</b>	
Fife	That part of the region which comprises the district of Kirkcaldy.
Grampian	That part of the region which lies to the north of and is bounded by the B979 from Stonehaven to its junction with the A93 at Milltimber, by the A93 from its junction with the B979 at Milltimber westwards to its junction with the B979 at Peterculter, by the B979 from its junction with the A93 at Peterculter northwards to its junction with the A944 near Kirkton of Skene, by the A944 from its junction with the B979 near Kirkton of Skene westwards to where it crosses the River Don at Bridge of Alford, by the River Don from where it is crossed by the A944 at Bridge of Alford upstream to where it is crossed by the A97 near Deskry, by the A97 from where it crosses the River Don near Deskry southwards to its junction with the B973, by the B973 from its junction with the A97 westwards to where it crosses the River Don, by the River Don from where it is crossed by the B973 upstream to where it is crossed by the A939

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Highland	<p>near Colnabaichin, by the A939 from where it crosses the River Don near Colnabaichin westwards and north-westwards to where it meets the regional boundary near Bridge of Brown, and by the regional boundary from where it meets the A939 near Bridge of Brown northwards to where it meets the Moray Firth.</p> <p>That part of the region which comprises the districts of Badenoch and Strathspey and Nairn together with those parts of the districts of Inverness and Lochaber which lie to the south and east of, and are bounded by the River Beauly from its mouth upriver to Lovat Bridge, by the A862 and A831 from Lovat Bridge to Ballachrask, by the C28, U123, C29, U119 and U185 from Ballachrask to the junction of the U185 with the A833 and the C18 east of Culmill, by the A833 from its junction with the U185 and C18 east of Culmill to its junction with the A831 west of Milton, by the A831 from its junction with the A833 west of Milton to its junction with the A82 at Drumnadrochit, by the A82 from its junction with the A833 at Drumnadrochit to the point where it crosses the Caledonian Canal at Laggan Bridge, by the eastern side of the Caledonian Canal from Laggan Bridge to the northern end of Loch Lochy, by the eastern shore of Loch Lochy from the northern end of the loch to Gairloch Basin, by the eastern side of the Caledonian Canal from Gairloch Basin to its intersection with the western boundary of the parish of Fort William, and by the western boundaries of the parishes of Fort William, Kilmallie and Lismore and Appin to the intersection of the latter with the boundary of Strathclyde region north of Portnacroish.</p>
Lothian	<p>That part of the region which comprises that part of the City of Edinburgh within and bounded by the River Almond from its mouth at Cramond upstream to Cramond New Bridge on the A90 Queensferry Road, by the A90 Queensferry Road from Cramond New Bridge to its junction with Cammo Road, by Cammo Road and Turnhouse Road from the junction of the former with the A90 to the junction of the latter with the A8 Glasgow Road, by the A8 Glasgow Road from its junction with Turnhouse Road westwards to its junction with</p>

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	<p>the A720 Edinburgh City Bypass, by the A720 from its junction with the A8 to its junction with the A702 at Bowbridge, by the A702 from its junction with the A720 at Bowbridge southwards to its junction with Pentland Road, by Pentland Road from its junction with the A702 to its junction with the A701, by the A701 from its junction with Pentland Road northwards to its junction with the B702 at Straiton, by the B702 from its junction with the A701 to its junction with Langloan Road, by Langloan Road from its junction with the B702 to its junction with Lasswade Road, by Lasswade Road from its junction with Langloan Road southwards to its junction with Gilmerton Station Road, by Gilmerton Station Road from its junction with Lasswade Road to its junction with the A7 Gilmerton Road, by the A7 Gilmerton Road from its junction with Gilmerton Station Road south-eastwards to its junction with Melville Gate Road, by Melville Gate Road from its junction with the A7 Gilmerton Road to its junction with the A68 Dalkeith Road, by the A68 Dalkeith Road from its junction with Melville Gate Road north-westwards to its junction with the A6106 Millerhill Road, by the A6106 Millerhill Road from its junction with the A68 Dalkeith Road to its junction with the B6415, by the B6415 from its junction with the A6106 Millerhill Road to its junction with the A1, by the A1 from its junction with the B6415 to its junction with Harbour Road and by Harbour Road from its junction with the A1 to Musselburgh Harbour.</p>
Strathclyde	<p>That part of the region which comprises the districts of Argyll and Bute, Bearsden and Milngavie, the City of Glasgow, Clydebank, Dumbarton, Inverclyde, Renfrew and that part of the district of Cunninghame which lies to the north and west of the Lugton Water from its intersection of the western boundary of the district of Kilmarnock and Loudon to its junction with the River Garnock and of the River Garnock from its junction with the Lugton Water to the sea, together with the Island of Arran and the Cumbrae Islands.</p>
Tayside	<p>That part of the region which comprises the district of the City of Dundee.</p>

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## EXPLANATORY NOTE

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

This Order amends the Dutch Elm Disease (Local Authorities) Order 1984 by removing from the list of areas within which local authorities may exercise powers under the Order as follows—

- (a) the county of Humberside, the districts of Fylde and West Lancashire in the county of Lancashire, and those parts of the counties of Cheshire, Clwyd, Cumbria, Derbyshire, Gwynedd and North Yorkshire which were included in the 1984 Order;
- (b) the districts of Bolton, Bradford, Bury, Knowsley, Leeds, Liverpool, Manchester, Oldham, Rochdale, Rotherham, Salford, Sefton, Sheffield, St Helens, Stockport, Tameside, Trafford and Wigan;
- (c) Central Region and those parts of the region of Dumfries and Galloway which were included in the 1984 Order;
- (d) parts of the regions of Fife, Grampian, Highland, Lothian, Strathclyde and Tayside.

In the county of Lancashire, the remaining powers exercised by the county council under the 1984 Order will now be exercised by the district councils of Blackburn, Blackpool, Burnley, Chorley, Pendle and Rossendale, and by the district council of Hyndburn which was not included in the 1984 Order.