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## STATUTORY INSTRUMENTS

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### 2004 No. 115

## AGRICULTURE, ENGLAND

### The Environmentally Sensitive Areas (Stages I–IV) Designation (Amendment) Order 2004

<i>Made</i>	- - - -	<i>21st January 2004</i>
<i>Laid before Parliament</i>		<i>22nd January 2004</i>
<i>Coming into force</i>	- -	<i>16th February 2004</i>

Whereas, pursuant to section 18(1) of the Agriculture Act 1986<sup>(1)</sup>, the Minister for Agriculture, Fisheries and Food designated areas in The Broads, the Pennine Dales, the Somerset Levels and Moors, the South Downs, West Penwith, Breckland, Clun, North Peak, the Suffolk River Valleys, the Test Valley, the Avon Valley, Exmoor, the Lake District, the North Kent Marshes, the South Wessex Downs, South West Peak, the Blackdown Hills, the Cotswold Hills, Dartmoor, the Essex Coast, the Shropshire Hills and the Upper Thames Tributaries as environmentally sensitive areas;

Now, therefore, the Secretary of State in exercise of the powers conferred upon her by section 18(1) and (4)(d)<sup>(2)</sup> of the said Act, with the consent of the Treasury, hereby makes the following Order:

#### **Title and commencement**

1. This Order may be cited as the Environmentally Sensitive Areas (Stages I–IV) Designation (Amendment) Order 2004 and shall come into force on 16th February 2004.

#### **Amendment of the Environmentally Sensitive Areas (Stage I) Designation Order 2000**

2. The Environmentally Sensitive Areas (Stage I) Designation Order 2000<sup>(3)</sup> shall be amended by the substitution for the number “170” of the number “350” in each of the following places—

- (a) Schedule 1, Part 3, item 7, column 2;
- (b) Schedule 2, Part 3, item 7, column 2;
- (c) Schedule 3, Part 3, item 8, column 2;
- (d) Schedule 4, Part 3, item 8, column 2; and

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(1) 1986 c. 49. The expression “the Minister” is defined in section 18(11), as amended by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794), Article 5(1) and Schedule 1, paragraph 29, to mean, in England, the Secretary of State.

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

(3) S.I. 2000/3049.

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Environmentally Sensitive Areas (Stages I–IV) Designation (Amendment) Order 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (e) Schedule 5, Part 3, item 4, column 2.

### **Amendment of the Environmentally Sensitive Areas (Stage II) Designation Order 2000**

**3.** The Environmentally Sensitive Areas (Stage II) Designation Order 2000<sup>(4)</sup> shall be amended by the substitution for the number “170” of the number “350” in each of the following places—

- (a) Schedule 1, Part 3, item 5, column 2;
- (b) Schedule 2, Part 3, item 5, column 2;
- (c) Schedule 3, Part 3, item 9, column 2;
- (d) Schedule 4, Part 3, item 10, column 2; and
- (e) Schedule 5, Part 3, item 8, column 2.

### **Amendment of the Environmentally Sensitive Areas (Stage III) Designation Order 2000**

**4.** The Environmentally Sensitive Areas (Stage III) Designation Order 2000<sup>(5)</sup> shall be amended by the substitution for the number “170” of the number “350” in each of the following places—

- (a) Schedule 1, Part 3, item 8, column 2;
- (b) Schedule 2, Part 3, item 13, column 2;
- (c) Schedule 3, Part 3, item 10, column 2;
- (d) Schedule 4, Part 3, item 5, column 2;
- (e) Schedule 5, Part 3, item 8, column 2; and
- (f) Schedule 6, Part 3, item 11, column 2.

### **Amendment of the Environmentally Sensitive Areas (Stage IV) Designation Order 2000**

**5.** The Environmentally Sensitive Areas (Stage IV) Designation Order 2000<sup>(6)</sup> shall be amended by the substitution for the number “170” of the number “350” in each of the following places—

- (a) Schedule 1, Part 3, item 11, column 2;
- (b) Schedule 2, Part 3, item 6, column 2;
- (c) Schedule 3, Part 3, item 11, column 2;
- (d) Schedule 4, Part 3, item 7, column 2;
- (e) Schedule 5, Part 3, item 11, column 2; and
- (f) Schedule 6, Part 3, item 9, column 2.

13th January 2004

*Elliot Morley*  
Minister of State,  
Department for Environment, Food and Rural  
Affairs

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<sup>(4)</sup> S.I. [2000/3050](#), amended by S.I. [2001/3195](#) and [2001/3774](#).  
<sup>(5)</sup> S.I. [2000/3051](#), amended by S.I. [2001/3196](#).  
<sup>(6)</sup> S.I. [2000/3052](#), amended by S.I. [2001/3197](#).

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Environmentally Sensitive Areas (Stages I–IV) Designation (Amendment) Order 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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We consent,

21st January 2004

*John Heppell*  
*Nick Ainger*  
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 amends—

- the Environmentally Sensitive Areas (Stage I) Designation Order 2000 (S.I. [2000/3049](#)) (which designated areas in The Broads, the Pennine Dales, the Somerset Levels and Moors, the South Downs and West Penwith as environmentally sensitive areas);
- the Environmentally Sensitive Areas (Stage II) Designation Order 2000 (S.I. [2000/3050](#)) (which designated areas in Breckland, Clun, North Peak, the Suffolk River Valleys and the Test Valley);
- the Environmentally Sensitive Areas (Stage III) Designation Order 2000 (S.I. [2000/3051](#)) (which designated areas in the Avon Valley, Exmoor, the Lake District, the North Kent Marshes, the South Wessex Downs and South West Peak); and
- the Environmentally Sensitive Areas (Stage IV) Designation Order 2000 (S.I. [2000/3052](#)) (which designated areas in the Blackdown Hills, the Cotswold Hills, Dartmoor, the Essex Coast, the Shropshire Hills and the Upper Thames Tributaries).

The Order increases, with effect from 16th February 2004, the maximum rates of certain payments by the Secretary of State pursuant to agreements made under section 18(3) of the Agriculture Act 1986 relating to land in an environmentally sensitive area (*Articles 2–5*). The payments concerned are those relating to the provision of public access.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Order revoked by [2023 c. 28 Sch. 1 Pt. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 5 para. 41(2)(a) words substituted by [S.I. 2012/1916 Sch. 34 para. 83\(3\)\(a\)](#)
- Sch. 5 para. 41(2)(a) words substituted by [S.I. 2012/1916 Sch. 34 para. 83\(3\)\(b\)](#)
- reg. 2(1) words omitted by [S.I. 2012/1916 Sch. 34 para. 83\(2\)\(a\)](#)
- reg. 2(1) words substituted by [S.I. 2012/1916 Sch. 34 para. 83\(2\)\(b\)](#)