
STATUTORY INSTRUMENTS

1996 No. 2108

AGRICULTURE

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

<i>Made</i>	- - - -	<i>12th August 1996</i>
<i>Laid before Parliament</i>		<i>12th August 1996</i>
<i>Coming into force</i>	- -	<i>1st September 1996</i>

Whereas, pursuant to section 18(1) of the Agriculture Act 1986⁽¹⁾, the Minister of Agriculture, Fisheries and Food has by order designated an area on the Essex Coast as an environmentally sensitive area;

Now, therefore, the said Minister, in exercise of the powers conferred upon him by section 18(1) and (4)⁽²⁾ 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 Commission, the Nature Conservancy Council for England⁽³⁾ and the Historic Buildings and Monuments Commission for England in accordance with section 18(1) and (2) of the said Act and section 99 of the Environmental Act 1995⁽⁴⁾, hereby makes the following Order:

Title and commencement

1. This Order may be cited as the Environmentally Sensitive Areas (Essex Coast) Designation (Amendment) Order 1996 and shall come into force on 1st September 1996.

Amendment of the Environmentally Sensitive Areas (Essex Coast) Designation Order 1994

2.—(1) The Environmentally Sensitive Areas (Essex Coast) Designation Order 1994⁽⁵⁾ shall be amended in accordance with the following paragraphs of this article.

(2) In article 7 (rates of payment under agreement)—

- (a) in the table in paragraph (3), for “£210” there shall be substituted “£230”;
- (b) in paragraph (4), for “£220” there shall be substituted “£260”; and

(1) 1986 c. 49. The expression “the Minister” is defined in section 18(11).

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

(3) The provisions in section 18(2)(a) of the Agriculture Act concerning Nature Conservancy Councils were amended by the Environmental Protection Act 1990 (c. 43), Part VII and Sch. 9.

(4) 1995 c. 25.

(5) S.I. 1994/711.

- (c) for paragraph (5), there shall be substituted the following—
- “(5) Where an agreement includes a conservation plan, the Minister shall also make payments in respect of operations included in the plan, subject to a maximum of £15,000 for that agreement.”
- (3) In Schedule 3 (additional provisions relating to permanent grassland)—
- (a) in paragraph (1)(a) of Option 1—
- (i) for “1st August” there shall be substituted “1st September”, and
- (ii) for “28th February” there shall be substituted “31st January”;
- (b) in paragraph (1)(b) of Option 1 for “1st March” there shall be substituted “1st February”;
- (c) in paragraph (1)(c) of Option 1—
- (i) for “1st April” there shall be substituted “1st March”, and
- (ii) for “31st July” there shall be substituted “30th April”;
- (d) for paragraph (8) of Option 1, there shall be substituted the following—
- “(8) the farmer shall—
- (a) within two years of the start of the agreement agree in writing with the Minister a programme for the management of ditches and dykes for which he is responsible; and
- (b) carry out that programme in accordance with the agreement.”
- ; and
- (e) for paragraph (7) of Option 2, there shall be substituted the following—
- “(7) the farmer shall—
- (a) within two years of the start of the agreement agree in writing with the Minister a programme for the management of the ditches and dykes for which he is responsible; and
- (b) carry out that programme in accordance with the agreement.”
- (4) In Schedule 4 (additional provisions relating to the reversion of arable land to permanent grassland), after paragraph (3) there shall be added the following paragraph—
- “(4) the farmer shall not exceed a stocking level of 1.4 livestock units per hectare.”
- (5) In Schedule 5 (conservation plan operations), after the word “restoration” in paragraph 4 there shall be added the words “or creation”.

Saving

3.—(1) Article 2(2) of this Order shall not apply in respect of any annual payment to a farmer which relates wholly or in part to any period before 1st September 1996.

(2) Article 2(4) of this Order shall not apply in relation to any agreement made before 1st January 1997.

7th August 1996

Tony Baldry
Minister of State, Ministry of Agriculture,
Fisheries and Food

We consent,

12th August 1996

Bowen Wells
Simon Burns
Two of the Lords Commissioners of Her
Majesty's Treasury

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Environmentally Sensitive Areas (Essex Coast) Designation Order 1994 ([SI 1994/711](#)) which designated an area of the Essex Coast as an environmentally sensitive area, in compliance with Council Regulation ([EEC](#)) No. 2078/92 (OJ No. L215, 30.7.92, p.85) on agricultural production methods compatible with the requirements of protection of the environment and the maintenance of the countryside.

Subject to a saving provision, the Order amends the rates of payments to be made by the Minister of Agriculture, Fisheries and Food pursuant to a management agreement made under section 18(3) of the Agriculture Act 1986, relaxes the prescriptions relating to water levels to be maintained in ditches and dykes, adds an additional stocking density restriction applicable to reversion of arable land to extensive permanent grassland, clarifies an ambiguity raised by the Joint Committee on Statutory Instruments and adds several options to the operations that may be included in a conservation plan (articles 2 and 3).

No Compliance Cost Assessment in relation to this Order has been prepared.