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STATUTORY INSTRUMENTS

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**1998 No. 1297**

**AGRICULTURE**

**The Environmentally Sensitive Areas (South Downs) Designation (Amendment) Order 1998**

<i>Made</i>	- - - -	<i>19th May 1998</i>
<i>Laid before Parliament</i>		<i>27th May 1998</i>
<i>Coming into force</i>	- -	<i>22nd June 1998</i>

Whereas, pursuant to section 18(1) of the Agriculture Act 1986<sup>(1)</sup>, the Minister of Agriculture, Fisheries and Food (“the Minister”) has by order designated an area in the South Downs as an environmentally sensitive area;

Now, therefore, the Minister, in exercise of the powers conferred on him by section 18(1) and (4)<sup>(2)</sup> of the said Act, and of all other powers enabling him in that behalf, 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 (South Downs) Designation (Amendment) Order 1998 and shall come into force on 22nd June 1998.

**Interpretation**

2. In this Order “the principal Order” means the Environmentally Sensitive Areas (South Downs) Designation Order 1997<sup>(3)</sup>.

**Amendments to the principal Order**

3. The principal Order shall be amended in accordance with the following provisions of this Order.

4. In Part I of Schedule 7 to the principal Order there shall be substituted the following—

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(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; subsection 18(4A) was inserted by S.I. 1997/1457.  
(3) S.I. 1997/1443.

## **“Part I**

1. Where the requirements of paragraphs 1 and 3 of Schedule 1 apply, a maximum rate of £50 per hectare per annum.
2. Where the requirements of paragraphs 2 and 3 of Schedule 1 apply, a maximum of £60 per hectare per annum.”.
5. In the table in Part II of Schedule 7 to the principal Order, there shall be substituted “330” for the figure “290” and “90” for the figure “80”.

### **Amendment to the 1992 Order**

6. The Environmentally Sensitive Areas (South Downs) Designation Order 1992(4) shall, in so far as, by virtue of article 6(1)(b) of the principal Order, it continues to apply to agreements made before the coming into force of the principal Order, be amended in article 6(2) by the substitution in the table set out therein of “330” for the figure “290” and “90” for the figure “80”.

### **Saving**

7. Articles 4, 5 and 6 of this Order shall not have effect for the purposes of any annual payment to a farmer which relates wholly or in part to any period before 1st April 1998.

18th May 1998

*Elliot Morley*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food

We consent,

19th May 1998

*Graham Allen*  
*Jim Dowd*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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(4) S.I. 1992/52, amended by S.I. 1994/931, S.I. 1996/924, S.I. 1996/3104 and S.I. 1997/1443.

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## EXPLANATORY NOTE

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

This Order amends the Environmentally Sensitive Areas (South Downs) Designation Order 1997 (S.I.1997/1443) (“the principal Order”), which designated an area in the South Downs as an environmentally sensitive area, in implementation of 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 as last amended by Commission Regulation (EC) No. 2772/95 (OJ No. L288, 1.12.95, p. 35) as rectified by Commission Regulation (EC) No. 1962/96 (OJ No. L259, 12.10.96, p. 7).

Subject to a saving provision, this Order amends the maximum 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 (*articles 3, 4 and 5*).

This Order also further amends the rates of payment specified by the Environmentally Sensitive Areas (South Down) Designation Order 1992 (S.I. 1992/52), in so far as, by virtue of article 6(1)(b) of the principal Order, it continues to apply to agreements made before 1st July 1997.

No regulatory appraisal has been prepared in respect of this Order.