
STATUTORY INSTRUMENTS

1999 No. 1177

COUNTRYSIDE

The Countryside Stewardship (Amendment) Regulations 1999

<i>Made</i>	- - - -	<i>13th April 1999</i>
<i>Laid before Parliament</i>		<i>27th April 1999</i>
<i>Coming into force</i>	- -	<i>20th May 1999</i>

The Minister of Agriculture, Fisheries and Food, being a Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972 in relation to the common agricultural policy of the European Community⁽²⁾, in the exercise of the powers contained in that section in so far as these Regulations could not have been made under the powers hereinafter mentioned, and otherwise in exercise of the powers conferred on him by section 98 of the Environment Act 1995⁽³⁾ and of all other powers enabling him in that behalf, with the consent of the Treasury and after consulting the Secretary of State, the Countryside Commission, the Nature Conservancy Council for England and the Historic Buildings and Monuments Commission for England in accordance with section 99 of that Act, hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Countryside Stewardship (Amendment) Regulations 1999 and shall come into force on 20th May 1999.

Interpretation

2. In these Regulations, “the principal Regulations” means the Countryside Stewardship Regulations 1998⁽⁴⁾, and, unless the context otherwise requires, “Schedule 1” means Schedule 1 to the principal Regulations (activities and items in respect of which the Minister may make grants).

Amendment of the principal Regulations

3. The principal Regulations shall be amended in accordance with the provisions of regulations 4 to 7 of these Regulations.

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) 1995 c. 25; section 98(5) contains the definition of “the appropriate Minister”; for the application of section 98 to the Isles of Scilly, see section 117 of the Environment Act 1995 (c. 25) and the Environment Act 1995 (Isles of Scilly) Order 1996 (S.I. 1996/1030).

(4) S.I. 1998/1327.

4. In Part I of Schedule 1 (management activities)–
- (a) for the entries set out in column 1 (activity) and column 2 (maximum payment rate), respectively, in paragraphs 1, 2, 3, 4 and 6, there shall be substituted the entries in columns 1 and 2 in the respective paragraphs set out in Part I of Schedule 1 to these Regulations; and
 - (b) in paragraph 7, after sub-paragraph (h), there shall be inserted in columns 1 and 2 the entries in the sub-paragraphs set out in the respective columns in Part II of Schedule 1 to these Regulations.
5. In Part II of Schedule 1 (capital activities), in paragraph 5, after sub-paragraph (a) there shall be inserted in columns 1 and 2 the entries in the sub-paragraph set out in the respective columns in Schedule 2 to these Regulations.
6. In Part III of Schedule 1 (advice), after paragraph 3 there shall be inserted in columns 1 and 2 the entries in the paragraph set out in the respective columns in Schedule 3 to these Regulations.
7. In Part IV of Schedule 1 (interpretation), in paragraph 1, the following definitions shall be inserted in the alphabetically appropriate place–
- “heather moorland” means upland rough pasture where heather and other dwarf shrubs are present in the sward;
- “land which has been set aside” means land set aside in accordance with the provisions–
- (a) of Council Regulation (EEC) No. 1765/92 establishing a support system for producers of certain arable crops⁽⁵⁾, as last amended by Council Regulation (EC) No. 1624/98⁽⁶⁾, and as read with Council Regulation (EEC) No. 1635/98⁽⁷⁾, Commission Regulation (EEC) No. 3738/92⁽⁸⁾ and Council Regulation 1598/96⁽⁹⁾; and
 - (b) of Commission Regulation (EC) No. 762/94 laying down detailed rules for the application of Council Regulation (EEC) No. 1765/92 with regard to the set-aside scheme⁽¹⁰⁾, as last amended by Commission Regulation (EC) No. 1981/98⁽¹¹⁾, as in turn amended by Commission Regulation (EEC) 2490/98⁽¹²⁾.

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

12th April 1999

(5) OJ No. L181, 1.7.92, p.12.
(6) OJ No. L210, 28.7.98, p.3.
(7) OJ No. L210, 28.7.98, p.21.
(8) OJ No. L380, 24.12.92, p.24.
(9) OJ No. L206, 16.8.96, p.41.
(10) OJ No. L90, 7.4.94, p.8.
(11) OJ No. L256, 18.9.98, p.8.
(12) OJ No. L309, 19.11.98, p.27.

We consent,

13th April 1999

Jim Dowd
David Jamieson
Two of the Lords Commissioners of Her
Majesty's Treasury

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SCHEDULE 1

Regulation 4

AMENDMENT TO PART I OF SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

PART I

AMENDED PARAGRAPHS 1, 2, 3, 4 AND 6

<i>Column 1</i>	<i>Column 2</i>
1. In relation to hay meadows–	£85 per hectare per agreement year
(a) management of lowland meadowland of more than 3 hectares	
(b) management of lowland meadowland of 3 hectares or less	£115 per hectare per agreement year
(c) management of upland meadowland	£150 per hectare per agreement year
(d) where sub-paragraph (c) applies, raising water levels on upland grassland	£40 per hectare per agreement year
(e) where sub-paragraph (c) applies, temporary removal of sheep from upland grassland	£3 per month for each sheep removed from, and kept on land other than, upland grassland forming part of the agreement land
(f) where sub-paragraph (a), (b) or (c) apply, additional management in the initial years of the agreement	£40 per hectare per agreement year for the first 5 agreement years
(g) where sub-paragraph (a), (b) or (c) apply, use of native grass and herb seed to establish an enhanced sward	£250 per hectare per agreement year
2. In relation to grazed pasture–	
(a) management of pasture of more than 3 hectares	£85 per hectare per agreement year
(b) management of pasture of 3 hectares or less	£115 per hectare per agreement year
(c) management of enclosed upland pasture	£60 per hectare per agreement year
(d) management of grassland above chalk and limestone	£60 per hectare per agreement year
(e) management of upland rough pasture	£20 per hectare per agreement year
(f) management of enclosed upland rough pasture	£45 per hectare per agreement year
(g) where sub-paragraph (a), (b), (c), (d), (e) or (f) apply, additional	£40 per hectare per agreement year for the first 5 agreement years

<i>“Column 1</i>	<i>Column 2</i>
management in the initial years of the agreement	
(h) where sub-paragraph (a), (b), (c), (d), (e) or (f) apply, use of native grass and herb seed to establish an enhanced sward	£250 per hectare per agreement year
(i) where sub-paragraph (c), (d), (e) or (f) apply, temporary removal of sheep from upland grassland	£3 per month for each sheep removed from, and kept on land other than, upland grassland forming part of the agreement land
(j) where sub-paragraph (c), (d), (e) or (f) apply, burning of vegetation	£5 per hectare per agreement year
(k) where sub-paragraph (e) or (f) apply, management of common land	£5 per hectare per agreement year
(l) where sub-paragraph (c), (d), (e) or (f) apply, raising water levels on upland grassland	£40 per hectare per agreement year
3. In relationship to upland moorland–	
(a) management to enable regeneration of suppressed heather	£70 per hectare per agreement year
(b) management to enable regeneration of heather on improved land	£120 per hectare per agreement year
(c) management to enable enhancement of heather moorland	£45 per hectare per agreement year
(d) management on heather moorland	£4 per hectare per agreement year, subject to a maximum total of £2,500 per agreement year
(e) where sub-paragraph (a), (b), (c) or (d) apply, raising water levels on heather moorland	£40 per hectare per agreement year
(f) where sub-paragraph (a), (b), (c) or (d) apply, temporary removal of sheep from heather moorland	£3 per month for each sheep removed from, and kept on land other than, heather moorland forming part of the agreement land
(g) where sub-paragraph (a), (b), (c) or (d) apply, burning of vegetation	£5 per hectare per agreement year
(h) where sub-paragraph (a), (b), (c) or (d) apply, management of common land	£5 per hectare per agreement year
4. In relation to cultivated land–	
(a) creation and management of grassland	£280 per hectare per agreement year
(b) where sub-paragraph (a) applies, creation and management of grassland, where the land has been set	£100 per hectare per agreement year

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<i>“Column 1</i>	<i>Column 2</i>
	aside in the year preceding the first agreement year
(c)	where sub-paragraph (a) applies, additional management in the initial years of the agreement
(d)	where sub-paragraph (a), (b) or (c) apply, use of native grass and herb seed to establish an enhanced sward
6. In relation to field margins–	
(a)	establishment and maintenance of an uncropped arable margin of a width in the range of 4 to 12 metres and averaging at least 6 metres
(b)	establishment and maintenance of a grass margin or strip of a width of at least 2 metres in or across an arable field
(c)	management of a field margin or strip of an average width of at least 6 metres, within grassland
(d)	management, for the protection of wildlife, of a field margin or strip of an average width of at least 6 metres, within grassland
(e)	where sub-paragraphs (a), (b), (c) or (d) apply, use of a native grass and herb seed to establish an enhanced sward

PART II

SUB-PARAGRAPHS INSERTED IN PARAGRAPH 7

<i>“Column 1</i>	<i>Column 2</i>
(i)	Management and regeneration of upland woodlands
(j)	Management of historical features in uplands landscape

SCHEDULE 2

Regulation 5

AMENDMENT TO PART II OF SCHEDULE 1 TO THE PRINCIPAL REGULATIONS
(NEW SUB-PARAGRAPH INSERTED IN PARAGRAPH 5)

<i>“Column 1</i>	<i>Column 2</i>
(aa)	installation of a bund of soil or alternative material in upland drains

SCHEDULE 3

Regulation 6

AMENDMENT TO PART III OF SCHEDULE 1 TO THE PRINCIPAL REGULATIONS
(NEW PARAGRAPH INSERTED AFTER PARAGRAPH 3)

<i>“Column 1</i>	<i>Column 2</i>
4.	Payment in respect of a survey of environmental features on upland holdings.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England (including the Isles of Scilly), amend the Countryside Stewardship Regulations 1998 (S.I. 1998/1327) (“the principal Regulations”), which make provision supplementing Council Regulation (EEC) No. 2078/92 (OJ No. L215, 30.7.92, p.85), as amended by Commission Regulation (EC) No. 2772/95 (OJ No. L 288, 1.12.95, p.35) which was in turn rectified by Commission Regulation (EC) No. 1962/96 (OJ No. L259, 12.10.96 p.7) on agricultural methods compatible with the requirements of the protection of the environment and the maintenance of the countryside.

The principal Regulations provide for payments of grant to be made by the Minister to any person who enters into a stewardship agreement with the Minister requiring the recipient of the grant to carry out on land in which he has an interest an activity which is conducive to the conservation or enhancement of the countryside or the promotion of its enjoyment by the public.

These Regulations—

- (a) introduce a number of new management and capital activities in respect of which payments may be made;
- (b) specify the maximum payments in respect of such activities;
- (c) modify some of the maximum payments in respect of existing management activities; and
- (d) add a number of definitions.

No regulatory impact assessment has been prepared in respect of these Regulations.

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