

2001 No. 30

AGRICULTURE

**The Environmentally Sensitive Areas (Breadalbane) Designation
Amendment Order 2001**

<i>Made</i>	<i>6th February 2001</i>
<i>Laid before the Scottish Parliament</i>	<i>6th February 2001</i>
<i>Coming into force</i>	<i>8th March 2001</i>

The Scottish Ministers, in exercise of the powers conferred by section 18(1), (4) and (11) of the Agriculture Act 1986(a) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Environmentally Sensitive Areas (Breadalbane) Designation Amendment Order 2001 and shall come into force on 8th March 2001.

(2) In this Order “the principal Order” means the Environmentally Sensitive Areas (Breadalbane) Designation Order 1992(b).

Amendment of the principal Order

2.—(1) For article 7 of the principal Order(c) there shall be substituted—

“7.—(1) Where an agreement identifies expenditure required to undertake additional farming operations specified in paragraph 10(b) of the Schedule to this Order, the Scottish Ministers shall make additional payments according to the farming operations to be carried out.

(2) The payments to be made under paragraph (1) above shall be made at a rate to be determined by the Scottish Ministers—

- (a) in the case of an agreement entered into on or after 8th March 2001 up to a maximum rate of £30,000 for each 5 year conservation plan; and
- (b) in the case of an agreement entered into before that date, up to a maximum rate of £30,000 for a 5 year conservation plan included in such agreement which agreement had commenced but which had not ended before that date.”.

(a) 1986 c.49; section 18(4) was amended by S.I. 1994/249. See section 17 for the definition of “the Minister”. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement to obtain Treasury consent was removed by section 55 of that Act.
(b) S.I. 1992/1920; amended by S.I. 1992/2063, 1994/3067, 1995/3096, 1996/738 and 3082.
(c) Article 7 was substituted by S.I. 1995/3096, article 2(4).

3. For paragraph 10(b)(v) of the Schedule of the principal Order there shall be substituted—
“(v) if the farmer so wishes, measures to restore or create dykes, hedges and ponds, and measures to restore stone fanks, in each case to standards consistent with conservation interests;”.

St Andrew's House,
Edinburgh
6th February 2001

ROSS FINNIE
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Environmentally Sensitive Areas (Breadalbane) Designation Order 1992 by increasing the ceiling on payments made to persons in respect of each 5 year conservation plan contained in an agreement from £25,000 to £30,000 (article 2) and by allowing measures for creating dykes, hedges and ponds as well as restoration of dykes, stone fanks, hedges and ponds (article 3).

