

EXECUTIVE NOTE

THE RURAL DEVELOPMENT CONTRACTS (RURAL PRIORITIES) (SCOTLAND) AMENDMENT REGULATIONS 2010 (SSI 2010/87)

The above Regulations (the 2010 Amendment Regulations) are made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. They amend the Rural Development Contracts (Rural Priorities) (Scotland) Regulations 2008 (SSI 2008 No.100) (the “2008 Regulations”) (as previously amended by the Rural Development Contracts (Rural Priorities) (Scotland) Amendment Regulations 2008 (SSI 2008 No. 233) and 2009 (SSI 2009 No. 1, SSI 2009 No. 233, SSI 2009 No. 335 and SSI 2009 No. 411).

The 2008 Regulations allow Scottish Ministers to pay European and National funds from the Scotland Rural Development Programme (SRDP) to beneficiaries of Rural Priorities. The instrument is subject to negative resolution procedure.

Policy Objective

The purpose of the 2010 Amendment Regulations is to implement changes made to the Scotland Rural Development Programme which were agreed with the European Commission on 15 December 2009. The 2008 Regulations are amended as follows:

- Regulation 5, Outcome plans is deleted;
- in Schedule 2, part 1 options 3, 4 and 73 are deleted;
- in schedule 2, part 1 option 6, manure/slurry storage treatment, the rates of payment are increased by 10 percent, and the reference to biogas structures is amended to include anaerobic digestion;
- in Schedule 2, part 1, option 60, woodland creation, and the rates of payment are increased by 10 per cent;
- in Schedule 2, part 1, option 74, Removal of vegetation/debris from SSI Sites notified for their geological features is rewritten to clarify actions required and a maximum payment limit is introduced;
- in Schedule 2, part 1, option 75, Erosion control is amended to place the emphasis on damage done by burrowing animals and a maximum payment limit introduced;
- in Schedule 2, part 1, option 76, Renewable energy powered pumps for water troughs is amended to allow payment for a water pumping system and a maximum payment limit introduced;
- in Schedule 2, part 1, option 77, Capital works required for Sites of Special Scientific Interest and European site features which enhance the public amenity value of those features is amended to allow payment on SSSI and European Sites and

features; a list of capital items eligible for payment is added and a maximum payment limit introduced.

The Rural Development Contracts (Rural Priorities) (Scotland) Regulations 2008 will have been amended 6 times after this amendment SSI. A further Modification to the SRDP is with the European Commission and more amendments are likely over the course of this 2007 to 2013 Programme all of which will require domestic amending legislation. Generally the modifications amend payment rates and add or amend eligibility. We propose that after the next amendment SSI and over the course of the summer we will look to consolidation of the main SSI (without amendment).