

STATUTORY INSTRUMENTS

1981 No. 1533

AGRICULTURE

HORTICULTURE

**The Agriculture and Horticulture Grant (Variation) Scheme
1981***Made* - - - - - 26th October 1981*Laid before Parliament* 4th November 1981*Coming into Operation* 30th November 1981

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred upon them by sections 28 and 29 of the Agriculture Act 1970(a) and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following scheme:—

1. This scheme, which may be cited as the Agriculture and Horticulture Grant (Variation) Scheme 1981, shall come into operation on 30th November 1981 and shall apply throughout the United Kingdom.

2. The Agriculture and Horticulture Grant Scheme 1980(b) shall be varied in accordance with the following paragraphs.

3. In paragraph 2(1) thereof (interpretation)—

(a) immediately after the definition of “the appropriate Minister” there shall be inserted the following definition:—

“ ‘dairy cows’ means cows which have calved and which by reason of their breed or suitability are exclusively or principally kept for the production of milk either for human consumption or for processing into milk products;”;

(b) for the definition of “ECU” there shall be substituted the following definitions:—

“ ‘ECU’ means the unit of account used for the purposes of the common agricultural structures policy of the European Economic Community and any reference in this scheme to a specified number of ECU in relation to any expenditure or any grant shall be taken to be a reference to the sterling equivalent of that number of ECU converted into sterling at the agricultural exchange rate

(a) 1970 c. 40.

(b) S.I. 1980/1072.

applicable on 1st January in the calendar year during which the decision to pay grant is taken;

'heifers' means female bovine animals of two years of age or over which have not calved and are intended to replace dairy cows;".

4. For paragraph 5 thereof (restrictions on payment of grant) there shall be substituted the following paragraph:—

“5.—(1) The appropriate Minister shall not pay grant under paragraph 3(1) in relation to any expenditure in connection with the breeding or keeping of poultry or the production of eggs.

(2) The appropriate Minister shall not pay grant under paragraph 3(1) in relation to any expenditure in connection with the breeding or keeping of pigs—

(a) in respect of which a claim for such grant is received by that Minister before 30th November 1981 unless it appears to that Minister that the aggregate of the amount of that expenditure and any other expenditure of that kind which has been incurred in respect of the same agricultural business amounts to not less than 13,158 ECU, and not more than 66,699 ECU, that other expenditure being expenditure in respect of which a claim for grant under this scheme, the Farm Capital Grant Scheme 1973 (a) or any regulations made under section 2(2) of the European Communities Act 1972(b) providing for the payment of grant to a person carrying on an agricultural business as therein defined in accordance with an approved development plan has been received by that Minister during the period of two years ending with the day on which a claim for grant in relation to the first mentioned expenditure has been received, or

(b) in respect of which a claim for such grant is received by that Minister on or after 30th November 1981 unless it appears to that Minister that that expenditure does not make possible an increase to more than 550 in the number of pig places on the land on which there will be carried on the agricultural business in relation to which the expenditure has been incurred, save that that Minister may pay grant towards so much, if any, of that expenditure as was incurred before 30th November 1981 and is within the limits set by sub-paragraph (2)(a) above, and in any case

(c) unless it appears to that Minister that after completion of the works, facilities or transactions in respect of which that expenditure has been incurred the land on which there will be carried on the agricultural business in relation to which the expenditure has been incurred will be capable of producing not less than 35 per cent. of the feeding stuffs required for the pigs kept on that land.

(3) The appropriate Minister may pay grant under paragraph 3(1) towards expenditure incurred on or after 30th November 1981 in connection with the breeding or keeping of dairy cows or heifers only if it

(a) S.I. 1973/1965, varied by S.I. 1976/547, 1870, 1978/380, 768, 1980/103, 930.

(b) 1972 c. 68.

appears to him that after completion of the works, facilities or transactions in respect of which that expenditure has been incurred not more than 40 dairy cows will be kept on the land on which there will be carried on the agricultural business in relation to which the expenditure has been incurred.

(4) In this paragraph—

(a) 'expenditure' means expenditure other than expenditure incurred in respect of any work, facility or transaction of a kind specified in paragraph 7(iii) of column 1 of the Schedule;

(b) 'pig place' means the facilities necessary to house one fattening pig; save that where the herd includes breeding sows, the facilities necessary to house one such sow shall be taken to be the equivalent of 6.5 pig places."

5. For paragraph 1 of column 1 of the Schedule thereto (kinds of eligible work) there shall be substituted the following paragraph:—

"1. Provision, replacement, improvement, alteration, enlargement or reconditioning of permanent buildings or permanently sited durable structures for cladding with plastic (except living accommodation and buildings or structures designed and intended for the production of horticultural produce (see paragraph 2 of this Schedule)), bulk dry stores, silos, yards, loading platforms, ramps or banks."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st October 1981.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

22nd October 1981.

George Younger,
Secretary of State for Scotland.

22nd October 1981.

Nicholas Edwards,
Secretary of State for Wales.

We approve,

26th October 1981.

J. A. Cope,
John Selwyn Gummer,
Two of the Lords Commissioners of
Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme, which is made under sections 28 and 29 of the Agriculture Act 1970 and applies throughout the United Kingdom, varies the Agriculture and Horticulture Grant Scheme 1980 in accordance with Council Regulation (EEC) No. 1945/81 (OJ No L197, 20.7.81, p. 31) and Commission Regulation (EEC) No. 2180/81 (OJ No L211, 31.7.81, p. 28) both restricting investment aids for pig production and Council Regulation (EEC) No. 1946/81 (OJ No L197, 20.7.81, p. 32) restricting investment aids for milk production.

The former restriction on the amount of expenditure on the breeding or keeping of pigs which might have been eligible for grant, account having been taken of similar grant aided expenditure during the preceding 2 years, is replaced by the restriction that expenditure on the breeding or keeping of pigs will be eligible for grant only to the extent that it does not make possible an increase to more than 550 pig places (paragraph 5(2)(b) of the 1980 Scheme as inserted by paragraph 4 of this Scheme). Grant towards expenditure on the breeding or keeping of dairy cows or heifers is made subject to the restriction that the expenditure must not result in an increase in the dairy herd to more than 40 cows (paragraph 5(3) of the 1980 Scheme as inserted by paragraph 4 of this Scheme).

Another change is that expenditure on permanent framework for plastic cladded structures will be eligible for grant (paragraph 5).

The definition of "ECU" has been amended (paragraph 3(b)) to relate it more clearly to the representative rate used for the purposes of the common agricultural structures policy of the European Economic Community which is fixed from time to time by Council Regulation. The sterling equivalent of 1 ECU on 1st January 1981 converted at the agricultural exchange rate was £0.618655.

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