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## EXPLANATORY NOTE

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

This Order designates as an Environmentally Sensitive Area an area of the Central Southern Uplands partly within the Cumnock and Doon Valley, the Clydesdale and the East Kilbride Districts of Strathclyde Region; partly within the Nithsdale and the Annandale and Eskdale Districts of Dumfries and Galloway Region and partly within the Ettrick and Lauderdale, the Tweeddale and the Roxburgh Districts of the Borders Region (article 3). That area is designated for the purpose of conserving, protecting and enhancing environmental features of the area by the maintenance or adoption of particular agricultural methods.

The map annexed to and forming part of this note gives a general guide to the area affected by this Order. The detailed map showing the designated area can be inspected during normal office hours at the offices of the Scottish Office Agriculture and Fisheries Department, Pentland House, Robb's Loan, Edinburgh.

The Secretary of State may enter into a management agreement with any person having an interest in agricultural land in a designated area and the Order specifies the requirements as to agricultural practices, methods and operations which must be included in such an agreement (article 4 and Schedule).

In the event of a breach of the specified requirements, the Secretary of State may terminate the agreement and recover sums paid under the agreement (article 5(a)). Any questions arising as to whether a breach of such requirements has occurred may be determined by arbitration (article 5(b)).

Payments made by the Secretary of State under an agreement are to be—

- (a) at the rate of £14 per year per hectare of enclosed land, with an additional payment of £2 per year for each hectare of other land; or
- (b) subject to a minimum payment of £250 per year for each individual farm business and a maximum payment of £1,000 per year for each individual farm business (article 6(1) and (2)).

Where an agreement includes the additional farming operations set out in paragraph 10(b) of the Schedule, additional payments are to be made at the rate determined by the Secretary of State subject to a maximum payment of £150 per year per hectare or at the rate of £6,000 per year for each individual farm business whichever is the lower (article 7).

Copies of the leaflet “The Principles and Practice of Heather Burning” published in 1988 may be obtained from the Farming and Wildlife Advisory Group or the Scottish Office Agriculture and Fisheries Department.

Copies of the “Prevention of Pollution from Agricultural Activity: A Code of Good Practice” published in 1992 may be obtained without charge from the Scottish Office Agriculture and Fisheries Department, Pentland House, 47 Robb's Loan, Edinburgh.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

