
STATUTORY INSTRUMENTS

1995 No. 242

**The Environmentally Sensitive Areas
Designation (Wales) (Amendment) Order 1995**

Title and commencement

1. This Order may be cited as the Environmentally Sensitive Areas Designation (Wales) (Amendment) Order 1995 and shall come into force on 1st March 1995.

Amendment of the Environmentally Sensitive Areas (Cambrian Mountains—Extension) Designation Order 1987

2.—(1) The Environmentally Sensitive Areas (Cambrian Mountains—Extension) Designation Order 1987(1) shall be further amended in accordance with the provisions of paragraphs (2) to (7) of this article.

(2) In article 2 (interpretation)—

(i) before the definition of “agreement”, there shall be inserted the following definition—

““access route” means a strip of land 10 metres wide which is the subject of an agreement including the requirements specified in Schedule 1A as to public access;”;

(ii) after the definition of “livestock unit” there shall be inserted the following definition—

““recognised dairy breed” means one of the following breeds, namely, Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry;”.

(3) After article 4 (requirements and provisions of agreement) there shall be inserted the following article—

“**4A.** An agreement may include the requirements as to public access specified in Schedule 1A.”.

(4) In article 6 (rates of payment under agreement)—

(i) after paragraph (3) there shall be inserted the following paragraph—

“(3A) Where an agreement includes the requirements as to public access specified in Schedule 1A the Secretary of State shall, in addition to any payments made under paragraphs (1) to (3) above, make payments at the rate of £170 per annum for each hectare of access route.”;

(ii) in paragraph (4) the words “(1) to (3A)” shall be substituted for the words “(1) to (3)”.

(5) In paragraph 1(8) of Schedule 1 the words “or historic” shall be inserted immediately after the word “archaeological”.

(6) After Schedule 1 there shall be inserted the Schedule set out in the Schedule to this Order.

(7) After paragraph 10 of Schedule 4 there shall be inserted the following paragraph—

“**11.** The provision and restoration of gates, stiles and footbridges where an agreement includes the requirements of Schedule 1A as to public access.”.

Amendment of the Environmentally Sensitive Areas (Lleyn Peninsula) Designation Order 1987

3.—(1) The Environmentally Sensitive Areas (Lleyn Peninsula) Designation Order 1987(2) shall be further amended in accordance with the provisions of paragraphs (2) to (6) of this article.

(2) In article 2 (interpretation)—

(i) before the definition of “agreement”, there shall be inserted the following definition—

““access route” means a strip of land 10 metres wide which is the subject of an agreement including the requirements specified in Schedule 1A as to public access;”;

(ii) after the definition of “livestock unit” there shall be inserted the following definition—

““recognised dairy breed” means one of the following breeds, namely, Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry;”.

(3) After article 4 (requirements to be included in agreement) there shall be inserted the following article—

“**4A.** An agreement may include the requirements as to public access specified in Schedule 1A.”.

(4) In article 6 (rates of payment under agreement)—

(i) after paragraph (3) there shall be inserted the following paragraph—

“(3A) Where an agreement includes the requirements as to public access specified in Schedule 1A the Secretary of State shall, in addition to any payments made under paragraphs (1) to (3) above, make payments at the rate of £170 per annum for each hectare of access route.”;

(ii) in paragraph (4) the words “(1) to (3A)” shall be substituted for the words “(1) to (3)”.

(5) After Schedule 1 there shall be inserted the Schedule set out in the Schedule to this Order.

(6) After paragraph 10 of Schedule 4 there shall be inserted the following paragraph:—

“**11.** The provision and restoration of gates, stiles and footbridges where an agreement includes the requirements of Schedule 1A as to public access.”.

Amendment of the Environmentally Sensitive Areas (Ynys Môn) Designation Order 1993

4.—(1) The Environmentally Sensitive Areas (Ynys Môn) Designation Order 1993(3) shall be further amended in accordance with the provisions of paragraphs (2) to (6) of this article.

(2) In article 2 (interpretation)—

(i) before the definition of “agreement”, there shall be inserted the following definition—

““access route” means a strip of land 10 metres wide which is the subject of an agreement including the requirements specified in Schedule 1A as to public access;”;

(ii) after the definition of “livestock unit” there shall be inserted the following definition—

““recognised dairy breed” means one of the following breeds, namely, Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry;”.

(3) After article 4 (requirements and provisions of agreement) there shall be inserted the following article—

“**4A.** An agreement may include the requirements as to public access specified in Schedule 1A.”.

(2) S.I. 1987/2027, as amended by S.I. 1988/173 and S.I. 1994/241.

(3) S.I. 1993/1210, as amended by S.I. 1993/2422.

(4) In article 6 (rates of payment under agreement)—

(i) after paragraph (3) there shall be inserted the following paragraph—

“(3A) Where an agreement includes the requirements as to public access specified in Schedule 1A the Secretary of State shall, in addition to any payments made under paragraphs (1) to (3) above, make payments at the rate of £170 per annum for each hectare of access route.”;

(ii) in paragraph (4) the words “(1) to (3A)” shall be substituted for the words “(1) to (3)”.

(5) After Schedule 1 there shall be inserted the Schedule set out in the Schedule to this Order.

(6) After paragraph 8 of Schedule 4 there shall be inserted the following paragraph—

“9. The provision and restoration of gates, stiles and footbridges where an agreement includes the requirements of Schedule 1A as to public access.”.

Amendment of the Environmentally Sensitive Areas (Radnor) Designation Order 1993

5.—(1) The Environmentally Sensitive Areas (Radnor) Designation Order 1993(4) shall be amended in accordance with the provisions of paragraphs (2) to (6) of this article.

(2) In article 2 (interpretation)—

(i) before the definition of “agreement”, there shall be inserted the following definition—

““access route” means a strip of land 10 metres wide which is the subject of an agreement including the requirements specified in Schedule 1A as to public access;”;

(ii) after the definition of “livestock unit” there shall be inserted the following definition—

““recognised dairy breed” means one of the following breeds, namely, Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry;”.

(3) After article 4 (requirements and provisions of agreement) there shall be inserted the following article—

“4A. An agreement may include the requirements as to public access specified in Schedule 1A.”.

(4) In article 6 (rates of payment under agreement)—

(i) after paragraph (3) there shall be inserted the following paragraph—

“(3A) Where an agreement includes the requirements as to public access specified in Schedule 1A the Secretary of State shall, in addition to any payments made under paragraphs (1) to (3) above, make payments at the rate of £170 per annum for each hectare of access route.”;

(ii) in paragraph (4) the words “(1) to (3A)” shall be substituted for the words “(1) to (3)”.

(5) After Schedule 1 there shall be inserted the Schedule set out in the Schedule to this Order.

(6) After paragraph 8 of Schedule 4 there shall be inserted the following paragraph—

“9. The provision and restoration of gates, stiles and footbridges where an agreement includes the requirements of Schedule 1A as to public access.”.

Amendment of the Environmentally Sensitive Areas (Clwydian Range) Designation Order 1994

6.—(1) The Environmentally Sensitive Areas (Clwydian Range) Designation Order 1994⁽⁵⁾ shall be amended in accordance with the provisions of paragraphs (2) to (6) of this article.

(2) In article 2 (interpretation)—

(i) before the definition of “agreement”, there shall be inserted the following definition—

““access route” means a strip of land 10 metres wide which is the subject of an agreement including the requirements specified in Schedule 1A as to public access;”;

(ii) after the definition of “livestock unit” there shall be inserted the following definition—

““recognised dairy breed” means one of the following breeds, namely, Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry;”.

(3) After article 4 (requirements and provisions of agreement) there shall be inserted the following article—

“**4A.** An agreement may include the requirements as to public access specified in Schedule 1A.”.

(4) In article 6 (rates of payment under agreement)—

(i) after paragraph (3) there shall be inserted the following paragraph—

“(3A) Where an agreement includes the requirements as to public access specified in Schedule 1A the Secretary of State shall, in addition to any payments made under paragraphs (1) to (3) above, make payments at the rate of £170 per annum for each hectare of access route.”;

(ii) in paragraph (4) the words “(1) to (3A)” shall be substituted for the words “(1) to (3)”.

(5) After Schedule 1 there shall be inserted the Schedule set out in the Schedule to this Order.

(6) After paragraph 10 of Schedule 4 there shall be inserted the following paragraph—

“**11.** The provision and restoration of gates, stiles and footbridges where an agreement includes the requirements of Schedule 1A as to public access.”.

Amendment of the Environmentally Sensitive Areas (Preseli) Designation Order 1994

7.—(1) The Environmentally Sensitive Areas (Preseli) Designation Order 1994⁽⁶⁾ shall be amended in accordance with the provisions of paragraphs (2) to (6) of this article.

(2) In article 2 (interpretation)—

(i) before the definition of “agreement”, there shall be inserted the following definition—

““access route” means a strip of land 10 metres wide which is the subject of an agreement including the requirements specified in Schedule 1A as to public access;”;

(ii) after the definition of “livestock unit” there shall be inserted the following definition—

““recognised dairy breed” means one of the following breeds, namely, Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry;”.

(3) After article 4 (requirements and provisions of agreement) there shall be inserted the following article—

“**4A.** An agreement may include the requirements as to public access specified in Schedule 1A.”.

(5) S.I. 1994/238.

(6) S.I. 1994/239.

- (4) In article 6 (rates of payment under agreement)—
- (i) after paragraph (3) there shall be inserted the following paragraph—
- “(3A) Where an agreement includes the requirements as to public access specified in Schedule 1A the Secretary of State shall, in addition to any payments made under paragraphs (1) to (3) above, make payments at the rate of £170 per annum for each hectare of access route.”;
- (ii) in paragraph (4) the words “(1) to (3A)” shall be substituted for the words “(1) to (3)”.
- (5) After Schedule 1 there shall be inserted the Schedule set out in the Schedule to this Order.
- (6) After paragraph 11 of Schedule 4 there shall be inserted the following paragraph—
- “**12.** The provision and restoration of gates, stiles and footbridges where an agreement includes the requirements of Schedule 1A as to public access.”.

Signed by authority of the Secretary of State for Wales

Welsh Office
20th January 1995

Gwilym Jones
Parliamentary Under Secretary of State

We consent,

30th January 1995

Andrew Mitchell
Derek Conway
Two of the Lords Commissioners of Her
Majesty’s Treasury