
EXPLANATORY NOTE

(This note is not part of the Order)

Section 18 of the Agriculture Act 1986 (“the 1986 Act”) gives the Minister of Agriculture, Fisheries and Food (“the Minister”) power to designate areas in England as environmentally sensitive areas where it appears to him particularly desirable to conserve, protect or enhance environmental features in those areas by the maintenance or adoption of particular agricultural methods.

This Order designates areas in the Broads, Pennine Dales, Somerset Levels and Moors, South Downs and West Penwith as environmentally sensitive areas (article 3). The designated areas are defined by reference to maps which are available for inspection during normal office hours at the offices of the Ministry of Agriculture, Fisheries and Food at Nobel House, 17 Smith Square, London SW1P 3JR.

Section 18(3) of the 1986 Act enables the Minister to enter into an agreement with any person having an interest in agricultural land in a designated area by which that person agrees in consideration of payments to be made by the Minister to manage the land in accordance with the agreement. The Order specifies what capital activities may attract aid and also specifies the maximum rates of payment which are payable in respect of various management activities.

“Stage I” in the title to the Order refers to the first of four orders each designating a group of environmentally sensitive areas, and corresponds to the sequence in which they were originally designated and the consequent phasing of the dates for policy and payment reviews in those areas.

The Order implements Articles 22 to 24 and 43(2) of Council Regulation (EC) No. 1257/1999 (OJ No. L160, 26.6.99, p. 80) (“the rural development Regulation”).

Agreements in respect of which an application was received after 29th July 1999 must be made in accordance with the England Rural Development Programme, which has been approved by the European Commission under Article 44 of the rural development Regulation, and a copy of which is available for inspection during normal office hours at the offices of the Ministry of Agriculture, Fisheries and Food at the address stated above, together with a copy of Commission Decision No. C(2000) 3003 approving it.

Penalties in respect of any breach of an agreement are provided by Article 48 of the rural development Regulation and by the England Rural Development Programme (Enforcement) Regulations 2000 (S.I.2000/3044).

No Regulatory Impact Assessment has been prepared in respect of this Order.