

2001 No. 3196

AGRICULTURE, ENGLAND

**The Environmentally Sensitive Areas (Stage III)
Designation (Amendment) Order 2001**

Made - - - - - 20th September 2001

Laid before Parliament 24th September 2001

Coming into force - - 15th October 2001

Whereas, pursuant to section 18(1) of the Agriculture Act 1986(a), the Minister of Agriculture, Fisheries and Food (“the Minister”) has designated areas in the Avon Valley, Exmoor, Lake District, North Kent Marshes, South Wessex Downs and South West Peak as environmentally sensitive areas;

Now, therefore, the Minister, in exercise of the powers conferred on her by section 18(1) and (4)(d)(b) of the said Act, and of all other powers enabling her in that behalf, with the consent of the Treasury, hereby makes the following Order:

Title and commencement

1. This Order may be cited as the Environmentally Sensitive Areas (Stage III) Designation (Amendment) Order 2001 and shall come into force on 15th October 2001.

Interpretation

2. In this Order “the principal Order” means the Environmentally Sensitive Areas (Stage III) Designation Order 2000(c).

Amendment of the principal Order

3.—(1) Article 4(2)(b) of the principal Order shall be amended by the substitution of “16” for the figure “15”, and of “2” for the figure “5”.

(2) Part 3 of Schedule 1 to the principal Order shall be amended, in column 2, by the substitution—

- (a) in item 1, of “35” for the figure “25”;
- (b) in item 2, of “135” for the figure “110”;
- (c) in item 3, of “50” for the figure “45”;
- (d) in item 4, of “40” for the figure “35”;
- (e) in item 5, of “330” for the figure “295”;
- (f) in item 6(a), of “300” for the figure “265”; and
- (g) in item 6(b), of “425” for the figure “400”.

(a) 1986 c. 49 The expression “the Minister” is defined in section 18(11).
(b) Section 18(4) was amended by S.I. 1994/249.
(c) S.I. 2000/3051.

- (3) Part 3 of Schedule 2 to the principal Order shall be amended as follows—
- (a) in item 1, by the substitution in column 2 of “16” for the figure “14”;
 - (b) in item 2, by the substitution in column 2 of “19” for the figure “18”;
 - (c) in item 3, by the substitution in column 2 of “31” for the figure “30”;
 - (d) in item 4, by the substitution in column 2 of “40” for the figure “38”;
 - (e) in item 5, by the substitution in column 2 of “12” for the figure “10”;
 - (f) in item 11—
 - (i) by the substitution for the entry in column 1 of the words—
“11. Management of woodland to enhance its nature conservation and landscape value.”; and
 - (ii) in column 2, by deleting the figure “14”;
 - (g) in item 15, by the substitution in column 2 of “£0.24 per metre” for “£24 per metre”; and
 - (h) in item 16, by the substitution in column 2 of “25” for the figure “27”.
- (4) For Part 3 of Schedule 3 to the principal Order there shall be substituted Part 3 as set out in Schedule 1 to this Order.
- (5) Part 3 of Schedule 4 to the principal Order shall be amended, in column 2, by the substitution—
- (a) in item 2, of “290” for the figure “230”; and
 - (b) in item 3(a), of “275” for the figure “265”.
- (6) Part 3 of Schedule 5 to the principal Order shall be amended, in column 2, by the substitution—
- (a) in item 1, of “11” for the figure “10”;
 - (b) in item 2, of “42” for the figure “40”;
 - (c) in item 3, of “65” for the figure “60”;
 - (d) in item 6, of “60” for the figure “65”; and
 - (e) in item 10, of “35” for the figure “38”.
- (7) Schedule 6 shall be amended by the substitution—
- (a) in Part 2, for “Restoration of ponds.”, of the words “The creation or restoration of ponds.”; and
 - (b) for Part 3, of Part 3 as set out in Schedule 2 to this Order.

19th September 2001

Elliot Morley
Parliamentary Under-Secretary of State,
Department for Environment, Food and Rural Affairs

We consent,

20th September 2001

Tony McNulty
Gordon Brown
Two of the Lords Commissioners of Her Majesty’s Treasury

SCHEDULE 1

Article 3(4)

SUBSTITUTED PART 3 OF SCHEDULE 3 TO THE PRINCIPAL ORDER
(LAKE DISTRICT)

“PART 3

MANAGEMENT ACTIVITIES

Column 1 <i>Activity</i>	Column 2 <i>Maximum rate in £ per hectare of land per annum (except where otherwise stated)</i>
1. Maintenance of cultivated land.	12
2. Management of inbye land.	47
3. Management of intake land.	22
4. Maintenance of fell without heather.	25
5. As regards heather fell—	
(a) maintenance of heather fell	38
(b) management of heather fell	42
(c) enhanced management of heather fell.	50
6. Management of meadowland.	200
7. Management of other habitats through controlled grazing and restricted agricultural admixtures.	100
8. Where management of any kind referred to in item 5(a), (b) or (c) is undertaken, additional management for the purpose of the early adoption of winter stocking restrictions.	15
9. Management of woodland to enhance its nature conservation and landscape value.	200
10. The provision of public access routes.	170
11. Management of any kind referred to in items 1 to 9 above which is undertaken in relation to common land.	5
12. Hedgerow restoration.	£4 per metre
13. In relation to walls—	
(a) restoration	£20 per metre
(b) top wiring supplement.	£1 per metre
14. Management of pasture land.	105
15. Management of wetland.	70”

SUBSTITUTED PART 3 OF SCHEDULE 6 TO THE PRINCIPAL ORDER
(SOUTH WEST PEAK)

“PART 3
MANAGEMENT ACTIVITIES

Column 1 <i>Activity</i>	Column 2 <i>Maximum rate in £ per hectare of land per annum (except where otherwise stated)</i>
1. Maintenance of cultivated land.	18
2. Management of enclosed permanent grassland.	50
3. Management of enclosed permanent rough grazing.	46
4. Enhanced management of pasture.	110
5. Enhanced management of meadowland.	170
6. Regeneration to create extensive pasture.	160
7. Regeneration to create extensive meadowland.	170
8. Where management of any kind under item 1, 2, 3, 4 or 6 is undertaken, additional management so as to create wet areas.	90
9. In relation to moorland—	
(a) maintenance of moorland	32
(b) enhanced management of moorland	62
(c) regeneration of moorland through temporary stock exclusion.	30
10. Management of woodland to enhance its nature conservation and landscape value.	120
11. The provision of public access routes.	170
12. In relation to walls—	
(a) restoration	£20 per metre
(b) top wiring supplement.	£1 per metre”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Environmentally Sensitive Areas (Stage III) Order 2000 (“the principal Order”) which designated areas in the Avon Valley, Exmoor, Lake District, North Kent Marshes, South Wessex Downs and South West Peak as environmentally sensitive areas.

The Order amends, with effect from 15th October 2001, some of the rates of payments to be made by the Minister of Agriculture, Fisheries and Food, pursuant to a management agreement made under section 18(3) of the Agriculture Act 1986 and rectifies some errors contained in the principal Order (*article 3*).

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

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