
STATUTORY INSTRUMENTS

2003 No. 838

**The Entry Level Agri-Environment Scheme
(Pilot) (England) Regulations 2003 (revoked)**

Interpretation

2. In these Regulations—

“application” means an application to enter into an agreement with the Secretary of State and “applicant” shall be construed accordingly;

“beneficiary” means a person who has entered into an agreement with the Secretary of State;

“carrying out”, in relation to an activity, includes ensuring that it is carried out, and “carry out” shall be construed accordingly;

“enclosed land” means land in an area of less than 15 hectares which is enclosed by a wall, fence or hedge;

“excluded land” means land which is registered as common land under the Commons Registration Act 1965⁽¹⁾ or which is subject to—

- (a) an agreement under the Countryside Stewardship Regulations 1998⁽²⁾ or the Countryside Stewardship Regulations 2000⁽³⁾;
- (b) an agreement under section 18(3) of the Agriculture Act 1986⁽⁴⁾ (an environmentally sensitive areas agreement);
- (c) an agreement under section 16 of the National Parks and Access to the Countryside Act 1949⁽⁵⁾ or section 15 of the Countryside Act 1968⁽⁶⁾ (agreements with English Nature);
- (d) a scheme under section 28J of the Wildlife and Countryside Act 1981⁽⁷⁾ in respect of which a payment is made under section 28M(2) of that Act (management schemes for sites of special scientific interest);
- (e) an agreement under section 17 of the Ancient Monuments and Archaeological Areas Act 1979⁽⁸⁾ (agreements to maintain ancient monuments); or
- (f) an undertaking under the Organic Farming (Aid) Regulations 1994⁽⁹⁾, the Organic Farming Regulations 1999⁽¹⁰⁾ or the Organic Farming (England Rural Development Programme) Regulations 2001⁽¹¹⁾;

“interest”, in relation to land, means a freehold or leasehold interest in it, or a contractual licence to occupy it;

(1) 1965 c. 64.

(2) S.I. 1998/1327, amended by S.I. 1999/1177.

(3) S.I. 2000/3048, amended by S.I. 2001/3991.

(4) 1986 c. 49.

(5) 1949 c. 97.

(6) 1968 c. 41.

(7) 1981 c. 69. Sections 28J and 28M were inserted by section 75(1) of and Schedule 9 to the Countryside and Rights of Way Act 2000 (c. 37).

(8) 1979 c. 46.

(9) S.I. 1994/1712, amended by S.I. 1996/3109, S.I. 1998/1606 and S.I. 1999/590.

(10) S.I. 1999/590, amended by S.I. 1999/2735 and S.I. 1999/2933.

(11) S.I. 2001/432, amended by S.I. 2001/3139.

Status: Point in time view as at 18/04/2003. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Entry Level Agri-Environment Scheme (Pilot) (England) Regulations 2003 (revoked), Section 2. (See end of Document for details)

“less favoured area” means all the land shown coloured blue and pink on the three volumes of maps numbered 1 to 3, each volume being marked “Volume of maps of less-favoured farming areas in England”, dated 20th May 1991, signed and sealed by the Minister of Agriculture, Fisheries and Food and deposited at the offices of the Department for Environment, Food and Rural Affairs at Nobel House, 17 Smith Square, London SW1P 3JR;

“pilot area” means an area of land shown bounded by a blue line on a map contained in the volume of maps marked “Volume of maps of the four pilot areas for the Entry Level Agri-Environment Scheme Pilot”, dated 12th February 2003, signed on behalf of the Secretary of State and deposited at the offices of the Department for Environment, Food and Rural Affairs at Nobel House, 17 Smith Square, London SW1P 3JR;

“relevant area” means the whole of any single area of land in which the applicant has an interest, and, for the purpose of determining what is a single area, any field boundary, watercourse, road or railway shall be disregarded;

“specified purposes” means—

- (a) the conservation or enhancement of the natural beauty or amenity of the countryside (including its flora and fauna and geological and physiographical features) or of any features of archaeological interest there, or
- (b) the promotion of the enjoyment of the countryside by the public.

Status:

Point in time view as at 18/04/2003. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Entry Level Agri-Environment Scheme (Pilot) (England) Regulations 2003 (revoked), Section 2.