STATUTORY INSTRUMENTS

1968 No. 71 (S. 3)

AGRICULTURE

AGRICULTURAL GRANTS, GOODS AND SERVICES

HILL LAND

The Agricultural Drainage (Standard Costs) (Scotland) Regulations 1968

Made - - -	16*th January* 1968
Laid before Parliament	26*th January* 1968
Coming into Operation	1*st February* 1968

In exercise of the powers conferred upon me by section 1 of the Agricultural Improvement Grants Act 1959(a) and by section 36 of the Agriculture Act 1967(b) as applied by section 41(7) of that Act, and of all other powers enabling me in that behalf, and with the consent of the Treasury in accordance with section 1(3) of the said Act of 1959, I hereby make the following regulations:—

Citation, extent and commencement

1. These regulations, which may be cited as the Agricultural Drainage (Standard Costs) (Scotland) Regulations 1968, shall apply to Scotland only and shall come into operation on 1st February 1968.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires:—
"approved" means approved by the Secretary of State;
"work" means a work of a description specified in column 1 of Part I of the Schedule to these regulations which is carried out in accordance with the requirements set out in relation to that work in column 2 of that Part of that Schedule.

(2) Any reference in these regulations to an enactment shall be construed as a reference to that enactment as amended or extended by any other enactment.

(3) The Interpretation Act 1889(c) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Standard costs for drainage grants

3. For the purposes of the payment of (*a*) grants under section 16 of the Agriculture Act 1937(d) in so far as it relates to the making of grants in respect of the drainage of agricultural land in Scotland, and (*b*) a grant under section 41 of the Agriculture Act 1967 by way of supplement to a grant under the said section 16 in respect of the drainage of agricultural land, the expenditure

(a) 1959 c. 31. (b) 1967 c. 22. (c) 1889 c. 63. (d) 1937 c. 70.

incurred or to be incurred in carrying out any approved work shall, if the applicant for any such grant so elects before the work is approved, be taken to be expenditure of an amount calculated at the appropriate rate or rates specified in respect of that work in column 3 of Part I of the Schedule to these regulations:

Provided that the amount so calculated shall, in the circumstances referred to in Part II of the said Schedule, be varied in accordance with the provisions there set out.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

11th January 1968.

We consent.

E. Alan Fitch,
J. McCann,
Two of the Lords Commissioners of Her Majesty's Treasury.

16th January 1968.

SCHEDULE

PART I

Work	Requirements	Rate			
Column 1	Column 2	Column 3			
1. Tile or plastic pipe drains	(1) Only new tiles or new plastic pipes may be used in the carrying out of the work. Clayware tiles shall comply with British Standard 1196 except that the tiles used throughout in any nominal size may be elliptical in section and have flanged or flat bases. If elliptical tiles are used, Section 5(d) of the British Standard specification will not apply. If plastic pipes are used, they shall be of a type approved. (2) Lateral drains shall have a minimum cover of 24″. (3) Leader drains shall have a minimum cover of 27″. (4) The laterals shall have a minimum fall of 1 in 400 and wherever possible shall be joined to the top shoulder of the leader, the junction being so made that the hole in the leader is the same size as the lateral. If tiles are used, they shall be laid as closely as possible on an evenly graded bed with uniform gradient. If plastic pipes are used, they shall be laid in a groove in the bottom of the drainage track. (5) The tiles or plastic pipes shall be correctly blinded before the tracks are filled. (6) All leader outlets shall be properly built and surrounded with stone, brick or concrete. (7) Silt boxes shall be provided as necessary and the cost of provision thereof calculated otherwise than under these regulations.	Per chain	£	s.	d.
		(*a*) tiles not less than 3″ but less than 4″ in diameter; or plastic pipes not less than 1¾″ but less than 3″ in diameter	3	11	6
		(*b*) tiles not less than 4″ but less than 6″ in diameter; or plastic pipes not less than 3″ in diameter	4	14	6
		(*c*) tiles not less than 6″ in diameter	6	15	0
2. Permeable in-fill	Permeable in-fill shall be clean gravel, stone chips, hard clinker or other similar approved durable material with no dimension greater than 2″ or less than ¼″. Care shall be taken to avoid mixing earth, etc. with permeable filling material which is to be carefully placed immediately over the tiles or pipes to the specified depth (6″ above the mole channel where moling is to be practised or a total depth of at least 6″ from the tile or pipe invert in other circumstances) and in such a way that the tiles or pipes are not damaged or displaced.	Per chain	1	12	6

SCHEDULE

PART I

Work	Requirements	Rate			
Column 1	Column 2	Column 2			
			£	s.	d.
3. Mole drains	Mole drains shall be drawn only where the surface of the land is dry enough for efficient traction and the subsoil at moling depth is moist enough to produce a firm wall to the channel but dry enough to obtain an adequate shattering and fissuring of the surrounding soil. The plough shall be so designed that the mole and blade travel parallel to the general ground surface without being affected by minor irregularities or by the pitching of the tractor or carrying frame. The channel shall be of not less than 3″ in diameter and the invert not less than 18″ below the surface of the ground. Moles shall be drawn at a lateral interval of not more than 3 yards.	Per acre of area drained	3	0	0
4. Hill drains	The channel bed shall have a top width of not less than 22 inches tapered in section with a half round bed to be 6 to 12 inches wide with bottom properly cleaned and (except where otherwise approved) a minimum depth of 14 inches continuously graded to one or both ends of its length. The excavated material shall be deposited on the downslope side of the channel and well back from its nearer edge. The laterals shall be connected to the leaders with a clean and undiminished cross section, hand labour being used where necessary. The drains shall not run straight up and down the hill sides but across the slope so that they have a self cleansing velocity but do not scour.	Per chain		3	8

PART II

Where—

(*a*) professional advice or assistance is obtained by the applicant for grant in connection with the carrying out of any work, and

(*b*) the proportion which any charges incurred in respect of any such advice or assistance or, if the Secretary of State considers such charges excessive, such part of them as having regard to all the circumstances he approves as having been reasonably incurred, bears to the total expenditure incurred or to be incurred in carrying out the work, calculated in accordance with the other provisions of these regulations, is not less than 3 per cent.

the total expenditure calculated as aforesaid may be increased by 3 per cent.

EXPLANATORY NOTE

(*This note is not part of the regulations.*)

Section 16 of the Agriculture Act 1937 provides for the payment of grants in respect of *inter alia* the drainage of agricultural land in Scotland. The grant amounts to one half of the cost reasonably incurred. In addition, where the work is for the benefit of hill land, as defined in the Hill Land Improvement (Scotland) Scheme 1967, a supplementary grant not exceeding 10 per cent of the eligible cost of the work may be paid under that scheme. These regulations enable a person eligible for any such grant to elect to take the cost in specified cases as being of a standard amount calculated in accordance with the regulations.