STATUTORY INSTRUMENTS

1999 No. 1369

AGRICULTURE

The Environmentally Sensitive Areas (Clun) Designation (Amendment) Order 1999

Made - - - -	*13th May 1999*
Laid before Parliament	*20th May 1999*
Coming into force	*15th June 1999*

Whereas, pursuant to section 18(1) of the Agriculture Act 1986**(a)**, the Minister of Agriculture, Fisheries and Food ("the Minister") has by order designated an area in the vicinity of Clun as an environmentally sensitive area;

Now therefore the Minister, in exercise of the powers conferred on him by section 18(1) and (4)(d)**(b)** of the said Act, and of all other powers enabling him in that behalf, with the consent of the Treasury and after consultation with the Secretary of State, the Countryside Commission and the Nature Conservancy Council for England**(c)** in accordance with section 18(1) of the said Act, and with the Historic Buildings and Monuments Commission for England in accordance with section 99 of the Environment Act 1995**(d)**, makes the following Order:

Title and commencement

1. This Order may be cited as the Environmentally Sensitive Areas (Clun) Designation (Amendment) Order 1999 and shall come into force on 15th June 1999.

Interpretation

2. In this Order "the principal Order" means the Environmentally Sensitive Areas (Clun) Designation Order 1993**(e)**.

Amendment of the principal Order

3. The principal Order shall be amended in accordance with paragraphs 4 and 5.

4. In Schedule 1 to the principal Order (capital activities), after the final item there shall be inserted the following items–

"The introduction or re-introduction of pollarding management for neglected trees.

Fencing for the purpose of excluding stock from woodlands.".

(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; sub-section 18(4A) was inserted by S.I. 1997/1457.
(c) The provisions in section 18 of the Agriculture Act 1986 concerning Nature Conservancy Councils were amended by Part VII of, and Schedule 9 to, the Environmental Protection Act 1990 (c. 43).
(d) 1995 c. 25.
(e) S.I. 1993/456, amended by S.I. 1994/921, S.I. 1995/190, S.I. 1996/3104, S.I. 1997/1446, S.I. 1998/1295 and S.I. 1998/1311.

5. In Schedule 2 to the principal Order (management activities)–

(a) in item 1(a), for "40" there shall be substituted "34";

(b) after item 1(c), there shall be inserted–

(i) in column 1–

"(d) in relation to unimproved grassland and rough grazing."; and

(ii) in column 2, "78"; and

(c) in item 3, for "90" there shall be substituted "120".

Saving

6. This Order shall not have effect for the purposes of any payment to be made under the principal Order in respect of any period before 1st May 1999.

Elliot Morley
Parliamentary Secretary,
12th May 1999 Ministry of Agriculture, Fisheries and Food

We consent,

Jane Kennedy
Jim Dowd
Two of the Lords Commissioners of
13th May 1999 Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Environmentally Sensitive Areas (Clun) Designation Order 1993 (S.I. 1993/456) ("the principal Order") which designated an area in the vicinity of Clun as an environmentally sensitive area. The principal Order implemented Council Regulation (EEC) No. 2078/92 (OJ No. L215, 30.7.92, p.85) on agricultural production methods compatible with the requirements of protection of the environment and the maintenance of the countryside, as amended by Council Regulation (EC) No. 2772/95 (OJ No. L288, 1.12.95, p.35) as in turn rectified by Council Regulation (EC) No. 1962/96 (OJ No. L259, 12.10.96, p.7).

Subject to a saving provision, this Order provides for payments to be made by the Minister of Agriculture, Fisheries and Food in respect of two new capital activities and a new management activity. In addition it amends the maximum rates of payment that may be made in respect of certain management activities.

No regulatory impact assessment has been prepared in respect of this Order.

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