POLICY NOTE

THE RURAL DEVELOPMENT CONTRACTS (LAND MANAGERS OPTIONS) (SCOTLAND) AMENDMENT REGULATIONS 2013

SSI 2013/309

The Rural Development Contracts (Land Managers Options) (Scotland) Amendment Regulations 2013 ("the 2013 Regulations") are made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and is subject to negative resolution procedure. The 2013 Regulations amend the Rural Development Contracts (Land Managers Options) (Scotland) Regulations 2008 ("the principal Regulations") which allow the Scottish Ministers to pay European Union and national funds from the Scotland Rural Development Programme 2007-13 (SRDP) to beneficiaries of Land Managers Options (LMOs)

Policy Objectives

The 2013 Regulations implement changes made to the SRDP as recently approved by the European Commission in accordance with Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD). ("the Council Regulation").

The Animal Welfare Management Programme (AWMP) option 22 came into force on 15 May 2009. The aim of this option was to make significant improvements to the welfare of Scottish livestock.

The 2013 Regulations close option 22 to new applications and amend it in relation to applications approved before the 2013 Regulations come into force:

- To provide more flexibility as regards animal welfare monitoring and benchmarking;
- In relation to Action Nine (control of bovine viral diarrhoea (BVD)):

  - to clarify the procedures for isolation and screening of pregnant animals, the isolation and testing of calves born from those animals and the culling of any calves infected with BVD virus;

  - to remove provisions concerning the monitoring, sampling and testing of animals which are now subject to the requirements of the Bovine Viral Diarrhoea (Scotland) Order 2013; and

  - to adjust the applicable payment rate.

The following options have also been closed to new applications (subject to a savings provision for applications approved before the 2013 Regulations come into force):

- Option 5 (management of genetically appropriate tree stocks for seed production);
- Option 6 (modernisation through electronic management – forestry);
- Option 7 (access creation for sustainable forest management);

- Option 18 (small-scale woodlands creation); and
- Option 19 (management of small woodlands).

Background

The European priorities for 2007-13 are laid down in the Council Regulation and given effect to through the SRDP. , as implemented by the principal Regulations in relation to the LMO scheme.

Key features of the LMO schemes are that:

- Land managers can apply for funding for a range of options under LMO up to a maximum allowance for the business;
- Some options require a five year commitment and compliance with Good Agricultural and Environmental Conditions and Statutory Management Requirements. Others are paid for one year only (although commitments may be longer in some cases);
- LMOs are non-competitive and open to all land managers with land in Scotland;
- Land Managers must be registered with the Integrated Administration and Control System (IACS) and have a Business Reference Number (BRN).

In addition, all participants must submit a Single Application and complete the LMO details on the Single Application Field Data Sheet. Commitments start from the application submission deadline and payments are made from the end of the scheme year the following May. Land based options are paid automatically and a claim must be submitted for other options by 31 August following the end of the scheme year.

Financial Effects

The instrument uses funding which the Scottish Government and the European Commission have allocated under the SRDP.

We foresee no increase in costs to the Scottish Government, local government, or business. We have therefore not carried out a Business and Regulatory Impact Assessment.