EXECUTIVE NOTE

THE RURAL DEVELOPMENT CONTRACTS (RURAL PRIORITIES) (SCOTLAND) AMENDMENT (No. 4) REGULATIONS 2009 SSI 2009/411

The above Regulations (the 2009 Amendment (No. 4) Regulations) are made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. They amend the Rural Development Contracts (Rural Priorities) (Scotland) Regulations 2008 (SSI 2008/100) ("the 2008 Regulations) (as previously amended by the Rural Development Contracts (Rural Priorities) (Scotland) Amendment Regulations 2008 (SSI 2008 No. 233) and 2009 (SSI 2009 No. 1, SSI 2009 No. 233 and SSI 2009 No. 335)

The 2008 Regulations allow Scottish Ministers to pay European and national funds from the Scotland Rural Development Programme ("SRDP") to beneficiaries of Rural Priorities. The instrument is subject to negative resolution procedure.

Policy Objective

The purpose of the 2009 Amendment No. 4 Regulations is to implement changes made to the Scotland Rural Development Programme which were agreed with the European Commission on 23 October 2009. The 2008 Regulations are amended as follows:

- in regulation 3 addition of definition for "Semi natural native woodlands";
- in Schedule 2, Part 1, option 2 the labour requirement at which the measure can be claimed and the level of payment are amended and an establishment grant provided to encourage uptake of the option which is aimed at improving the age profile of the industry.
- in Schedule 2, Part 1, a new option 78 is added for controlled livestock grazing of woodland in order to enhance biodiversity and encourage tree regeneration; The eradication of rhododendron in woodland will enhance biodiversity and will target priority woodlands such as native woodlands.
- in Schedule 2, Part 2, additional capital items and payment rates are added (Table D); in support of the controlled livestock grazing of woodland option and to encourage the eradication of rhododendron in woodland.
- in Schedule 3, addition of table of actual cost capital items to support the eradication of rhododendron in woodland in exceptional circumstances.

Background

The European priorities for 2007-2013 are laid down in the Rural Development Regulation (Council Regulation (EC) 1698/2005). The SRDP including Rural Priorities is designed to deliver outcomes to achieve these priorities in Scotland.

Rural Priorities is a competitive scheme to ensure that contracts are awarded for the proposals which are best able to deliver the agreed regional priorities.

Regional priorities which were agreed with stakeholders, were established to aid the delivery of the 5 key outcomes of the SRDP:

- business viability and competitiveness
- water quality
- adaptations to mitigate climate change
- biodiversity and landscapes
- thriving rural communities

Businesses, land managers and community groups can apply. There is a 2-stage application process. The initial stage is the submission of a simple Statement of Intent. In the second stage, applicants can prepare a detailed Proposal plus an Outcome Plan setting out how they would contribute to one or more regional priorities. Both stages are supported by Case Officers who advise on eligibility, regional priorities, budgetary positions and the need for consents/approvals.

Proposals are accepted throughout the year with periodic assessment rounds. Regional Proposal Assessment Committees (RPACs) will select which proposals to recommend for approval to Scottish Ministers.

Consultation

The original SRDP was submitted to the European Commission following consultation with stakeholders and agreed on 19 February 2008. These latest changes reflect modifications approved by the EC on 23 October 2009.

Financial effects

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

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

The Scottish Government
Rural Payments and Inspections Directorate
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