

Statutory Instrument 1998 No. 1298

The Environmentally Sensitive Areas (Somerset Levels and Moors) Designation (Amendment) Order 1998

© Crown Copyright 1998

All Crown Copyrights are reserved. The following are concessions. Individuals are authorised to download this text to file or printer for their own individual use. Reproduction of the text for the purpose of developing and publishing value-added products is also allowed, without prior permission or charge, provided reproduction is accurate, not malicious and is accompanied by an acknowledgment of Crown copyright.

Any other proposed reproduction requires the consent of the Copyright Unit at Her Majesty's Stationery Office. For more details on the reproduction of Crown and Parliamentary copyright material, see the latest Her Majesty's Stationery Office *Dear Publisher* letter.

The text of this Internet version of the Statutory Instrument has been prepared to reflect the text as it was Made. The authoritative version is in printed form and is published by The Stationery Office Limited as the **The Environmentally Sensitive Areas (Somerset Levels and Moors) Designation (Amendment) Order 1998**, ISBN 0 11 079167 3, £1.10 sterling. For details of how to obtain a printed copy see How to obtain The Stationery Office Limited titles.

STATUTORY INSTRUMENTS

1998 No. 1298

AGRICULTURE

The Environmentally Sensitive Areas (Somerset Levels and Moors) Designation (Amendment) Order 1998

<i>Made</i>	<i>19th May 1998</i>
<i>Laid before Parliament</i>	<i>27th May 1998</i>
<i>Coming into force</i>	<i>22nd June 1998</i>

Whereas, pursuant to section 18(1) of the Agriculture Act 1986[1], the Minister of Agriculture, Fisheries and Food ("the Minister") has by order designated an area in the Somerset Levels and Moors as an environmentally sensitive area;

Now, therefore, the Minister, in exercise of the powers conferred on him by section 18(1) and (4)[2] of the said Act, and of all other powers enabling him in that behalf, with the consent of the Treasury, hereby makes the following Order:

Title and commencement

1. This Order may be cited as the Environmentally Sensitive Areas (Somerset Levels and Moors) Designation (Amendment) Order 1998 and shall come into force on 22nd June 1998.

Interpretation

2. In this Order "the principal Order" means the Environmentally Sensitive Areas (Somerset Levels and Moors) Designation Order 1997[3].

Amendments to the principal Order

3. The principal Order shall be amended in accordance with the following provisions of this Order.

4. For the table set out in Part II of Schedule 10 to the principal Order there shall be substituted the following -

<i>Item</i>	<i>Schedule</i>	<i>Maximum rate in £ per hectare of land per annum</i>
1.	Schedule 2	200
2.	Schedule 3	230
3.	Schedule 4	80
4.	Schedule 5	190
5.	Schedule 6	18
6.	Schedule 7	430".

Amendments to the 1992 Order

5. The Environmentally Sensitivte Areas (Somerset Levels and Moors) Designation Order 1992[4] shall, in so far as, by virtue of article 6(1)(b) of the principal Order, it continues to apply to agreements made before the coming into force of the principal Order, be amended in article 6(2) by the substitution, for the table set out therein, of the following table:

<i>Schedule</i>	<i>£ per hectare of land per annum</i>
Schedule 2	230
Schedule 3	80
Schedule 4	430
Schedule 2 to the Environmentally Sensitive Areas (Somerset Levels and Moors) Designation Order 1997.	200
Provisions equivalent to Schedule 5 to the Environmentally Sensitive Areas (Somerset Levels and Moors) Designation Order 1997.	190
Provisions equivalent to Schedule 6 to the Environmentally Sensitive Areas (Somerset Levels and Moors) Designation Order 1997.	18".

Saving

6. Articles 4 and 5 of this Order shall not have effect for the purposes of any annual payment to a farmer which relates wholly or in part to any period before 1st April 1998.

Elliot Morley

Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

18th May 1998

We consent,

Graham Allen

Jim Dowd

Two of the Lords Commissioners of Her Majesty's Treasury

19th May 1998

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Environmentally Sensitive Areas (Somerset Levels and Moors) Designation Order 1997 (S.I. 1997/1442) ("the principal Order") which designated an area in the Somerset Levels and Moors as an environmentally sensitive area, in implementation of 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 last amended by Commission Regulation (EC) No. 2772/95 (OJ No. L288, 1.12.95, p.35) as in turn rectified by Commission Regulation (EC) No. 1962/96 (OJ No. L259, 12.10.96, p.7).

Subject to a saving provision, the Order amends the maximum rates of payments to be made by the Minister of Agriculture, Fisheries and Food pursuant to an agreement made under section 18(3) of the Agriculture Act 1986 (*articles 3 and 4*).

This Order also further amends the rates of payment specified by the Environmentally Sensitive Areas (Somerset Levels and Moors) Designation Order 1992 (S.I. 1992/53), in so far as, by virtue of article 6(1)(b) of the principal Order, it continues to apply to agreements made before 1st July 1997.

No regulatory appraisal has been prepared in respect of this Order.

Notes:

[1] 1986 c.49. The expression "the Minister" is defined in section 18(11).[back](#)

[2] Section 18(4) was amended by S.I. 1994/249; subsection 18(4A) was inserted by S.I. 1997/1457.[back](#)

[3] S.I. 1997/1442.[back](#)

[4] S.I. 1992/53, amended by S.I. 1994/932, S.I. 1996/920, S.I. 1996/3104, S.I. 1997/1442.[back](#)

ISBN 0 11 079167 3

