

2007 No. 2500

AGRICULTURE, ENGLAND

**The Common Agricultural Policy Single Payment and Support
Schemes (Cross-compliance) (England) (Amendment)
Regulations 2007**

<i>Made</i>	- - - -	<i>28th August 2007</i>
<i>Laid before Parliament</i>		<i>30th August 2007</i>
<i>Coming into force</i>	- -	<i>10th September 2007</i>

The Secretary of State is designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to the common agricultural policy of the European Community. He makes these Regulations under the powers conferred by that section.

Title and commencement

1. These Regulations may be cited as the Common Agricultural Policy Single Payment and Support Schemes (Cross-compliance) (England) (Amendment) Regulations 2007 and come into force on 10th September 2007.

Amendment

2.—(1) The Common Agricultural Policy Single Payment and Support Schemes (Cross-compliance) (England) Regulations 2005^(c) are amended as follows.

(2) For paragraph 3(2) of the Schedule, substitute—

“(2) The Secretary of State may, in writing, exempt a farmer from any of the requirements in sub-paragraph (1) if he considers it necessary because an area is affected by exceptional weather conditions.

(2A) The exemption may—

- (a) apply in relation to a case or classes of case;
- (b) apply in relation to such area of England as the Secretary of State considers necessary; and
- (c) be subject to conditions.

(2B) The Secretary of State may only give an exemption if he has first considered—

- (a) the economic impact of the weather conditions;
- (b) the environmental effects of the exemption; and

^(a) S.I. 1972/1811.
^(b) 1972 c. 68.
^(c) S.I. 2005/3459.

- (c) in light of these considerations, for what period the exemption should reasonably apply.”
- (3) For paragraph 3(3) of the Schedule, substitute—
 - “(3) The Secretary of State must, in an exemption under this paragraph—
 - (a) explain why he has given it;
 - (b) set out the case or classes of case in relation to which it applies;
 - (c) specify the area in relation to which it applies;
 - (d) set out its scope and any conditions to which it is subject; and
 - (e) state its duration.
 - (3A) The Secretary of State must publicize an exemption given under this paragraph and may do so in such manner as he thinks fit.”.

Phil Woolas
Minister of State

28th August 2007

Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend paragraph 3 of the Schedule to the Common Agricultural Policy Single Payment and Support Schemes (Cross-compliance) (England) Regulations 2005 (S.I. 2005/3459).

The effect of this amendment is to allow the Secretary of State, in exceptional weather conditions, to exempt farmers from requirements relating to waterlogged soil (for a reasonable time, rather than for 2 months as was previously the case).

Guidance to farmers on access to land with waterlogged soil and on implications for Soil Protection Reviews is available at www.defra.gov.uk.

A full impact assessment has not been produced for this instrument because of the need to introduce it as quickly as possible to deal with the continuing effects of floods conditions. No adverse impact on the private or voluntary sectors is foreseen, however.

£3.00

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E1289 9/2007 171289T 19585