
EXPLANATORY NOTE

(This note is not part of the Order)

Article 3 of the Agriculture (Environmental Areas) (Northern Ireland) Order 1987 (“the 1987 Order”) gives the Department of Agriculture and Rural Development (“the Department”) power to designate areas as environmentally sensitive areas where it appears to it particularly desirable to conserve, protect or enhance environmental features in those areas by the maintenance or adoption of particular agricultural methods.

This Order designates certain areas of land as environmentally sensitive areas (Article 3 and Schedule 1). The designated areas are defined by reference to maps which are available for inspection during normal office hours at the offices of the Department at Dundonald House, Upper Newtownards Road, Belfast, BT4 3SB.

Article 3(2) of the 1987 Order enables the Department to enter into an agreement with any person having an interest in agricultural land in a designated area by which that person agrees in consideration of payments to be made by the Department to manage the land in accordance with the agreement. This Order specifies the requirements as to agricultural practices, methods and operations which must be included in agreements. It also specifies the matters in respect of which the Department may make payments and the maximum rate of those payments (Article 4 and Schedules 2 to 5).

This Order gives effect in part to the agri-environment element of the programming document based on the rural development plan for Northern Ireland submitted by the United Kingdom to the European Commission pursuant to Article 41 of the Council Regulation (EC) No. 1257/1999 (O.J. No. L160, 26.6.1999, p. 80) and which was approved by Commission Decision C(2000) 3638 of 4th December 2000 as amended and approved by Commission Decision C(2005) 952 of 16th March 2005.

Penalties in respect of any breach of an agreement are provided by Article 72 and 73 of Commission Regulation (EC) No. 817/2004 (O.J. No. L153, 30.04.2004, p. 30) and by the Environmentally Sensitive Areas (Enforcement) Regulations (Northern Ireland) 2005 (S.R. 2005 No. 277).

This Order revokes, with a saving, an earlier designation order (Article 5).

The rural development plan for Northern Ireland, together with a copy of Commission Decision C(2000) 3638 of 4th December 2000 approving it, as amended and approved by Commission Decision C(2005) 952 of 16th March 2005, is available for inspection at the Department of Agriculture and Rural Development, Dundonald House, Upper Newtownards Road, Belfast, BT4 3SB.

Good Farming Practice with regard to the Environment referred to in this Order is available on request from the Department of Agriculture and Rural Development, Annex D, Dundonald House, Upper Newtownards Road, Belfast, BT4 3SB.

The Sites and Monuments Record is accessible at the Environment and Heritage Service: Built Heritage at 5-33 Hill Street, Belfast, BT1 2LA. The information is also available online at: ads.ahds.ac.uk