



Agriculture and Horticulture Act 1964

1964 CHAPTER 28

PART II

FURTHER GRANTS FOR HORTICULTURAL IMPROVEMENTS

Other grants

9 Grants towards fulfilling guarantees of bank loans

- (1) The Minister may, in such manner and subject to such conditions as he may with the approval of the Treasury determine, make a grant to any person in respect of expenditure incurred by that person in fulfilling a guarantee given by him, during the period of five years beginning on 1st April 1964, as security for a loan made in the course of a banking business to a person requiring the loan for the purposes of a horticulture business carried on by him.
- (2) The aggregate of sums paid by way of grant under this section in a year shall be subject to a limit of one hundred thousand pounds increased, where the aggregate of sums so paid in the last preceding year fell short of the limit for that year, by the amount of the difference or two hundred thousand pounds, whichever is the less.
- (3) The Minister may from time to time, by order made by statutory instrument with the approval of the Treasury, extend or further extend the period mentioned in subsection (1) above by such additional period, not exceeding five years, as may be specified in the order; but an order under this subsection shall be of no effect unless approved by resolution of the Commons House of Parliament.
- (4) In this section—
 - " horticulture business " means either—
 - (a) a horticultural production business as defined by section 8(2) of the Horticulture Act 1960, or
 - (b) a horticultural producers' marketing business as defined by section 8(3) and (4) of that Act, but in the application of the said section 8(4) for the

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purposes of this definition " the appropriate Minister " shall in all cases mean the Minister;

" year " means a period of twelve months beginning on 1st April.

10 Grants for wholesale markets of national importance

- (1) The appropriate Minister may, with the approval of the Treasury and in such manner and subject to such conditions as he may with that approval determine, make a grant of an amount not exceeding one-third of the amount of expenditure reasonably incurred by any person in, or in connection with, the provision, reconstruction or extension of a market for the sale of horticultural produce by wholesale, being a market which, having regard to the volume of business transacted or expected to be transacted therein, appears to the Ministers to be, or to be likely to become, of major importance in the national system of distribution of horticultural produce.
- (2) As respects the making in relation to a market of a grant to a local authority under this section—
 - (a) where expenditure in, or in connection with, the provision, reconstruction or extension of the market is reasonably incurred by the authority in the execution of works on land neither purchased by the authority (whether compulsorily or by agreement) for the purpose of the market nor previously used by the authority for that purpose, the authority shall be treated as having incurred in the acquisition of the land for that purpose expenditure equal to an amount calculated as follows, that is to say—
 - (i) where the land was appropriated by the authority for the purpose of the market, the amount shall be equal to such amount as, on the adjustment of the accounts of the authority following the appropriation, was treated as being the then value of the land, or
 - (ii) where the land became vested in the authority under any enactment as the direct or indirect successor to another local authority by whom the land was purchased (whether compulsorily or by agreement) for the purpose of the market or was appropriated for that purpose, the amount shall be equal to the expenditure incurred by that authority in carrying out the purchase or, as the case may be, to such amount as, on the adjustment of the accounts of that authority following the appropriation, was treated as being the then value of the land;
 - (b) a condition imposed under subsection (1) above may require the local authority to establish a reserve fund for the market, to pay into the fund such receipts from the market as may be specified by the condition, and to administer the fund in such manner, and apply it towards meeting such expenditure, as may be so specified ; and notwithstanding any enactment the authority shall have power to comply with the condition.
- (3) For the purposes of this section, expenditure in relation to a market which in part is used or intended to be used for or in connection with transactions other than the sale" by wholesale of horticultural produce shall be treated as reduced by an amount equal to so much thereof as is referable to that use or intended use.
- (4) No payment by way of grant under this section shall be made after the end of the period of ten years beginning with the commencement of this Act except in relation to a market the provision, reconstruction or extension of which is completed before the end of that period in accordance with any conditions imposed by the appropriate Minister in making the grant; and where before the end of that period any such payment

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is made in relation to a market the provision, reconstruction or extension of which is not so completed, that Minister may recover the payment or so much thereof as he may think fit.

- (5) The aggregate amount of grants under this section shall not exceed twenty million pounds.
- (6) The Ministers may by order made by statutory instrument with the approval of the Treasury—
- (a) extend the period mentioned in subsection (4) above by not more than two years ;
 - (b) increase the aggregate amount mentioned in subsection (5) above by not more than five million pounds;

but an order under this subsection shall be of no effect unless approved by resolution of the Commons House of Parliament.

- (7) In this section—

" the appropriate Minister " means the Minister in relation to a market in England or Wales or Northern Ireland and the Secretary of State in relation to a market in Scotland;

" horticultural produce " means—

- (a) fresh fruit, dried fruit, frozen fruit and fruit preserved in airtight containers ;
- (b) fresh vegetables, dried vegetables, frozen vegetables and vegetables preserved in airtight containers;
- (c) fresh herbs and dried herbs ;
- (d) fresh edible fungi, dried edible fungi and edible fungi preserved in airtight containers;
- (e) nuts;
- (f) cut flowers;
- (g) dried flowers;
- (h) decorative foliage;
- (i) Christmas trees;
- (j) pot plants, bedding plants and herbaceous plants;
- (k) shrubs and flowering trees;
- (l) fruit trees, fruit bushes and fruit plants; and
- (m) seeds, bulbs, corms, tubers and seed potatoes.