SCOTTISH STATUTORY INSTRUMENTS

2005 No. 219

AGRICULTURE

The Farm Business Development (Scotland) Variation Scheme 2005

Approved by the Scottish Parliament

Made - - - -	*19th April 2005*
Laid before the Scottish Parliament - - - -	*20th April 2005*
Coming into force - -	*1st June 2005*

The Scottish Ministers, in exercise of the powers conferred by section 29(1) and (2) of the Agriculture Act 1970(**1**) and of all other powers enabling them in that behalf, hereby make the following Scheme:

Citation and commencement

1. This Scheme may be cited as the Farm Business Development (Scotland) Variation Scheme 2005 and shall come into force on 1st June 2005.

Variation of the Farm Business Development (Scotland) Scheme 2001

2.—(1) The Farm Business Development (Scotland) Scheme 2001(**2**) is varied in accordance with this paragraph.

(2) In paragraph 3 (objectives)–

(a) in sub-paragraph (b) omit "or"; and

(b) after sub-paragraph (c) insert–

"; or

(d) relate to re-structuring of an eligible business or re-orientation of its agricultural production.".

(3) After paragraph 3 insert–

(**1**) 1970 c. 40. Section 29 was amended by section 10 of the Agriculture (Miscellaneous Provisions) Act 1972 (c. 62), section 15 of the Agriculture (Miscellaneous Provisions) Act 1976 (c. 55) and Schedule 1 to the Statute Law (Repeals) Act 1986 (c. 12). Section 28 contains a definition of "the appropriate authority" and "the appropriate Minister". The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). The requirement to obtain Treasury approval was removed by section 55 of that Act.

(**2**) S.S.I. 2001/259; amended by S.S.I. 2004/236.

"**Business Plans**

3A.—(1) The Scottish Ministers may require that an eligible person, who intends to make an application under paragraph 4 in relation to measures in Part III of the Schedule to this Scheme, prepares a business plan in accordance with the following sub paragraphs of this paragraph.

(2) The business plan shall be in writing in such form as the Scottish Ministers reasonably may require and shall include statements of–

(a) the assets and liabilities of the eligible business;

(b) the current viability of the eligible business and proposals for enhancing its current viability; and

(c) the skills and training requirements for the eligible business.

(3) The Scottish Ministers may approve a business plan submitted in accordance with this paragraph.

(4) The Scottish Ministers may pay to an eligible person financial assistance towards the costs of an approved business plan–

(a) if the business plan has been prepared by an independent adviser, at the rate of 50% subject to a maximum payment of £400; or

(b) in any other case, at a fixed amount of £100.".

(4) In paragraph 4 (applications) at the end of sub paragraph (2) insert–

"(g) a business plan approved under paragraph 3A, if such a plan was required by the Scottish Ministers under paragraph 3A.".

(5) In paragraph 5 (determination of applications) in sub-paragraph (3)(d) for "Part I" substitute "Parts I and III".

(6) In paragraph 6 (financial assistance)–

(a) in sub-paragraph (2) for "Part I" substitute "Parts I and III";

(b) in sub-paragraph (4) for "£25,000" substitute "£30,000"; and

(c) in sub-paragraph (6)(b) for "£30,000" substitute "£35,000".

(7) At the end of the Schedule (farm business development scheme eligible measures) insert–

"PART III

MEASURES RELATED TO RE-STRUCTURING OF AN ELIGIBLE BUSINESS OR RE-ORIENTATION OF ITS PRODUCTION

1. Provision or upgrading of–

(a) livestock accommodation;

(b) storage sheds;

(c) provision or improvement of systems for storage and disposal of agricultural waste, where a full waste management plan is agreed and implemented;

(d) electricity supplies;

(e) water supplies;

(f) fanks and dippers;

(g) stock handling facilities for cattle;

(h) hard standings for livestock;