Agricultural Development Scheme

SCHEME DATED 28TH AUGUST, 1957, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 6 OF THE AGRICULTURE ACT (NORTHERN IRELAND), 1949(a).

1957. No. 191 [C]

The Ministry of Agriculture in exercise of the powers conferred on it by Subsection (1) of section 6 of the Agriculture Act (Northern Ireland), 1949, and of every other power enabling it in that behalf and with the approval of the Ministry of Finance, hereby makes the following Scheme:—

Short Title

1. This Scheme may be cited as the Agricultural Development Scheme, 1957, and shall come into operation on 1st September, 1957.

Definitions

2. In this Scheme, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Agriculture Act (Northern Ireland), 1949;

"agricultural buildings" mean any permanent buildings necessary to the efficient farming of the agricultural land on which they are sited, or to be sited, or with which they are associated, but shall not include dwelling houses, movable houses and structures, or glass and greenhouses;

"agricultural land" shall have the same meaning as in the Agriculture Act (Northern Ireland), 1949, but shall not include any land used primarily or mainly for the growing and raising of flowers, or for nursery stock or for woodlands;

"approved cost" means the cost of the work as approved by the Ministry for the purpose of making a grant;

"the Ministry" means the Ministry of Agriculture, Northern Ireland;

"occupier" means a person who is in occupation of any land under an estate or interest, not less than a term of one calendar year;

"promoter" means the person who is responsible for carrying out work approved under this Scheme;

Applications for Grant

3. Subject to the provisions of this Scheme, the Ministry may make payments by way of grants towards the cost of carrying out on agricultural land such works as are specified in the First and Second Schedules hereto.

(a) 12 & 13 Geo. 6, Ch. 2.

4. Applications for assistance towards the cost of carrying out any of the works specified in the First Schedule hereto will only be accepted from persons who are the owners or occupiers of the holdings in respect of which application is made.

5. Any person submitting an application under Parts I and II of this Scheme shall do so on a form to be supplied by the Ministry, and before commencing any work shall obtain the approval, in writing, of the Ministry for the carrying out of the work:

Provided that in any case in which the Ministry is of opinion that any of the work specified in Part I of the First Schedule of this Scheme is of such a kind that it should not be delayed, provisional approval may be obtained from the Ministry's County Agricultural Executive Officer, but any approval so given must be confirmed in writing by the Ministry before the work is eligible for a grant.

PART I

LAND IMPROVEMENT

6. The Ministry will not approve an application under this Part of this Scheme from any person in respect of a farm on which work approved under a previous application has still to be completed unless it is satisfied that the additional work proposed is necessary in order to safeguard, in the public interest, the supply of food or other agricultural products.

7. Except as provided hereto and in the next succeeding paragraph the grant for work carried out under this Part of this Scheme shall be at the rate of 50 per cent. of the approved cost of labour and materials necessary for the completion of the work to the satisfaction of the Ministry.

Provided that

(i) no application for grant shall be approved by the Ministry unless the total cost of the work specified therein is estimated to be not less than £20, and

(ii) in the case of field drainage the maximum grant shall not exceed £25 per statute acre directly drained.

8. Notwithstanding anything contained in the immediate preceding paragraph the Ministry may

(i) in respect of land mole drained pay grant at the rate of 50 per cent. of the approved cost subject to a maximum of £2 10s. 0d. per statute acre, together with 50 per cent. of the approved cost of piping the mains and/or outlets of the mole drains and such other work as, in the opinion of the Ministry, is necessary to enable the mole drains to function in a proper manner:

Provided that the minimum area which shall qualify for such grant shall not be less than two statute acres, and that land in respect of which a grant for mole drainage has been given will not again be eligible for assistance under this Scheme until a period of at least five years has elapsed; and

(ii) in respect of the construction or reconstruction of flax and catch dams pay grant at a rate which shall not exceed 75 per cent. of the cost of the labour involved as estimated by the Ministry, subject to the total estimated cost of the work being not less than £6.

(iii) in respect of hill land reclamation work pay grant at the rate of 50 per cent. of the approved cost of ploughing, harrowing, rolling and the purchase and application of fertilisers and seeds, subject to a maximum grant of £25 per statute acre. The minimum area which shall qualify for grant shall not be less than two statute acres.

9. The Ministry, with the approval of the Ministry of Finance, may vary the maximum grant in respect of all or any one of the works specified in paragraphs 7 and 8 above.

Part II

Water Supplies

10. Applications under this Part of this Scheme will only be approved for the supply of water to agricultural land and agricultural buildings and, where water of suitable purity for domestic use is available, as an extension to dwelling houses on farms occupied as farm houses or by agricultural workers.

11. The Ministry may require applicants for assistance under this Part of this Scheme to submit tenders for the cost of the work from two or more recognised persons or firms in the trade.

12. The Ministry may withhold approval of any application under this Part of this Scheme in any case where it is of opinion that the proposed source of supply is not suitable and adequate for the requirements of the farm, or that the cost is not reasonable in relation to the benefits likely to be derived in the form of increased production and greater efficiency in the working of the farm.

13. Assistance towards the cost of any work for the supply of water from a private source will not normally be approved in any case where it appears to the Ministry that a supply from an existing main is available, or where it appears probable that a mains supply will be obtainable within a reasonable period.

14. Grants will be paid only in respect of the approved cost of securing and laying on of water to agricultural land, agricultural buildings and dwelling houses, and of such part of the cost of internal fittings in farm buildings as are specifically approved by the Ministry.

15. Except as provided hereafter the grant shall be at the rate of 50 per cent. of the approved cost of securing a water supply and of the labour and materials required for the completion of the works to the satisfaction of the Ministry:

Provided that no application for grant shall be approved by the Ministry unless the total cost of the work specified therein is estimated to be not less than £25.

GENERAL

16. The Ministry shall, in its consideration of any application for assistance under Parts I and II of this Scheme, have regard as to whether the work is economic in relation to the size of the holding and the kind of farming practised, and in any such consideration shall also have regard to the provisions of the Act, having for their purpose the securing that agricultural land is maintained in good condition and farmed in accordance with the rules of good husbandry, and of safeguarding in the public interest the supply of food or other agricultural products.

17. The Ministry may make such inspections of the work as it considers necessary to ensure that it is carried out in a proper manner, and the promoter shall afford to the Ministry, or to any of its officers, such facilities and help as may be required in carrying out such inspections.

18. The promoter shall be solely responsible for carrying out any work approved under Parts I and II of this Scheme and for obtaining all such consents, agreements and wayleaves as are necessary to enable the work to be done, and for complying with any requirement under any enactment or bye-law affecting the work to be done.

19. In any case where two or more persons desire to join together to do work under Parts I and II of this Scheme for the benefit of their several holdings such application shall be regarded as a joint application, and the Ministry shall require the agreement in such form as it may specify, of the several parties to the proposed work and of such other persons or bodies as have an interest in the lands affected by the proposed works, and the Ministry will further require the several parties to nominate as promoter one of the persons on whose land the work is to be done, or such other person as the parties may themselves appoint.

20. The Ministry will, as a condition of any approval for works to be done under Parts I and II of this Scheme, require the promoter to give an undertaking to maintain the works in good order, and, should the promoter fail so to maintain the works to its satisfaction, the Ministry may require him to refund either in whole or in part the amount paid as grant.

21. Promoters shall inform the Ministry of the date on which they propose to commence any work approved under Parts I and II of this Scheme, and shall also notify the Ministry of the date on which the work is completed.