

Mourne Mountains Landscape Partnership - Healthy Heathland Project

State Aid Compliance

Introduction

This document explains the work and objectives of the healthy heathland project carried out by Mourne Mountains Landscape Partnership (MMLP). It describes measures of assistance available to agricultural/rural businesses through the scheme that constitutes agricultural state aid.

The purpose of this document is to define these measures and to describe the application process in order to ensure that the MMLP is in compliance with State Aid rules.

What is the Mourne Mountains Landscape Partnership?

The Mourne Mountains Landscape Partnership is an initiative that focuses on the natural, cultural and built heritage of the Mourne area. The programme includes a broad range of projects that are aimed at building community awareness and appreciation of the distinct heritage of the area. The scheme is led by a partnership of local, regional and national interests with the aim of conserving and enhancing the distinctive landscape character found in the Mournes.

The programme aligns significantly with the UK's commitment to implementation of the European Landscape Convention. Landscape Partnerships are considered as part of a wider ambition to improve landscape management and actively engage the local community as a means of promoting long term sustainability. The Heritage Lottery Fund (HLF) recognises that landscape conservation is a long-term process and, whilst the funding can help support a period of more intense activity, it should also lead to continued activity and a lasting legacy.

The healthy heathland project is a restoration project that the MMLP will undertake in partnership with local landowners/community. Large areas of the Mournes are designated under UK and EU law, due to the importance of the species and habitats found within the area. These include a number of UK designations of Areas of Special Scientific Interest (ASSI) and a European designation of Special Area of Conservation (SAC). These designations indicate the significance of the Mournes for biodiversity.

The heathland has been created and maintained over thousands of years by local communities and their livestock. The partnership seeks to ensure that these areas of heathland can be maintained and restored to good condition for future generations. The landscape is scenic and rich in heritage.

The MMLP seeks to build upon the strengths of the area, to create a place where distinctive features of the landscape are reinforced and restored to maintain the area's special character. This will be achieved through:

- Strengthening the connection between community and landscape, by providing a range of volunteering and learning opportunities.
- Developing heritage skills and strengthening land management practices.
- Raising awareness of the area's natural, cultural and built heritage.

- Mitigating the adverse effects of recent development and maintaining historically significant elements that reinforce the landscape character.

The Healthy Heathland Project

The project is designed to assist landowners/tenants to restore areas of heathland habitat within the Mourne area. Priorities for the scheme will be restoring areas of heathland that are currently in unfavourable condition, through practical management. This will enhance and improve the quality of the existing heathland, improve the biodiversity of the Mourne area, and ensure that the natural, cultural and built heritage traditions associated with heathland in Mourne are not lost.

The MMLP aims to assist landowners through undertaking practical management eg undertaking a boundary improvement project aimed at conserving or improving traditional hedges or walls with a heritage value. The project will be delivered focusing on the conservation and enhancement of the identified key features of the landscape.

Priorities for the Scheme will be:

- Practical restoration works on areas of heathland, resulting in improved condition and increased connectivity between existing areas of good quality heathland habitat.
- Demonstration/practical workshops for landowners and local communities/schools that help to raise awareness of the need to protect and conserve the heathland.
- Management schemes that reflect the importance of biodiversity and landscape value (eg using local knowledge to create wildlife corridors).
- Raising awareness of the importance of the habitats found in the Mournes through practical management and cultural engagement.
- Working alongside landowners and local farmers to manage and restore heathland and connecting habitats in a sympathetic manner.

How can local people get involved?

- Through participation – eg gaining expertise through skills development, participation in events/workshops, contributing towards research, sharing knowledge and/or equipment etc.
- Through local landowners and farmers working in partnership with the MMLP to restore and enhance heathland habitat areas on their land.
- Through surveying and monitoring heathland and related habitats (and the associated wildlife).

The project aims to provide advice on conservation, enhancement, and reinstatement issues, including appropriate species and materials, planting or repair techniques and management and maintenance considerations and practices.

3. Advice and Training

The purpose of advice and training is to encourage heathland owners and land managers to conserve and enhance the special landscape quality, biodiversity, and cultural heritage of the Mourne Mountains.

This measure includes support provided in the following ways:

- Providing advice (ie telephone, email or site visit) on heathland habitat and conservation management.
- Organising training seminars, workshops and practical demonstrations to explain heathland habitat, conservation and management techniques and the biodiversity it supports.
- Topics on which support will be available include:
- Optimal management of heathland sites to meet environmental/conservation objectives of the eastern Mourne SAC, covering nature conservation management over suitable areas within, and immediately adjacent to, the SAC where there may be potential for heathland regeneration.
- Optimal management of heathland habitat to enhance landscape character and biodiversity, and to maintain traditional countryside management skills.
- Recognition, protection and optimal management/interpretation of archaeological/heritage features.
- Advice on potential sources of financial support to heathland owners and land managers.

Support will be available to all land managers within the MMLP area.

Eligibility

The involvement of individuals and groups under this Landscape Partnership scheme is not limited to those in the agricultural sector. The scheme is open to everyone, providing the activity aligns with the aims and aims and objectives, as outlined above.

The project will take place within the MMLP area and the activity must bring benefits to the conservation of the areas heritage assets and the local communities. Only Small/Medium Enterprises (SMEs) are eligible for the scheme – SMEs are defined in Annex I of EC No 702/2014, as being enterprises which (a) have fewer than 250 employees; (b) have either an annual turnover not exceeding €50 million or an annual balance sheet not exceeding €43 million; and (c) conform to specified criteria of independence (in general, not more than 25% of an SME can be owned by other companies).

State Aid Compliance

European law restricts the amount of State Aid given to agricultural businesses. This document sets out the parts of the scheme that are subject to agricultural State Aid regulations and are covered by the Agricultural Block Exemption Regulation 702/2014.

How to get involved

To find out more about how to get involved, receive training, access advice or assistance, contact:

MMLP, Unit 4 Cornmill Quay, Annalong BT34 4QG (Tel : 028 437 67391). Information will also be advertised through local papers as well as via <http://www.mournelive.com/landscape-partnership> and www.Facebook.com/mournelive .

Article 21

Aid for knowledge transfer and information actions

1. Aid for knowledge transfer and information actions shall be compatible with the internal market within the meaning of Article 107(3)(c) of the Treaty and shall be exempted from the notification requirement of Article 108(3) thereof where it fulfils the conditions laid down in paragraphs 2 to 8 of this Article and in Chapter I.

2. Aid shall cover vocational training and skills acquisition actions, including training courses, workshops and coaching, demonstration activities and information actions.

Aid may also cover short-term farm management exchange and farm visits.

Aid to demonstration activities may cover relevant investment costs.

3. The aid shall cover the following eligible costs:

(a) the costs of organising the vocational training, skills acquisition actions, including training courses, workshops and coaching, demonstration activities or information actions;

(b) the costs for travel, accommodation and per diem expenses of the participants;

(c) the cost of the provision of replacement services during the absence of the participants;

(d) in the case of demonstration projects in relation to investments:

(i) the construction, acquisition, including leasing, or improvement of immovable property, with land only being eligible to an extent not exceeding 10 % of total eligible costs of the operation concerned;

(ii) the purchase or lease purchase of machinery and equipment up to the market value of the asset;

(iii) general costs linked to expenditure referred to in points (i) and (ii), such as architect, engineer and consultation fees, fees relating to advice on environmental and economic sustainability, including feasibility studies; feasibility studies shall remain eligible expenditure even where, based on their results, no expenditure under in points (i) and (ii) is incurred;

(iv) the acquisition or development of computer software and the acquisitions of patents, licences, copyrights and trademarks.

4. The costs referred to in paragraph 3(d) shall only be eligible to the extent used for the demonstration project and for the duration period of the demonstration project.

Only the depreciation costs corresponding to the life of the demonstration project, as calculated on the basis of generally accepted accounting principles, shall be considered as eligible.

5. Aid referred to in paragraph 3(a) and (c) shall not involve direct payments to the beneficiaries.

The aid referred to in paragraph 3(a) and (c) shall be paid to the provider of the knowledge transfer and information actions.

6. Bodies providing knowledge transfer and information actions shall have the appropriate capacities in the form of staff qualifications and regular training to carry out those tasks.

The provision of the activities referred to in paragraph 2 may be undertaken by producer groups or other organisations, regardless of their size.

7. The aid shall be accessible to all those eligible undertakings in the area concerned, based on objectively defined conditions.

Where the provision of the activities referred to in paragraph 2 is undertaken by producer groups and organisations, membership of such groups or organisations shall not be a condition for access to those activities.

Any contribution of non-members towards the administrative costs of the producer group or organisation concerned shall be limited to the costs of providing the activities referred to in paragraph 2.

8. The aid intensity shall be limited to 100 % of the eligible costs.

In the case of demonstration projects referred to in paragraph 3(d) the maximum aid amount shall be limited to EUR 100 000 over 3 fiscal years.

Article 22

Aid for advisory services

1. Aid for advisory services shall be compatible with the internal market within the meaning of Article 107(3) (c) of the Treaty and shall be exempted from the notification requirement of Article 108(3) thereof where it fulfils the conditions laid down in paragraphs 2 to 8 of this Article and in Chapter I.

2. The aid shall be designed to help undertakings active in the agricultural sector and young farmers benefit from the use of advisory services for the improvement of the economic and environmental performance as well as the climate friendliness and resilience of their undertaking or investment.

3. The advice shall be linked to at least one Union priority for rural development in accordance with Article 5 of Regulation (EU) No 1305/2013 and shall cover as a minimum one of the following elements:

(a) obligations deriving from the statutory management requirements or standards for good agricultural and environmental conditions provided for in Chapter I of Title VI of Regulation (EU) No 1306/2013;

(b) where applicable, the agricultural practices beneficial for the climate and the environment laid down in Chapter 3 of Title III of Regulation (EU) No 1307/2013 and the maintenance of the agricultural area referred to in Article 4(1)(c) of that Regulation;

(c) measures aiming at modernisation, competitiveness building, sectoral integration, innovation, market orientation as well as the promotion of entrepreneurship;

(d) requirements as defined by Member States for implementing Article 11(3) of Directive 2000/60/EC of the European Parliament and of the Council;

(e) requirements as defined by Member States for implementing Article 55 of Regulation (EC) No 1107/2009 of the European Parliament and of the Council (39), and in particular the compliance with the general principles of integrated pest management as referred to in Article 14 of Directive 2009/128/EC of the European Parliament and of the Council (40);

(f) where relevant, occupational safety standards or safety standards linked to the farm;

(g) specific advice for farmers setting up for the first time, including advice on economic and environmental sustainability.

4. Advice may also cover issues, other than those referred to in paragraph 3 of this Article, related to climate change mitigation and adaptation, biodiversity and protection of water as laid down in Annex I to Regulation (EU) No 1307/2013 or linked to the economic and environmental performance of the agricultural holding including competitiveness aspects. This may include advice for the development of short supply chains, organic farming and health aspects of animal husbandry.

5. The aid shall not involve direct payments to the beneficiaries. The aid shall be paid to the advisory service provider.

6. The bodies selected to provide the advisory service shall have the appropriate resources in the form of regularly trained and qualified staff and advisory experience and reliability with respect to the fields they advise in.

The provision of advisory service may be undertaken by producer groups or other organisations, regardless of their size.

When providing advice, the provider of the advisory service shall respect the non-disclosure obligations referred to in Article 13(2) of Regulation (EU) No 1306/2013.

7. The aid shall be accessible to all those eligible undertakings in the area concerned, based on objectively defined conditions.

Where the provision of advisory services is undertaken by producer groups and organisations, membership of such groups or organisations shall not be a condition for access to the service.

Any contribution of non-members towards the administrative costs of the group or organisation concerned shall be limited to the costs of providing the advisory service.

8. The amount of aid shall be limited to EUR 1 500 per advice.

Article 29

Aid for investments in favour of the conservation and cultural and natural heritage located on agricultural holdings.

1. Aid for investments aimed at the conservation of cultural and natural heritage located on the agricultural holding shall be compatible with the internal market within the meaning of Article 107(3) of the Treaty and shall be exempted from the notification requirement of Article 108(3) thereof where it fulfils the conditions laid down in paragraphs 2 to 6 of this Article and in Chapter I.

2. The investment shall comply with Union legislation and with the national laws of the Member State concerned.

3. The aid shall be granted for cultural and natural heritage in form of natural landscapes and buildings which is formally recognised as cultural or natural heritage by the competent public authorities of the Member State concerned.

4. The aid shall cover the following eligible costs intended for the conservation of cultural and natural heritage:

- (a) Investment costs in tangible assets;
- (b) Capital works.

5. The aid intensity shall be limited to 100 % of the eligible costs.

6. Aid for capital works shall be limited to EUR 10 000 per year.

Aid to the agricultural sector falling outside the Articles listed above will comply with agricultural de minimis Regulation (EU) 1408/2013 which caps aid at €15,000 per single undertaking during any period of three fiscal years. Should aid constitute support to non-agricultural businesses and economic activities under this scheme it will be provided in accordance with EC Regulation 1407/2013 on de minimis aid which caps aid at €200,000 per single undertaking over any period of three fiscal years.