

SCHEDULE

GOOD AGRICULTURAL AND ENVIRONMENTAL CONDITION

PART I

Protection of soil from erosion

Minimum soil cover

Winter soil cover and final seedbeds

1.—(1) Subject to sub-paragraph (2), where land has been cropped with any crop which has been harvested a farmer must ensure that throughout the winter following that harvest such land—

- (a) is covered by the stubble of the harvested crop, by another crop or by grass; or
- (b) has a surface which is ploughed, or roughly cultivated (by the use of discs or tines or otherwise).

(2) Sub-paragraph (1) does not apply to the extent that the prevailing agronomic or weather conditions and the condition of the composition of the soil of that land—

- (a) after harvest are such that compliance with that sub-paragraph would be detrimental to the use of the land for agricultural production; or
- (b) are such that they would indicate the planting of the following year's crop before the end of winter.

(3) Final seedbeds must only be created as shortly before the next crop is planted as possible to avoid significant evident erosion of the soil, taking account of prevailing weather conditions.

Minimum land management reflecting site-specific conditions

Wind erosion

2. In relation to an area of land prone to wind erosion of the soil, a farmer must reduce the risk of soil loss during the spring by planting and maintaining on or in relation to that field, until a crop is established in that area,—

- (a) crop cover by another crop;
- (b) coarse seedbeds;
- (c) shelter belts; or
- (d) nurse crops to protect other crops grown on the land,

or taking other measures with equivalent effect to the establishment of one of those features.

Capping

3.—(1) In any field which is prone to capping, or where there is capping, a farmer must form a coarse seedbed or ensure that the farmer breaks any cap which forms so as not to cause erosion.

(2) In this paragraph, “capping” means soil particles which run together when wet, and dry so as to form a crust on the surface of the soil; and “cap” shall be construed accordingly.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Watercourses, watering points and feeding areas

4.—(1) A farmer must prevent the erosion of the banks of watercourses, at watering points or feeding areas from overgrazing or heavy poaching by livestock except—

- (a) within 10m of a gateway; or
- (b) within 3m of a farm track necessarily used during wet-periods,

by reducing the livestock numbers on that land so as to cause the land to recover to the extent that the erosion is no longer significant by any time during the growing season in the calendar year following the date when that erosion first occurred.

(2) In this paragraph “heavy poaching” means the cutting up of turf to a significant degree from trampling by livestock.

Field drains

5.—(1) Subject to sub-paragraph (2), a farmer must maintain any functional field drainage systems on the land in a working state (whether by clearing ditches or otherwise).

(2) Sub-paragraph (1) shall not apply where an environmental gain would be achieved by not maintaining the field drainage systems provided the farmer has, prior to that system ceasing to function, declared the environmental gain to be achieved—

- (a) in the farmer’s aid application under Article 22 of the Council Regulation; or
- (b) in any other prior application for a direct payment.

Muirburning

6. A farmer must comply with the requirements of the Muirburn Code⁽¹⁾.

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