

SCHEDULE 1

Regulation 2(5)

INTERPRETATION OF SCHEDULES

In Schedules 2 and 3 and in this Schedule—

“the 1994 Regulations” means the Organic Aid (Scotland) Regulations 1994(1);

“the 2004 Regulations” means the Organic Aid (Scotland) Regulations 2004(2);

“the 2008 Regulations” means the Rural Development Contracts (Rural Priorities) (Scotland) Regulations 2008(3);

“alpaca” means any alpaca of any breed which are kept by way of business for the primary purpose of fibre production;

“arable crops” means cereals, linseeds, oilseed, root crops, fruit crops or protein crops, including vining peas;

“arable land” means land which was in an arable crop (or under set aside or lying fallow as part of a normal crop rotation) in one or more years during the five years prior to the 15th May in the year of submission of the application for aid;

“beetlebank” means a grass strip between 1.5 metres and 6 metres created in the margin of or through an arable field in order to allow beneficial insects to over winter;

“ditches” means a man made channel or adapted watercourse on in bye land, which has a bed width of not less than 0.3 metres the purpose of which is to generally carry water away from surrounding land or field drainage systems throughout the year;

“European site” has the meaning given in regulation 10 of the Conservation (Natural Habitats, & c.) Regulations 1994(4);

“farmed deer” means any deer (of any species) which are managed on a holding enclosed by a deer proof barrier and are kept on the holding by way of business for the primary purpose of the production of meat;

“grass margin” means a grass strip between 1.5 metres and 6 metres created in the margin of or through an arable field in order to allow beneficial insects to over winter;

“hedge” means a line of shrubs or trees which delineate field boundaries;

“IACS business” means a business registered on the Integrated Administration and Control System run by the Scottish Government Rural Payments and Inspections Directorate and given a unique business reference number;

“improved grassland” means either land used for grazing (other than arable land) where over one third of the sward comprises, singly or in mixture, ryegrass, cocksfoot or timothy, or land that has been improved by management practices such as liming and top dressing, where there is not a significant presence of sensitive plant species indicative of native unimproved grassland;

“in bye land” means that part of a farm not comprising the hill and rough grazings, the bulk of which is used for arable and grassland production;

“injurious weeds” means spear thistle, creeping or field thistle, curled dock, broadleaved dock, and common ragwort;

“Lantra” means the Sector Skills Council for the Environmental and Land based Sector;

“livestock” means bovine, ovine, caprine, alpaca and farmed deer;

(1) S.I. 1994/1701 as amended by S.I. 1996/3083 and 1999/107.

(2) S.S.I. 2004/143 as amended by S.S.I. 2004/174 and 2005/619.

(3) S.S.I. 2008/100.

(4) S.I. 1994/2716. Regulation 10 was relevantly amended by S.S.I. 2004/475.

Status: This is the original version (as it was originally made).

“moorland” means land with predominantly semi natural upland vegetation or comprising predominantly rock outcrops and semi natural upland vegetation, which is used for rough grazing;

“native woodland” means self seeded woodland of native species or woodland derived from an originally naturally occurring woodland;

“Nitrates Action Programme” means the action programme set out in the Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2003⁽⁵⁾;

“nitrate vulnerable zone” means any area designated as a nitrate vulnerable zone by regulation 3 of the Designation of Nitrate Vulnerable Zones (Scotland) Regulations 2002⁽⁶⁾ and regulation 3 of the Designation of Nitrate Vulnerable Zones (Scotland) (No. 2) Regulations 2002⁽⁷⁾;

“non native invasive weeds” means the following–

- Allium paradoxum – Few flowered leek
- Allium triquetrum – Three cornered garlic
- Buddleja davidii – Butterfly bush
- Claytonia sibirica – Pink purslane
- Cotoneaster bullatus – Hollyberry cotoneaster
- Cotoneaster horizontalis – Wall cotoneaster
- Cotoneaster integrifolius – Small leaved cotoneaster
- Cotoneaster simonsii – Himalayan cotoneaster
- Crocoshia x crocosmiiflora – Monbretia
- Fallopia japonica – Japanese knotweed
- Fallopia sachaliensis – Giant knotweed
- Gaultheria shallon – Shallon
- Heracleum mantegazzianum – Giant Hogweed
- Impatiens glandulifera – Himalayan balsam
- Impatiens parviflora – Small balsam
- Lysichiton americanum – American skunk cabbage
- Pentaglottis sempervirens – Green alkanet
- Persicaria wallichii – Himalayan knotweed
- Rhododendron ponticum – Rhododendron ponticum
- Rosa rugosa – Japanese rose
- Symphoricarpos albus – Snowberry

“poaching” means the trampling or treading of the ground surface by livestock resulting in permanent damage to the vegetation;

“rough grazings” means land containing semi natural vegetation including heathland, heather moorland, bog and rough grassland used or suitable for use as grazing;

“rush pasture” means permanent pasture on poorly drained in bye land that is periodically saturated with water where extensive areas are dominated by soft rush and/or compact rush;

⁽⁵⁾ [S.S.I. 2003/51](#) as amended by [S.S.I. 2003/169](#).

⁽⁶⁾ [S.S.I. 2002/276](#) as amended by [S.S.I. 2005/305](#).

⁽⁷⁾ [S.S.I. 2002/546](#).

“SSSI site” means a site of special scientific interest within the meaning of section 3(6) or of Schedule 5 to the Nature Conservation (Scotland) Act 2004⁽⁸⁾;

“scrub” means low growing woody vegetation of small trees and shrubs including linear scrub along field margins and includes all stages from scattered bushes to closed canopy vegetation dominated by locally native shrubs or tree saplings wholly less than 5 metres tall occasionally with a few scattered trees; carr, scrub in the uplands and lowlands (including wood edge habitats), montane scrub and coastal scrub are included;

“the UK Forestry Standard” means the UK Forestry Standard: the government’s approach to sustainable forestry published by the Forestry Commission⁽⁹⁾;

“unenclosed or hill land” means rough grazings; and

“unimproved grassland” means in bye land used for grazing or mowing which is not normally treated with mineral fertiliser or lime and does not constitute either improved grassland or rough grazings.

⁽⁸⁾ [2004 asp 6](#).

⁽⁹⁾ The latest edition of this publication is the 2nd Edition published 2004, ISBN 0855386266 and copies are available online at www.forestry.gov.uk or from Forestry Commission Publications, PO Box 25, Wetherby, West Yorkshire, LS23 7EW.