

## SCHEDULE

Article 4

### REQUIREMENTS TO BE INCLUDED IN AGREEMENT

1. As regards any land which is the subject of an agreement and which is not broadleaved woodland—

- (1) the farmer shall maintain semi-natural rough grazings and hay meadows;
- (2) the farmer shall not plough, level, reseed or cultivate;
- (3) the farmer shall not, in the case of hay meadows, cut for hay or silage before 15th July in any year;
- (4) the farmer shall exclude livestock from hay meadows for at least seven weeks before the first cut for hay or silage;
- (5) the farmer shall not install any new drainage system nor substantially modify any existing drainage system;
- (6) the farmer shall not—
  - (a) apply lime,
  - (b) except in the case of hay meadows, apply inorganic fertiliser or basic slag,
  - (c) in the case of hay meadows, increase existing application rates of inorganic fertiliser and shall not in any year apply more than 25 kg of nitrogen, 12.5 kg of phosphate and 12.5 kg of potash per hectare to such meadows;
- (7) the farmer shall not apply pesticides;
- (8) the farmer shall not apply herbicides except to control bracken(*Pteridium aquilinum*), nettles(*Urtica dioica*), spear thistle(*Cirsium vulgare*), creeping or field thistle(*Cirsium arvense*), curled dock(*Rumex crispus*), broadleaved dock(*Rumex obtusifolius*) or ragwort(*Senecio jacobaea*) and then only by spot treatment or weed wiper and in the case of bracken(*Pteridium aquilinum*) by overall spray treatment;
- (9) the farmer shall control bracken(*Pteridium aquilinum*) only by means of asulam or other chemical approved by the Secretary of State;
- (10) the farmer shall burn heather, grass and scrub only in accordance with a programme agreed in advance with the Secretary of State;
- (11) the farmer shall not construct hedges, walls or fences;
- (12) the farmer shall not remove any existing hedges, walls or fences (other than wire fences);
- (13) the farmer shall obtain from the Secretary of State written advice concerning siting, design and materials before constructing or altering buildings or roads or carrying out other engineering operations authorised under Class VI of the Town and Country Planning General Development Orders 1977 to 1985(1). This requirement shall not apply to any development in respect of which notice of a direction restricting permitted development has been served under article 4 of the Town and Country Planning General Development Order 1977(2);
- (14) the farmer shall graze semi-natural rough grazings with cattle or sheep at an average annual stocking rate not exceeding 0.75 livestock units per hectare but in any event not so as to cause overgrazing;
- (15) the farmer shall in farming the land ensure that he does not damage or destroy any archaeological feature if the Secretary of State has notified him in writing of its existence;
- (16) the farmer shall conserve and maintain all existing lakes, ponds and streams;

(1) S.I. 1977/289, 1980/1946, 1981/245 and 1569, 1983/1615, 1985/1011 and 1981: relevant amending instrument is S.I. 1986/435.

(2) S.I. 1977/289; relevant amending instruments are S.I. 1985/1981, 1986/435.

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

- (17) the farmer shall control pests in a lawful manner.
- 2. As regards any land which is the subject of an agreement and which is broadleaved woodland—
  - (1) the farmer shall retain existing broadleaved woodland;
  - (2) the farmer shall exclude livestock from broadleaved woodland;
  - (3) the farmer shall, within two years of the commencement of the agreement, obtain from the persons or bodies designated by the Secretary of State written advice on the management of broadleaved woodland;
  - (4) the farmer shall control pests in a lawful manner.