

SCHEDULE

Article 4

REQUIREMENTS TO BE INCLUDED IN AN AGREEMENT AS REGARDS LAND WHICH IS THE SUBJECT OF AN AGREEMENT

1. The farmer shall avoid damaging rough grazings (including heather moorland), unimproved pasture, long-standing reverted improved land, wetlands, water margins, native woodland, amenity woodland and scrub by ploughing, new drainage, levelling, re-seeding or cultivating.

2. The farmer shall avoid damaging rough grazings (including heather moorland), unimproved pasture, long-standing reverted improved land, wetlands, water margins, native woodland, amenity woodland and scrub by poaching, feeding practices or overgrazing.

3. The farmer shall not apply herbicides, pesticides, lime or fertiliser (including farmyard manure and slurry) to rough grazings (including heather moorland), unimproved pasture, long-standing reverted improved land, wetlands, water margins, native woodland, amenity woodland and scrub, except that herbicides may be applied to control bracken (*pteridium aquilinum*), spear thistle (*cirsium vulgare*), creeping or field thistle (*cirsium arvense*), curled dock (*rumex crispus*), broadleaved dock (*rumex obtusifolius*), or ragwort (*senecio jacobaea*) and lime and farmyard manure may be applied to unimproved pasture and long-standing reverted improved land with the prior written approval of the Secretary of State;

Provided that:

- (a) any herbicides used must be applied by weed wiper, spot treatment or hand spraying or, in exceptional circumstances and with the prior written approval of the Secretary of State, by other methods;
- (b) in the case of bracken, chemical control shall only be by means of asulam or other chemicals approved in writing by the Secretary of State.

4. The farmer shall make any muirburn in accordance with the standards set out in the Farming and Wildlife Advisory Group leaflet entitled “The Principles and Practice of Heather Burning” and published in 1988.

5. The farmer shall undertake to farm in accordance with the Secretary of State’s Code entitled “Prevention of Pollution from Agricultural Activity: A Code of Good Practice” published in 1992, so as to prevent, or at least minimise, the risk of pollution of the water, air and soil environments.

6. The farmer shall not remove any dykes, walls, hedges or shrub unless authorised so to do in writing by the Secretary of State and shall maintain stockproof dykes in a stockproof condition and manage existing hedges which are in good condition in the interests of conservation.

7. The farmer shall avoid damaging or destroying any features or areas of historic or archaeological interest and shall follow the Secretary of State’s guidance for the protection of such features or areas.

8. The farmer shall preserve the amenity value of the landscape by screening or removing unsightly waste tips and dumps and the removal of abandoned vehicles and scrap metal and other rubbish.

9. The farmer shall obtain prior written approval from the Secretary of State before commencing the construction or significant realignment or improvement of vehicular tracks.

10. The farmer shall prepare and agree with the Secretary of State a comprehensive farm conservation plan for his land and keep this under review. The farm conservation plan will relate to the first 5 year period of the Scheme and shall—

- (a) identify land and conservation features relevant to the requirements in paragraphs 1 to 9 above;

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- (b) if appropriate to the farm unit, contain details of the following farming operations:—
- (i) a grazing plan and other measures necessary to conserve, enhance or extend areas of native woodland, amenity woodland and scrub and, if the farmer so wishes, limited amenity planting of trees;
 - (ii) a grazing plan and other measures necessary to conserve, enhance or extend areas of wetland;
 - (iii) a grazing plan and other measures necessary to conserve, enhance or extend areas of herb rich unimproved pasture and grassland;
 - (iv) if the farmer so wishes, a grazing plan and other measures for the regeneration and/or retention of heather on specified areas of rough grazing;
 - (v) if the farmer so wishes, measures to restore dykes and stone fanks and to restore hedges and ponds, to standards consistent with conservation interests;
 - (vi) if the farmer so wishes, measures to improve the condition of features or areas of historic or archaeological interest.