

SCHEDULE 1

Article 4

REQUIREMENTS TO BE INCLUDED IN AGREEMENT

As regards all land which is the subject of an agreement –

(1) the farmer shall maintain grassland and shall not plough, level or reseed. He shall not cultivate between 31st March and 1st July in any year and at other times shall cultivate using only a chain harrow or roller;

(2) the farmer shall graze with cattle or sheep or both, or with other animals with the Minister's prior written approval, but not so as to cause poaching, overgrazing or undergrazing. He shall not exceed a stocking density of 0.75 livestock units per hectare between 31st March and 1st June in any year;

(3) the farmer shall not top or cut the grass for hay or silage before 1st July in any year;

(4) the farmer shall wilt and turn grass cut for silage before removal and shall graze the aftermath;

(5) the farmer shall restrict supplementary feeding of livestock to areas agreed in advance with the Minister;

(6) the farmer shall not apply inorganic or organic fertiliser except farmyard manure produced on his farm;

(7) the farmer shall not increase his existing application rate of farmyard manure and in any event shall not apply more than 12.5 tonnes per hectare in any year. He shall not apply farmyard manure between 31st March and 1st June in any year and at other times shall apply it in a single dressing;

(8) the farmer shall not apply lime, slag or any other substance designed to reduce the acidity of the soil;

(9) the farmer shall not use fungicides or insecticides;

(10) the farmer shall not apply herbicides except to control nettles, spear thistle, creeping or field thistle, curled dock, broadleaved dock or ragwort. Herbicides used for these purposes shall be applied by a hand-held weed wiper or by spot treatment with a knapsack sprayer;

(11) the farmer shall not use a sub-soiler or install mole-drainage or underdrainage. He shall not modify any existing land drainage system so as to bring about improved drainage;

(12) the farmer shall maintain existing water levels and shall maintain watercourses and ditches in rotation by mechanical means. He shall dry spoil and spread it adjacent to the watercourse or ditch;

(13) the farmer shall not fill in watercourses or ditches;

(14) the farmer shall retain and manage hedges and trees including pollarded willows. He shall maintain stockproof hedges in a stockproof condition using traditional methods;

(15) the farmer shall retain and manage ponds, lakes and fen habitats;

(16) the farmer shall not damage, destroy or remove any feature of archaeological or historic interest;

(17) within two years of the start of the agreement, the farmer shall obtain from a person approved by the Minister written advice on the management of broadleaved woodland trees (including alder carr, sallow thickets and copses), scrub and reedbeds and on any proposals to plant new woodland;

(18) the farmer shall obtain written advice on siting and materials from the Minister before constructing buildings or roads or before undertaking any other engineering or construction works which do not require prior notification determination by the local planning authority under the Town and Country Planning General Development Order 1988(1), or planning permission.

(1) [S.I. 1988/1813](#). The relevant amending instrument is [S.I. 1991/2805](#).

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

SCHEDULE 2

Article 6(2)

ADDITIONAL PROVISIONS —I

As regards any land which is the subject of an agreement, the farmer shall maintain water levels in ditches and water courses at not more than 30 centimetres below mean field level from 1st May until 30th November in any year, and at not less than mean field level (so as to create shallow pools) from 1st December in any year until the following 30th April.

SCHEDULE 3

Article 6(2)

ADDITIONAL PROVISIONS —II

As regards any land which is the subject of an agreement which is suitable for reversion to permanent grassland and which on 31st August 1992 was in arable cropping or had been in ley management for less than five years as part of an arable rotation –

(1) the farmer shall cease arable or ley grassland production and shall establish a grassland sward within twelve months of the start of the agreement using seed from species approved by the Minister;

(2) during a period of twelve months from the start of the agreement the farmer shall not apply–

(a) any inorganic or organic fertiliser,

(b) lime, slag or any other substance designed to reduce the acidity of the soil, or

(c) any fungicide, insecticide or herbicide,

without obtaining the Minister's prior written approval;

(3) during each of the three years following grassland establishment, but not before 1st July in any year, the farmer shall cut the grass, remove the cuttings as hay and graze the aftermath;

(4) the farmer shall observe the requirements of subparagraphs (11) to (18) inclusive of Schedule 1 from the start of the agreement, and after the expiry of the twelve month period referred to in subparagraph (1) above, he shall also observe the other requirements of that Schedule.

SCHEDULE 4

Article 6(3)

CONSERVATION PLAN OPERATIONS

1. The planting, laying or coppicing of hedges.
2. The construction of bunds or sluices, or other works designed to control water levels.
3. The restoration of ponds or ditches.
4. The control of scrub, reedbeds or small groups of trees.
5. The provision of fencing to protect wildlife in and around ditches.
6. Works to protect historic and archaeological features.