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STATUTORY INSTRUMENTS

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**1994 No. 239**

**The Environmentally Sensitive Areas  
(Preseli) Designation Order 1994**

**Interpretation**

**2.—(1) In this Order—**

“agreement” means an agreement under section 18(3) of the Agriculture Act 1986 as respects agricultural land in the area designated by article 3;

“bank” means a bank made of stone or earth falling within or forming the boundary of a field;

“boulder” means a rock projecting partly or wholly above the surface of the land to a height of at least 0.1 metres and covering a minimum area above ground of 0.5 square metres;

“broadleaved woodland” means land used for broadleaved woodland where that use is ancillary to the farming of land for other agricultural purposes;

“buffer zone” means a strip of land, other than land which is coastal belt, enclosed unimproved grassland, enclosed partially improved grassland, hay meadow, semi-natural rough grazings or wetland, which borders a rock outcrop and which is at least 2 metres wide;

“coastal belt” means land on cliff tops or coastal slopes comprising heath, where the vegetation consists primarily of dwarf shrubs, including ericoids and maritime species, or grassland which includes maritime grass species;

“conservation headland” means a strip of arable land comprising an area between a line running parallel to a field boundary at a distance of 2 metres from that boundary and another line running parallel to that boundary at a distance of at least 6 metres from that boundary and upon which, by the selective use of pesticides, beneficial insects and broadleaved weeds are allowed to survive;

“enclosed partially improved grassland” means enclosed grassland which has not been regularly ploughed, levelled or reseeded but which has been modified by the application of herbicides, inorganic or organic fertiliser or by intensive grazing or drainage;

“enclosed unimproved grassland” means enclosed grassland which has not been regularly ploughed, levelled, drained or reseeded, or treated with inorganic or organic fertiliser, lime, herbicides or pesticides;

“farmer” means a person who has an interest in agricultural land in the area designated by article 3 and who also has entered into an agreement with the Secretary of State;

“hay meadow” means a meadow cut in the traditional manner the vegetation of which includes a mixture of native grasses, sedges and wild flowers;

“heather” means vegetation consisting of *Calluna vulgaris*, *Erica tetralix*, *Erica cinerea* or *Vaccinium myrtillus*;

“livestock unit” means—

- (a) 1 bovine animal more than two years old, or
- (b) 1.66 bovine animals from six months old to two years old inclusive, or
- (c) 6.66 sheep;

“rock outcrop” means an area of land where a stratum of underlying rock is exposed above the surface of the ground and which covers an area above ground of not less than nine square metres;

“scrub” means vegetation consisting primarily of locally native shrubs usually less than five metres in height;

“semi-natural rough grazings” means land where the vegetation consists predominantly of bent (*Agrostis*), fescue (*Festuca*), bracken (*Pteridium aquilinum*), purple moor grass (*Molinia caerulea*), mat grass (*Nardus stricta*), heather (*Calluna vulgaris*, *Erica tetralix*, *Erica cinerea* or *Vaccinium myrtillus*), cotton grass (*Eriophorum*) or deer grass (*Trichophorum cespitosum*);

“traditional farm buildings” means buildings which are in current agricultural use, but excluding living accommodation, and which are built of materials traditional to the locality;

“wetland” means land with a water table at or just below the surface of the soil throughout the majority of the year and includes wet pasture, reed beds, fen bog, willow carr and, except insofar as such land is bordered by broadleaved woodland, coastal belt, enclosed unimproved grassland, enclosed partially improved grassland, hay meadow or semi-natural rough grazings, also includes a strip of land at least 10 metres wide adjoining such land.

(2) Any reference in this Order to a numbered article or Schedule shall be construed as a reference to the article or Schedule bearing that number in this Order.