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STATUTORY INSTRUMENTS

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**2004 No. 114**

**COUNTRYSIDE, ENGLAND**

**The Countryside Stewardship (Amendment) Regulations 2004**

<i>Made</i>	- - - -	<i>21st January 2004</i>
<i>Laid before Parliament</i>		<i>22nd January 2004</i>
<i>Coming into force</i>	- -	<i>16th February 2004</i>

The Secretary of State, in exercise of the powers conferred upon her by section 98 of the Environment Act 1995(1), with the consent of the Treasury, hereby makes the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Countryside Stewardship (Amendment) Regulations 2004 and shall come into force on 16th February 2004.

**Amendment of the Countryside Stewardship Regulations 2000**

2. The Schedule to the Countryside Stewardship Regulations 2000(2) shall be amended as follows—

- (a) in column 2 (maximum payment rate) of the table in Part I, by the substitution—
- (i) in items 1(f), 2(h), 4(e) and 6(f), for “£250 per hectare in respect of each relevant agreement year”, of “Agreed costs of implementing proposals”;
  - (ii) in item 5(d), for “£50 per hectare per agreement year”, of “Agreed costs of implementing proposals”;
  - (iii) in item 8(a), for “£150 per agreement year plus £0.15 per metre per agreement year”, of “£350 per agreement year plus £0.45 per metre per agreement year”;
  - (iv) in item 8(b), for “£150 per agreement year plus £0.30 per metre per agreement year”, of “£350 per agreement year plus £0.90 per metre per agreement year”;
  - (v) in item 8(c), for “£150 per agreement year plus £0.30 per metre per agreement year”, of “£350 per agreement year plus £1.05 per metre per agreement year”;

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(1) 1995, c. 25, amended by the Development Commission (Transfer of Functions and Miscellaneous Provisions) Order 1999 (S.I. 1999/416); section 98(5) contains a definition of the appropriate Minister, as amended to mean, in England, the Secretary of State, by virtue of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794), Article 2; for the application of section 98 to the Isles of Scilly, *see* section 117 of the Environment Act 1995 (c. 25) and the Environment Act 1995 (Isles of Scilly) Order 1996 (S.I. 1996/1030).

(2) S.I. 2000/3048, amended by S.I. 2001/3991.

- (vi) in item 8(d), for “£500 per agreement year”, of “£1,100 per agreement year”; and
- (vii) in item 8(e), for “£150 per agreement year plus £35 per hectare per agreement year”,  
of “£350 per agreement year plus £41 per hectare per agreement year”;
- (b) by the substitution for Part II of the new Part II set out in Schedule 1 to these Regulations;  
and
- (c) by the substitution for Part III of the new Part III set out in Schedule 2 to these Regulations.

14th January 2004

*Elliot Morley*  
Minister of State,  
Department for Environment, Food and Rural  
Affairs

We consent,

21st January 2004

*John Heppell*  
*Nick Ainger*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

## SCHEDULE 1

Regulation 2(b)

NEW PART II OF THE SCHEDULE TO THE  
COUNTRYSIDE STEWARDSHIP REGULATIONS 2000

## “PART II

*Capital Activities*

<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Maximum payment rate</i>
<b>1.</b> In relation to hedgerow restoration—	
(a) laying, coppicing or planting to fill gaps in hedge, or any combination of these, and follow-up maintenance of restored hedgerows	£5 per metre
(b) planting of a hedge	£5 per metre
(c) where sub-paragraph (a) applies, preparatory work on hedges that are more than 1.5 metres wide and 5 metres high	£2.40 per metre
(d) where sub-paragraph (a) applies, removal of fence posts and wires	£0.60 per metre
(e) where sub-paragraph (a) applies, additional work which involves use of staking and top binding	£2.40 per metre
<b>2.</b> In relation to field boundaries—	
(a) restoration of stone wall	£16 per metre
(b) where sub-paragraph (a) applies and—	
(i) 50% or more of the stone is imported from elsewhere on the holding	£6 per metre
(ii) 50% or more of the stone is imported from outside the holding	£30 per metre
(iii) at least 10 metres of the wall is on slopes exceeding 30 degrees	£7 per metre
(c) installation of stockproof wiring along upper surface of a stone wall	£1.80 per metre
(d) repair of a stone-faced hedge bank	£16 per metre
(e) restoration of a stone-faced hedge bank	£34 per metre
(f) restoration of an earth bank	£3 per metre

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

<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Maximum payment rate</i>
(g) where sub-paragraph (f) applies, additional work in casting up	£1.20 per metre
(h) restoration of a ditch	£2.90 per metre
<b>3. In relation to tree-planting and tree management—</b>	
(a) planting of trees and shrubs	£1.60 per tree or shrub
(b) coppicing of trees along watercourses	£29 per tree
(c) minor tree surgery, including minor pollarding	£43 per tree
(d) major tree surgery, including major pollarding	£89 per tree
(e) installation of a spiral rabbit guard	£0.20 per guard
(f) installation of a tree-tube	£0.50 per tube
(g) planting of a standard tree in a park of historical interest	£7.50 per tree
(h) installation of a parkland guard in a park of historical interest	£64 per guard
<b>4. In relation to orchards—</b>	
(a) pruning and restoration of fruit trees	£17 per tree
(b) pruning to restore the frame of fruit trees	£30 per tree
(c) planting of fruit trees	£17 per tree
(d) installation of an orchard tree-guard	£3.30 per guard
(e) installation of an orchard tree-guard fence	£36 per fence
<b>5. In relation to water levels and features—</b>	
(a) installation of an earth bund	£149 per bund
(b) installation of a bund of soil or alternative material in upland drains	£3.40 per bund
(c) installation of a timber sluice	£314 per sluice
(d) installation of a brick, stone or concrete sluice	£960 per sluice
(e) installation of a culvert	£153 per culvert

<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Maximum payment rate</i>
(f) creation of a pond	£3 per square metre of surface area up to 100 square metres of surface area, and £1 per square metre of surface area thereafter
(g) restoration of an existing pond	£2.10 per square metre of surface area up to 100 square metres of surface area, and £0.80 per square metre of surface area thereafter
(h) creation of a scrape	£1.40 per square metre of surface area up to 100 square metres of surface area, and £0.90 per square metre of surface area thereafter
(i) construction of otter holt using logs	£108 per holt
(j) construction of otter holt by pipe and chamber	£203 per holt
<b>6. In relation to scrub—</b>	
(a) removal or reduction of scrub, where scrub ground cover is less than 25%	£76, plus £228 per hectare
(b) removal or reduction of scrub, where scrub ground cover is not less than 25% and not more than 75%	£76, plus £376 per hectare
(c) removal or reduction of scrub where scrub ground cover is over 75%	£76, plus £583 per hectare
(d) where sub-paragraph (a), (b) or (c) applies, follow-up work to remove scrub regrowth	£40 per hectare
<b>7. In relation to bracken—</b>	
(a) removal or reduction of bracken by mechanical means	£106, plus £48 per hectare
(b) removal or reduction of bracken by the application of chemicals	£61, plus £112 per hectare
<b>8. In relation to fencing—</b>	
(a) installation of post and wire fencing	£1.20 per metre
(b) installation of sheep fencing	£1.80 per metre
(c) installation of rabbit fencing	£1.50 per metre
(d) installation of a river gate	£100 per gate
(e) installation of a field gate	£149 per gate
(f) installation of deer fencing in parks of historical interest	£4 per metre
<b>9. In relation to the supply of water—</b>	

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

<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Maximum payment rate</i>
(a) installation of pipelines to supply water	£2 per metre
(b) installation of a water trough	£85 per trough
<b>10.</b> In relation to agreement land to which public access is available—	
(a) installation of a bridle gate	£220 per gate
(b) installation of a kissing gate	£245 per gate
(c) installation of a kissing gate suitable for use by disabled people	£290 per gate
(d) installation of a timber stile other than a ladder stile	£100 per stile
(e) installation of a ladder stile	£125 per stile
(f) installation of a step-over stile in stone wall	£115 per stile
(g) installation of a step-through stile in stone wall	£85 per stile
(h) construction of a footbridge	£315 per footbridge
(i) installation of a bench	£115 per bench
(j) construction of hard standing for car park	£13 per square metre
(k) construction of hard standing for paths suitable for use by disabled people	£15 per square metre
<b>11.</b> Clearance of an eyesore	£120 per eyesore”

## SCHEDULE 2

Regulation 2(c)

NEW PART III OF THE SCHEDULE TO THE  
COUNTRYSIDE STEWARDSHIP REGULATIONS 2000

## “PART III

## Professional Fees and Charges

<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Maximum payment rate</i>
<b>1.</b> Payment in respect of charges incurred for technical advice and professional help in the preparation of	£300 per application in relation to holdings of less than 50 hectares and £400 in relation to holdings of 50 or more hectares

<i>Column 1</i> <i>Activity</i>	<i>Column 2</i> <i>Maximum payment rate</i>
an application for an agreement which is subsequently entered into	
2. Payment in respect of charges incurred for professional help in the preparation of a management plan where an agreement is subsequently entered into or where an agreement is in force at the time of preparation of the management plan	£400 per plan
3. Payment in respect of charges incurred for professional help in the preparation of notes for schoolteachers in relation to agreement land to which access for educational visits is permitted	£490 per agreement
4. Payment in respect of a survey of environmental features on upland holdings	£400 per survey in relation to holdings of less than 20 hectares, £500 per survey in relation to holdings of between 20 and 100 hectares and £700 per survey in respect of holdings of more than 100 hectares
5. Payment in respect of charges incurred for professional help in the preparation of a whole-farm environmental audit	£320 per day”

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Countryside Stewardship Regulations 2000 (S.I.2000/3048, amended by S.I. 2001/3991) (“the principal Regulations”). The principal Regulations make provision for payments to be made to any person who enters an agreement with the Secretary of State requiring him to carry out an activity which is conducive to a specified purpose on land in which he has an interest.

The Regulations amend, with effect from 16th February 2004, the maximum rates in respect of certain payments listed in Parts I, II and III of the Schedule to the principal Regulations. Payments in respect of the preparation of whole-farm environmental audits are introduced (Item 5 in the new Part III of the Schedule to the principal Regulations, inserted by Schedule 2 to these Regulations).

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.