

Environmentally Sensitive Areas

SCHEME PRESCRIPTIONS

EXMOOR ESA

NB. If you carry out any work contrary to the scheme's objectives, for example the destruction of features such as walls, buildings or hedges, or the ploughing of valuable grassland, shortly before applying to join or rejoin the scheme, the Department is likely to reject your application.

The Department may modify the prescriptions set out below, to introduce additional requirements or amend existing ones, where this will help to protect and/or enhance habitats and species which are of importance within the designated area. Such modifications may be made for the lifespan of the agreement or from time to time, by means of a written agreement with you which will form part of your ESA agreement for the term specified.

TIER 1 PART 1 – ALL LAND

1. Do not increase your existing area of arable land without the Department's prior written approval.
2. Do not remove any hedges, walls or banks, or parts thereof.
3. Maintain stockproof hedges, banks and walls in a stockproof condition using traditional materials.
4. The Department will make a supplementary payment if you agree in writing a programme to manage stockproof hedgerows in a traditional manner. This will involve laying of the hedgerow at the appropriate time in the management cycle. Payment for this work will be calculated on the basis of every metre of hedgerow traditionally managed each year.
5. Do not erect any new permanent fences, other than for hedgerow protection, without the Department's prior written approval.
6. Maintain existing margins and banks of streams, watercourses, ditches, ponds and wetland by mechanical means, not sprays.
7. Do not install any new land drainage system or modify any existing land drainage system so as to bring about improved drainage.
8. Do not exceed your present level of stocking or supplementary feeding within woodland.
9. Retain any woodland, copses and single or groups of trees. Agree in writing with the Project Officer and implement a programme to conserve and protect areas of non net-income generating woodland. These will be identified on the agreement map and will receive payment at the all land rate. Seek written consent from the Project Officer before planting any woodland, trees or hedges.
10. Do not construct any ponds without the Department's prior written approval.
11. Any bracken control must be carried out in accordance with a programme agreed in advance with the Project Officer and any other necessary consents obtained. This must include adequate follow-up treatment. Where bracken cannot be controlled by mechanical means and a herbicide is necessary then only asulam may be used.
12. Do not remove scrub except with the Department's prior written approval.
13. Sheep dip must be disposed of safely and not spread where it may affect areas of nature conservation value.
14. Do not plant game cover crops without the Department's prior written approval.
15. Do not damage, destroy or remove any features of archaeological or historic value or interest.
16. Any weatherproof traditional farm buildings which you own, or for which you are responsible, must be maintained in a weatherproof condition using traditional materials.
17. Obtain written advice on siting and materials before constructing buildings or roads or carrying out any other engineering or construction works which do not require planning permission or prior notification determination by the Local Planning Authority.
18. You must identify on your application any common land within the ESA where you have grazing rights. Where common land is not subject to agreement you must not remove stock from agreement land to the common land.
19. You must abide by the Codes of Good Agricultural Practice for the Protection of Soil, Air and Water, published by the Department (references PB 0617, PB 0618 and PB 0587) as amended from time to time.

TIER 1 PART 2A – IMPROVED PERMANENT GRASSLAND

Observe prescriptions 1-19 (Tier 1 Part 1) plus additional prescriptions set out below:

20. Do not exceed your existing application rates of organic or inorganic fertiliser, and in any case do not exceed 125 kg of inorganic nitrogen per hectare (100 units per acre) each year.
21. Maintain permanent grassland by grazing and topping or by cutting provided there is aftermath grazing. If reseeding is necessary this should be carried out by direct drilling or other surface method. Only seed mixtures intended to produce a long term sward may be used. Do not plough or cultivate without the Department's prior written agreement. If a desiccant is used, do not spray within 1 metre of a field boundary.
22. Do not allow livestock to poach the land.

TIER 1 PART 2B – LOW INPUT PERMANENT GRASSLAND

Observe prescriptions 1-19 (Tier 1 Part 1) plus additional prescriptions set out below:

23. Maintain low input permanent grassland by grazing and topping or by cutting provided there is aftermath grazing. When grazing do not cause poaching, undergrazing or over grazing. Do not plough, excavate, level or reseed.
24. Do not exceed your existing level of inorganic fertiliser and in any case do not exceed 40kg of nitrogen, 20kg of phosphate and 20kg of potash per hectare (32 units of nitrogen, 16 units of phosphate and 16 units of potash per acre) each year. Do not exceed your existing level of home produced organic fertiliser and do not apply any other organic fertiliser and in any event do not exceed 15 tonnes/ha/year.
25. Do not use fungicides or insecticides on the land.
26. Do not apply herbicides except to control bracken, nettles, spear thistle, creeping or field thistle, curled dock, broad-leaved dock or ragwort or to carry out stump treatment of cleared scrub. When applying herbicides (other than to control bracken), always use a weed wiper or spot treatment.
27. Do not provide supplementary feed on the land without the Department's prior written approval.
28. Do not apply lime or any other substance designed to reduce the acidity of the soil without the Project Officer's written agreement.
29. Do not burn any scrub, bracken litter, purple moor-grass or other vegetation without the Department's prior written approval.

TIER 1 PART 3 – ENCLOSED UNIMPROVED PERMANENT GRASSLAND

Observe prescriptions 1-19 (Tier 1 Part 1) plus additional prescriptions set out below:

30. Land to be managed as enclosed unimproved permanent grassland must be identified on your

agreement map and managed as such for the length of your agreement.

31. Maintain enclosed unimproved grassland and do not excavate, plough, level, reseed, chain harrow, roll or otherwise cultivate. You must not undertake any other form of mechanical operation during the period 1 April to 30 June.
32. Do not apply any organic or inorganic fertiliser or lime, slag or any other substance designed to reduce the acidity of the soil.
33. Graze with livestock but do not cause poaching, undergrazing or overgrazing.
34. Do not use fungicides or insecticides.
35. Do not apply herbicides except to control bracken, nettles, spear thistle, creeping or field thistle, curled dock, broad-leaved dock or ragwort or to carry out stump treatment of cleared scrub. When applying herbicides (other than to control bracken), always use a weed wiper or spot treatment.
36. Do not provide supplementary feed without the Department's prior written approval.
37. Do not burn any scrub, bracken litter, purple moor-grass or other vegetation without the Department's prior written approval.
38. The Department will make a supplementary payment if you agree in writing with the Project Officer a grassland management plan including any necessary scrub and bracken management, which must be implemented, in areas where it would be of benefit to wildlife.

TIER 1 PART 4 – MOORLAND

Observe prescriptions 1-19 (Tier 1 Part 1) plus additional prescriptions set out below:

39. Maintain moorland and do not excavate, plough, level, reseed, chain harrow, roll or otherwise cultivate.
40. Do not apply organic or inorganic fertiliser or lime, slag or any other substance designed to reduce the acidity of the soil.
41. Graze with livestock but do not cause poaching, undergrazing or overgrazing. Do not exceed your existing stocking level without the Department's prior written approval.
42. Ensure by adequate management that livestock graze only lightly and do not concentrate on or adjacent to those areas vulnerable to grazing pressure, including heather margins and areas of recently burnt heather.
43. Do not use fungicides or insecticides.
44. Do not apply herbicides except to control bracken, nettles, spear thistle, creeping or field thistle, curled dock, broad-leaved dock or ragwort or to carry out stump treatment of cleared scrub. When applying herbicides (other than to control bracken), always use a weed wiper or spot treatment.
45. Do not provide supplementary feed on the land except with the Department's prior written approval.

46. Where supplementary feed is permitted, use only hay, mineral blocks or feed blocks and restrict these to areas agreed in advance with the Project Officer.
47. In the first year of your agreement you must agree with the Project Officer a written plan of integrated moorland management which must be implemented. The plan may include a programme of rotational burning and cutting of vegetation, stock management, scrub and bracken control. The plan will identify agreed areas where supplementary feeding may occur.
48. The Department will make a supplementary payment if you agree with the Project Officer in writing, a stocking programme for the grazing by cattle from 15 May to 15 August of areas dominated by purple moor-grass. Do not burn these areas.
49. The installation of any necessary temporary fencing must be agreed in advance with the Project Officer.

TIER 1 PART 5 – HEATHER MOORLAND AND COASTAL HEATH

(The supplementary payments available under Tier 1 Part 4 are available under this Tier.)

Observe prescriptions 1-19 (Tier 1 Part 1) and 39-49 (Tier 1 Part 4) plus additional prescriptions set out below:

50. Do not exceed your existing stocking level and, in any case, do not exceed 0.225 livestock units (LU) (1.5 ewes and followers or 0.225 suckler cows and their calves) per hectare.
51. Do not allow grazing by cattle during the period 1 November to 15 April. Ponies may only be grazed with the Department's prior written approval during this period.
52. During the period 1 November to 15 April you may graze with sheep but your maximum stocking rate must not exceed 1 ewe per hectare.
53. Do not provide supplementary feed for livestock except in emergency conditions and then feed hay only. Do not provide mineral or feed blocks for livestock.
54. The Department will make a supplementary payment if you undertake to comply with the permitted winter stocking levels and conditions from 1 September to 15 April instead of 1 November to 15 April.

TIER 2 PART 1 – HEATHER MOORLAND AND COASTAL HEATH

(The supplementary payments available under Tier 1 Part 4 are available under this Tier.)

Observe prescriptions 1-19 (Tier 1 Part 1), 39-49 (Tier 1 Part 4) and 50-54 (Tier 1 Part 5) plus additional prescriptions set out below:

55. During the period 16 April to 31 October do not exceed a stocking level of 0.1 LU (0.66 ewes) per hectare and remove all livestock other than pure-bred Exmoor ponies during the period 1 November to 15 April.

TIER 2 PART 2 – REVERSION OF LAND TO HEATHER MOORLAND AND COASTAL HEATH

Observe prescriptions 1-19 (Tier 1 Part 1), plus additional prescriptions set out below:

56. Cease to use the grassland within 12 months of the start of your agreement and implement a site specific heather restoration programme to be agreed in writing with the Project Officer following the appropriate consultation.
57. Do not graze in the summer so as to inhibit heather regeneration. Graze only with sheep, at a stocking level not exceeding 0.1 LU/ha between 15 May and 15 August until heather/dwarf shrub vegetation achieves at least 40% ground cover. Exclude all livestock between 16 August and 14 May.
58. Do not allow livestock to cause poaching or overgrazing.
59. Do not apply any of the following without obtaining the Department's prior written approval:
 - i) organic or inorganic fertiliser;
 - ii) lime slag or any other substance designed to reduce soil acidity;
 - iii) fungicides, insecticides, herbicides or desiccants.
60. Do not plough, level, re-seed, chain harrow, roll or carry out any other mechanical operations without the Department's prior written approval.
61. Do not provide supplementary feed (including mineral and feed blocks) at any time on this land.
62. When heather and dwarf shrub vegetation exceeds 40% ground cover, sheep grazing may be progressively introduced between 16 August and 31 October subject to the written agreement of the Department, but may not in any case exceed 0.1 LU/ha (0.66 ewe/ha).

HEDGE RESTORATION SUPPLEMENT

63. The Department will make a supplementary payment if you agree in writing with the Project Officer a programme to restore non stockproof hedges and their associated hedge banks. Payment will be calculated on the basis of every metre of hedge restored in each year.

WOODLAND TIER

64. Adopt a programme agreed in writing with the Project Officer to enhance the conservation and landscape value of non net-income generating woodland. This will involve making and keeping the woodland stockproof and the carrying out of an ongoing programme of woodland management. Individual areas of woodland below 1 ha may be entered into this tier.

PUBLIC ACCESS TIER

65. Make the access route available for public access at no charge.
66. Maintain a free passage over the access route.
67. Do not erect new fences on or adjacent to the access route without the prior written approval of the Department.
68. Keep the access route and fields crossed by it free of litter and other refuse.
69. Exclude bulls from the access route and fields crossed by it, except for bulls which do not exceed the age of 10 months or are not of a recognised dairy breed and are at large in any field or enclosure in which cows and heifers are also at large.
70. Agree with the Department in writing in advance the public liability insurance cover which you will maintain for the duration of the access agreement.
71. Provide and maintain adequate means of entry to the access route.
72. Affix and maintain appropriate signboards and waymarking.
73. Do not permit any of the following activities on the access route or on fields crossed by it: camping, caravanning, lighting of fires, organised games or sports, riding of motor vehicles (except those used for agricultural operations on the land) without the Department's prior written approval.
74. Agree with the Department in writing whether the riding of horses or cycles may be permitted on the access route.
75. If you wish to apply for temporary closure of the access route you must agree this with the Department in writing in advance. Where temporary closure is permitted you must post signs giving notice of the intended closure and the reasons for it at each entry point to the access route at least two weeks in advance of the date of closure.