

# Environmentally Sensitive Areas

## SCHEME PRESCRIPTIONS

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### LAKE DISTRICT 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 1A – ALL LAND

1. Do not graze any land so as to cause poaching, overgrazing or undergrazing.
2. Maintain stockproof walls, hedges and vertical slate walling in a stockproof condition using traditional materials.
3. Maintain any weatherproof traditional farm buildings which you own, or for which you are responsible, in a weatherproof condition using traditional materials.
4. Do not damage, destroy or remove any features of archaeological or historic value or interest.
5. Retain any woodland, copses or groups of trees or wooded ghylls. 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. Any pollarded trees for which you are responsible must be retained and managed in accordance with local custom.
6. Any scrub management must be carried out in accordance with a programme agreed in advance with the Project Officer.
7. Restrict supplementary feeding of livestock to areas agreed in advance with the Project Officer.
8. 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.
9. Sheep dip must be disposed of safely and not spread where it may affect areas of nature conservation value.
10. When disposing of dirty water you must avoid areas of high conservation interest agreed in writing with your Project Officer.
11. Do not control rushes during the period 1 March to 31 July.
12. Do not move any large boulders, rock outcrops or limestone pavement.
13. Do not infill existing natural depressions or remove hedgerow banks.
14. Do not install any new land drainage system or modify any existing land drainage system so as to bring about improved drainage.
15. Bracken management must be carried out in accordance with a programme agreed in advance with the Project Officer. This must include adequate follow-up treatments. Where possible mechanical methods should be used, but where a herbicide is necessary only an approved chemical e.g. asulam may be used.
16. The Department will make a supplementary payment if you agree in writing a programme for the renovation of drystone walls and vertical slate walls or non-stockproof hedges and hedgebanks. This may involve the rebuilding of gaps to make non-stockproof walls stockproof or the dismantling and rebuilding of stockproof walling in poor condition; hedge restoration may include hedge planting, gapping-up, coppicing and laying. Payment will be calculated on the basis of the length of wall or hedge restored in each year.
17. You must identify on your application any common land within the ESA where you have grazing rights. You must not increase existing stocking levels on common land that is not the subject of a separate agreement.
18. You must abide by the Codes of Good Agricultural Practice for the Protection of Water, Soil and Air, published by the Department (references PB 0617, PB 0587 and PB 0618) as amended from time to time.

#### TIER 1B – INBYE

*Observe prescriptions 1-18 (Tier 1A) plus additional prescriptions set out below:*

19. Maintain the land and do not plough, level or reseed without the Department's prior written approval.

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20. Pastures must not be harrowed, rolled or otherwise cultivated during the period 1 April to 15 July.
21. Meadows may be cultivated but only with a chain harrow or roller either as early as possible in the spring or in the autumn.
22. Do not exceed your existing application rate of inorganic or organic fertiliser and in any case do not exceed 125kg of nitrogen per hectare per year.
23. You may apply farmyard manure or slurry provided that you do not exceed your existing application rate. Farmyard manure produced off the farm may only be used with the prior approval of the Project Officer and must be well-rotted. Do not apply slurry to fields that have previously received only farmyard manure. Pig and poultry manure may only be applied to designated fields and with the Project Officer's prior written approval.
24. You must not apply lime, slag or any other substance designed to reduce soil acidity, to pasture fields without the prior approval of the Project Officer.
25. You may apply liming materials to meadow land at a rate of 0.5 tonnes per hectare (4 cwt per acre) per year. This rate may be increased only if the Project Officer agrees that a higher requirement is needed.
26. Do not use fungicides or insecticides on the land without the prior written approval of the Project Officer.
27. You may apply herbicides to control nettles, docks, ragwort, spear thistle and creeping thistle. Control must be carried out using an approved product applied by weed wiper or spot treatment. Any other herbicide treatment requires prior written approval from the Project Officer.

### **TIER 1C – INTAKE**

*Observe prescriptions 1-18 (Tier 1A) and 19-27 (Tier 1B) plus additional prescriptions set out below:*

28. Do not increase your existing stocking level on intake.
29. You must not apply any organic or inorganic fertilisers, lime slag or any other substance to improve fertility or reduce acidity, or pesticides, herbicides or fungicides without prior written approval from the Project Officer.

### **TIER 1D – FELL WITHOUT HEATHER**

*Observe prescriptions 1-18 (Tier 1A) plus additional prescriptions set out below:*

30. Maintain as fell. Do not excavate, plough, level, reseed or otherwise cultivate.
31. Ensure adequate stock control to avoid overgrazing and the trespass of sheep across grazing units.
32. Do not fence across open fell.
33. Do not apply farmyard manure, slurry or any other organic or inorganic fertiliser. Do not apply lime or any other substance designed to reduce soil acidity without the Department's prior written approval. You must not apply any organic or inorganic fertilisers, lime slag or any other substance to improve fertility

or reduce acidity, or pesticides, herbicides or fungicides without prior written approval from the Project Officer.

34. Do not increase stock numbers and, in any case, do not exceed 0.3 livestock units (LU) per hectare.

### **TIER 1E – HEATHER FELL**

*Observe prescriptions 1-18 (Tier 1A) and 30-34 (Tier 1D) plus additional prescriptions set out below:*

35. 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 heather burning and cutting, stock management, scrub and bracken management. The plan will identify agreed areas where supplementary feeding may occur. The aim is to create and maintain a mosaic of mixed age dwarf shrub heath and other vegetation across the fell.
36. You must not increase your existing stocking level or exceed a maximum stocking level of 0.225 LU per hectare (1.5 ewes per hectare) throughout the year.
37. You must remove all your cattle, all replacement hogs and 25% of your remaining livestock units (generally 25% of your overwintering ewes) from the fell between 1 October and the following 28 February.
38. The Department will make a supplementary payment if you remove all your livestock from the fell between 1 December and the following 28 February

### **TIER 2A – MEADOWS**

*Observe prescriptions 1-18 (Tier 1A) and 19-27 (Tier 1B) plus additional prescriptions set out below:*

39. Land to be managed as meadow must be identified on your agreement map and must continue to be managed as such for the length of your agreement.
40. Exclude stock from meadows at least seven weeks before cutting and by 1 June at the latest.
41. Do not cut grass in any year before 1 July. All meadows must be cut after 22 July at least once every five years. The cut crop must be removed and the aftermath grazed. You must indicate your proposed late cutting programme on your agreement map.
42. Wilt and turn grass cut for silage before removal.
43. Do not apply inorganic or organic fertiliser other than farmyard manure (FYM). Do not exceed your existing application rate of FYM and, in any case, do not use more than 12.5 tonnes of FYM per hectare (5 tons per acre) per year. Apply FYM only in a single dressing. FYM produced off the farm may only be used with prior approval of the Project Officer.
44. You must not apply any lime slag or any other substance to improve fertility or reduce acidity, or pesticides, herbicides or fungicides without prior written approval from the Project Officer.

## **TIER 2B – INTERMEDIATE HEATHER FELL**

*Observe prescriptions 1-18 (Tier 1A), 30-34 (Tier 1D) and 35-38 (Tier 1E) plus additional prescriptions set out below:*

45. You must not exceed a maximum stocking level of 0.15 LU per hectare (1 ewe per hectare) throughout the year. If your current stocking rate is less than this, you must not increase existing stocking levels during the period 1 March to 30 November.
46. You must remove all your cattle, all replacement hogs and 25% of your remaining livestock units (generally 25% of your overwintering ewes) from the fell during the period 1 December to the following 28 February.
47. The Department will make a supplementary payment if you remove all your livestock from the fell between 1 December and the following 28 February.

## **TIER 2C – HEATHER FELL**

*Observe prescriptions 1-18 (Tier 1A), 30-34 (Tier 1D) and 35-38 (Tier 1E) plus additional prescriptions set out below:*

48. You must not exceed a maximum stocking level of 0.1 LU per hectare (0.67 ewe per hectare) throughout the year. If your current stocking rate is less than this, you must not increase existing stocking levels during the period 1 March to 30 November.
49. You must remove all your cattle, all replacement hogs and 25% of your remaining livestock units (generally 25% of your overwintering ewes) from the fell during the period 1 October to the following 28 February.
50. The Department will make a supplementary payment if you agree in writing with the Project Officer to remove all your livestock from the fell between 1 December and the following 28 February.

## **TIER 2D – MANAGED HABITAT – CONTROLLED GRAZING**

*Observe prescriptions 1-18 (Tier 1A) and 19-27 (Tier 1B) plus additional prescriptions set out below:*

51. Land entered into this tier must be managed in a positive manner to enhance its nature conservation status. You must not carry out any operations which could be detrimental to wildlife habitats and species.
52. You must carry out a programme of controlled grazing management agreed in writing with the Project Officer. You must not increase existing stocking levels except with the prior written agreement of the Project Officer.
53. Grazing animals must be controlled by stockproof walls, hedges or fences, cattle grids, shepherding or other suitable means so they do not overgraze or undergraze or cause damage by poaching.

54. You must not apply any organic or inorganic fertilisers, lime slag or any other substance to improve fertility or reduce acidity, or pesticides, herbicides or fungicides without the Project Officer's written agreement.

## **WOODLAND TIER**

55. 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**

56. Make the access route available for public access at no charge.
57. Maintain a free passage over the access route.
58. Do not erect new fences on or adjacent to the access route without the prior written approval of the Department.
59. Keep the access route and fields crossed by it free of litter and other refuse.
60. 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.
61. Agree with the Department in writing in advance the public liability insurance cover which you will maintain for the duration of the access agreement.
62. Provide and maintain adequate means of entry to the access route.
63. Affix and maintain appropriate signboards and waymarking.
64. 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.
65. Agree with the Department in writing whether the riding of horses or cycles may be permitted on the access route.
66. 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.

