

# Environmentally Sensitive Areas

## SCHEME PRESCRIPTIONS

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### NORTH KENT MARSHES 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

1. Maintain grassland and do not plough, level or reseed the land. Cultivate only with a chain harrow or roller but do not use a chain harrow or roller during the period 1 April to 30 June.
2. Graze with cattle or sheep or both but avoid poaching, overgrazing or undergrazing. Horses may be grazed but only in association with cattle or sheep or both. During the period 1 April to 31 May do not exceed a stocking density of 0.75 Livestock Unit (LU) per hectare.
3. Do not top or cut the grass for hay or silage before 1 July.
4. Wilt and turn grass cut for silage before removal and graze the aftermath.
5. Restrict supplementary feeding of livestock to areas agreed in advance with the Project Officer.
6. Do not apply inorganic or organic fertiliser except for farmyard manure (FYM) produced on your farm. Do not apply slurry.
7. Do not apply more than your existing application rate of farmyard manure and, in any event, do not apply more than 12.5 tonnes of farmyard manure per hectare (5 tons per acre) per year.
8. Do not apply farmyard manure during the period 1 April to 31 May and, outside this period, apply it only in a single dressing.
9. Do not apply lime, slag or any other substance designed to reduce the acidity of the soil.
10. Do not use insecticides or fungicides.
11. Do not apply herbicides except to control nettles, spear thistle, creeping or field thistle, curled dock, broad-leaved dock or ragwort. Injurious weeds, particularly creeping thistle, must be controlled. Herbicides may only be applied using a weed wiper or by spot treatment with a knapsack sprayer. Whenever possible, control weed growth by mechanical means such as topping.
12. Do not fill in any ditches, dykes, rills or hollows.
13. Maintain existing water levels in ditches and dykes.
14. A rotational ditch management programme must be agreed in writing with the Project Officer within 6 months of the start of an agreement. The programme must be implemented over the life of the agreement. Ditches must be maintained by mechanical means not herbicides. After drying, spoil must be spread adjacent to the ditch. Ditch restoration and reprofiling may be included in your conservation plan.
15. Do not install any new land drainage system or modify any existing land drainage system to bring about improved drainage.
16. Retain and manage ponds and reedbeds.
17. Maintain gates, gateways and wing fences.
18. Retain and manage any hedges. Maintain stockproof hedges in a stockproof condition using traditional methods. Do not plant any hedges without the Department's prior written approval.
19. Maintain any weatherproof traditional farm buildings which you own, or for which you are responsible, in a weatherproof condition using traditional methods.
20. Do not damage, destroy or remove any feature of archaeological or historic value or interest.
21. 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.
22. 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.
23. As an alternative to following the prescriptions 2, 6 and 13 above you may agree in writing with the Project Officer a Grazing Marsh Management Plan (GMMP) which will require different practices on

areas marked as “extensive” areas and “balance” areas, as set out on the attached agreement map.

On “extensive” areas you must:

24. Graze with cattle and/or sheep through the year but avoid poaching, overgrazing and undergrazing.
25. During the months of April, May and June, reduce stocking density to a level between zero and 0.6 LU per hectare agreed with the Project Officer.
26. Stocking at higher densities (in the range between 0.6 and 1.5 LU per hectare) is permissible during the rest of the year
27. A specification for water management requirements for the “extensive” area shall be agreed in writing with the Project Officer and shall form part of your agreement.
28. Comply with all other Tier 1 guidelines (1-23 above except 2, and 13).

On the balance of the agreement area (marked “balance” on the map) you must:

29. Graze with cattle and/or sheep but avoid poaching, undergrazing or overgrazing.
30. During the months of April and May, limit stocking density to 1.2 LU per hectare
31. Stocking at higher densities may be permissible during the rest of the year providing the land is not overgrazed.
32. You may make limited application of artificial fertiliser to areas specified by the Project Officer in the GMMP, subject to a maximum rate of 50kg N, 12.5kg P<sub>2</sub>O<sub>5</sub> and 12.5kg K<sub>2</sub>O, per hectare. FYM application will not be allowed in addition to these nutrient levels.
33. A specification for water management requirements for the “balance” area shall be agreed with the Project Officer in writing and shall form part of your agreement.
34. Follow all other Tier 1 prescriptions (1-23 above except 2, 6 and 13).

## **NEW TIER 1B – WATER MANAGEMENT TIER**

Observe all Tier 1 prescriptions 1-23 with the exception of 2 and 13 plus additional prescriptions set out below:

35. Agree in writing with the Project Officer a GMMP which will apply to both “enhancement” and “balance” areas, as set out on the attached agreement map. The plan shall form part of your agreement.
36. Within the agreed enhancement area do not graze during the months of April, May and June. During July, re-introduce grazing at a stocking density agreed with the Project Officer, to achieve an appropriate sward condition for autumn, winter and the following year.
37. The GMMP will specify the sward conditions to be achieved. It will also specify the levels to which water must be raised.

38. On the balance of agreement area which will be treated and paid as Tier 1, follow the prescriptions set out at (1-23) above, with the exception of 2, 6 and 13 with written agreement from the Project Officer.

## **TIER 2 (ARABLE REVERSION TO PERMANENT GRASSLAND)**

39. Cease arable production or ley grassland production. Within 12 months of the start of your agreement establish a permanent grass sward using suitable species chosen from an approved list. Agree in writing with the Project Officer before purchase the seed mix to be used. Seed of native origin and local provenance should be used wherever the Department considers it appropriate.
40. During the First 12 months of the start of your agreement do not apply any of the following without obtaining the Department’s prior written approval:
  - i) inorganic or organic fertiliser;
  - ii) lime, slag or any other substance designed to reduce the acidity of the soil;
  - iii) fungicides, insecticides or herbicides.
41. Cut the grass and remove as hay, but not silage, during the first 3 years following grassland establishment and graze the aftermath. Do not cut the grass before 1 July.
42. From the start of your agreement you must follow all the Tier 1 guidelines from number 12, ‘Do not fill in any ditches, etc.’ onwards.
43. After the 12 month period you must also follow the remaining guidelines in Tier 1.
44. Following satisfactory grassland establishment, and at the discretion of the Project Officer, both GMMP and Tier 1B options may be available on arable reversion areas.
45. On grassland reverted from arable, do not exceed an annual average stocking level of 1.4 (LU) per hectare.

## **BUFFER STRIPS**

46. Buffer strips may be established on arable field margins that are adjacent to ditches or dykes.
47. Establish a grass cover crop over a width of between 6 and 10m using a grass seed mixture agreed with the Project Officer.
48. Do not apply inorganic fertiliser or pesticides on this strip.
49. A 1m sterile strip may be incorporated between the cropped edge and the strip to prevent migration of weeds.
50. Agree in writing with the Project Officer appropriate management of buffer strips. This will involve either taking a hay crop or topping, both after July 1. In the first years of establishment, topping in advance of July 1 to control weed growth may be permitted with written agreement from the Project Officer.
51. 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.

## **WOODLAND TIER**

52. Retain any woodland, copses or groups of trees. Agree in writing with the Project Officer and implement a programme to maintain and enhance the conservation and landscape value of non net-income generating woodland. All farm woodland on or adjacent to your agreement land must be entered into this woodland tier. Other woodland not on or adjacent to your agreement land may be entered at the discretion of DEFRA.

## **PUBLIC ACCESS TIER**

53. Make the access route available for public access at no charge.
54. Maintain a free passage over the access route.
55. Do not erect new fences on or adjacent to the access route without the prior written approval of the Department.
56. Keep the access route and fields crossed by it free of litter and other refuse.
57. 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.

58. Agree with the Department in writing in advance the public liability insurance cover which you will maintain for the duration of the access agreement.
59. Provide and maintain adequate means of entry to the access route.
60. Affix and maintain appropriate signboards and waymarking.
61. 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.
62. Agree with the Department in writing whether the riding of horses or cycles may be permitted on the access route.
63. 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.

