

Environmentally Sensitive Areas

SCHEME PRESCRIPTIONS

NORTH PEAK 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 (ARABLE AND LEY GRASSLAND)

1. Do not remove any walls, hedges, hedgerow banks or parts thereof.
2. Maintain all stockproof walls and hedges in a stockproof condition using traditional methods and materials.
3. The Department will make a supplementary payment if you agree in writing a programme for the renovation of drystone walls or non-stockproof hedges. This may involve the rebuilding of gaps to make non-stockproof walls stockproof or the dismantling and rebuilding of stockproof walling in poor condition. However, new agreement holders **must** undertake as a minimum a 5 year programme for the restoration of at least 2.5 metres of non-stockproof stone walls per hectare of enclosed land in total. Hedge restoration work may include gapping-up, coppicing and laying. Payment will be calculated on the basis of the length of wall or hedge restored in each year.
4. Maintain any traditional weatherproof farm buildings which you own or for which you are responsible in a weatherproof condition using traditional local styles and materials.
5. Do not damage, destroy or remove any features of archaeological or historical value or interest.
6. Retain any woodland, copses or groups of trees and scrub. 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 Project Officer consent before planting any woodland.
7. Retain ponds and wet areas and manage all fields, hedgerows and streamside trees so as to maintain good habitat conditions.
8. Do not install any new land drainage system or modify any existing land drainage system so as to bring about improved drainage. Normal maintenance is permitted subject to Project Officer approval.
9. Sheep dip must be disposed of safely and not spread where it may affect areas of nature conservation value.
10. 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 asulam may be applied by sprayer. Alternatively, by prior agreement glyphosate may be used in a weedwiper.
11. You must control injurious weeds to prevent severe infestations occurring and agree this in writing with the Project Officer. Wherever possible this should involve cutting or physical removal. Herbicides must be applied by spot treatment or weed wiper. Other weed control methods must be agreed in writing with the Project Officer.
12. Do not use fungicides or insecticides.
13. All pastures must be grazed with cattle or sheep or both. Do not graze any land so as to cause poaching, overgrazing or undergrazing.
14. Do not infill any depressions.
15. Do not exceed your existing levels of inorganic or organic fertiliser and in any case do not exceed 100 kg of total nitrogen per hectare per annum. Do not apply organic fertiliser within 50m of a spring, well or borehole used for domestic consumption or within 10m of any watercourse. If necessary you may import farmyard manure (FYM) subject to written Project Officer approval in advance but no slurry may be imported. No pig or poultry manure must be applied.
16. Do not exceed your existing levels of lime or any other substance to reduce soil acidity.
17. Do not cut or otherwise control rushes except in accordance with a written rotational management programme agreed in advance with the Project Officer to promote conservation interests.

18. Obtain written advice on siting, design 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.
19. Any scrub control must be carried out in accordance with a written programme agreed in advance with the Project Officer.
20. Do not increase your area of cultivated land (including ley grasses under 5 years old) beyond the area that it covered on 31 August 1992.
21. 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 1B(i) – SEMI-IMPROVED PERMANENT GRASSLAND

Observe prescriptions 1-21 (Tier 1A) plus additional prescriptions set out below:

22. Semi-improved grassland identified on your contract map must be managed as such for the length of your agreement. Do not excavate, plough level or reseed. You may not use a chain harrow or roller on the land between 1 April and 16 July inclusive.
23. Do not exceed your existing application rates of organic or inorganic fertiliser. Do not apply lime, slag or any other substance to reduce soil acidity.

TIER 1B(ii) – UNIMPROVED PERMANENT GRASSLAND

Observe prescriptions 1-21 (Tier 1A) and 22-23 (Tier 1B(i)) plus additional prescriptions set out below:

24. Unimproved permanent grassland shown on your contract map must be maintained as such for the length of your agreement.
25. Limit stock numbers between 1 April and 31 May to no more than 0.6 livestock units (LU) per hectare or to a level that you have agreed in advance with the Project Officer. This may include appropriate site specific levels of grazing where necessary to maintain the structure and environmental interest of the sward.
26. Do not excavate, plough, level or reseed, or otherwise cultivate. Do not use a chain harrow or roller on unimproved permanent grassland not previously rolled. In any case do not chain harrow or roll between 1 April and 16 July.
27. Do not apply any inorganic or organic fertilisers (except where land in this Tier attracts a Hay Meadow Supplement).

HAY MEADOW SUPPLEMENT

(available on land entered into Tier 1B(i) and Tier 1B(ii)).

28. Land managed as a hay meadow identified on your contract map must be managed as such for the length of your agreement.

29. Exclude stock from all meadows at least 7 weeks before cutting and by 27 May at the latest.
30. All meadows must be cut and the crop removed. They must not be cut before 16 July for hay or 1 August where it is proposed to make late silage. Grass cut for haylage must be wilted and turned at least once to disperse seeds before baling and removal from the field. The aftermath must be grazed but not so as to cause poaching.

Where the Hay Meadow Supplement applies to land entered into Tier 1B(ii), in addition to the preceding prescriptions you must observe the following:

31. Do not apply more than your existing application rate of FYM and in any case do not exceed 8 tonnes per hectare in any one year. Do not apply FYM between 1 April and 31 May.

TIER 1B (iii) – ENCLOSED ROUGH GRAZING

Observe prescriptions 22-23 (Tier 1B(i)) and 24-27 (Tier 1B(ii)) plus additional prescriptions set out below:

32. Enclosed rough grazing identified on your contract map must be managed as such for the length of your agreement.
33. Maintain enclosed rough grazing and do not excavate, plough, level, roll, reseed or otherwise cultivate.
34. Do not apply organic or inorganic agricultural fertiliser, FYM, lime or agricultural waste, including spent sheep dip.
35. Do not install any new land drainage system, ditches, grips or other work resulting in drainage improvements. Normal maintenance is permitted subject to Project Officer approval.

WET AREA SUPPLEMENT

(available on land entered into Tier 1B(i), (ii) or (iii))

36. The Department will make a supplementary payment if you agree in writing with the Project Officer appropriate measures to apply to areas in Tier 1B(i), (ii) or (iii) suitable for regeneration of wet conditions to improve the habitat for upland wading birds. Such areas must be identified on your agreement map and managed accordingly for the duration of your agreement. Appropriate work to enhance the habitat may also qualify for grant aid under the provisions of the Conservation Plan.

TIER 1C – MOORLAND

Observe prescriptions 1-21 (Tier 1A) plus additional prescriptions set out below:

37. Agree in writing with the Project Officer a stocking rate to reflect the particular conditions on your moor. This will not exceed a stocking level of 0.15 LU per hectare of grazeable vegetation on your open moorland. The area of grazeable vegetation will be determined by the Department at the start of the agreement but may be reviewed from time to time according to circumstances. If your existing stock density is below this level and your moor exhibits symptoms of undergrazing you may only increase the stocking level by prior agreement in writing from the Department.

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38. Between 1 November and 28 February do not graze any cattle or horses and you must remove 25% of your flock of overwintering ewes and replacement hogs from your moor.
39. 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 control. 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 moor.
40. The integrated moorland management plan must also include the extent to which shepherding practices are to be implemented to minimise localised suppression of the heather margins and regenerating moorland vegetation.
41. Do not excavate, plough, level, reseed or otherwise cultivate any of your moorland other than for heather regeneration purposes.
42. Do not apply organic or inorganic fertilisers, lime, or use any other substance to reduce soil acidity except as part of an approved vegetation restoration programme. You must agree in writing with the Project Officer any supplementary treatments which may be required on specific regeneration sites. Appropriate work may qualify for grant aid under the provisions of the Conservation Plan.
43. Do not fence across open moorland.
44. Do not cut or spray existing areas of rushes except as part of a rush management plan agreed in advance with the Project Officer.
45. During the first year of your agreement identify and agree in writing with the Project Officer an area or areas of degraded heather moorland equivalent to at least 2% of your moorland area. You may include areas already covered by a previous agreement for moorland regeneration. Approved areas in excess of the 2% minimum may be designated as Tier 2B. Exclude grazing livestock from such areas by erecting temporary fencing and agree in writing a controlled grazing programme with the Project Officer. This may include other measures to encourage regeneration. Supplementary treatment of degraded moorland may be grant aided under a Conservation Plan.
46. Agree in writing with the Project Officer when heather in the enclosure has been successfully regenerated and then remove and dispose of all temporary fencing. The area must subsequently be managed in accordance with all other Tier 1C/Tier 2A prescriptions relating to the surrounding moorland unit.
47. Erect stiles or gateways to permit any existing public rights of access to continue unhindered at agreed points.
48. Erect on agreed sites suitable notices explaining to the public the purpose of the ESA heather regeneration programme and the need for temporary fencing to be erected.

TIER 2 – MOORLAND ENHANCEMENT

Observe prescriptions 37-48 (Tier 1C) plus additional prescriptions set out below:

TIER 2A – EXTENSIFICATION

49. You must agree in writing with the Project Officer a stocking level on your open moorland which does not exceed 0.1LU per hectare of grazeable vegetation.
50. Between 1 October and 28 February do not graze any cattle or horses and you must remove 25% of your flock of overwintering ewes and of replacement hogs from your moorland.

TIER 2B – EXCLOSURE (Areas in excess of the minimum 2% requirement).

51. Exclude grazing livestock from such areas by erecting temporary fencing and agree in writing with the Project Officer a controlled grazing programme which may include other measures to encourage regeneration. Supplementary treatment of suppressed and eroded moorland may be included in your Conservation Plan.
52. Agree in writing with the Project Officer when heather in the enclosure has been successfully regenerated and then immediately remove and dispose of all temporary fencing. The area must subsequently be managed in accordance with all other Tier 1C/Tier 2A prescriptions depending on the surrounding moorland's tier allocation.
53. Erect stiles or gateways at agreed points to permit any existing public rights of access to continue unhindered.
54. Erect on agreed sites suitable notices explaining to the public the purpose of the ESA moorland regeneration programme and the need for temporary fencing to be erected.
55. Your Tier 2B payment will cease when the temporary fencing has been removed. It will subsequently attract Tier 1C/Tier 2A payment whichever applies to the adjacent moorland unit.

WOODLAND TIER

56. 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

57. Make the access route available for public access at no charge.
58. Maintain a free passage over the access route.
59. Do not erect new fences on or adjacent to the access route without the prior written approval of the Department.

60. Keep the access route and fields crossed by it free of litter and other refuse.
61. 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.
62. Agree with the Department in writing in advance the public liability insurance cover which you will maintain for the duration of the access agreement.
63. Provide and maintain adequate means of entry to the access route.
64. Affix and maintain appropriate signboards and waymarking.
65. 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.
66. Agree with the Department in writing whether the riding of horses or cycles may be permitted on the access route.
67. 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.