

SCHEDULE 1

ADDITIONAL STANDARDS OF GOOD AGRICULTURAL AND ENVIRONMENTAL CONDITION THAT APPLY IN RELATION TO LAND SET ASIDE FROM PRODUCTION

PART B

GENERAL STANDARDS APPLYING TO ALL LAND SET ASIDE FROM PRODUCTION

Application of conditions to all land set aside from production

9. The provisions of paragraphs 10 to 15 of this Schedule shall apply to all land set aside from production that is managed by a farmer in accordance with any of the provisions of paragraphs 1 to 8.

Prohibition on sowing and preparation for sowing a crop on, and the cultivation of, the land set aside from production

10.—(1) Subject to paragraphs 11 and 12, during the current set-aside period, a farmer shall not sow or carry out any preparation for sowing a crop on the land set aside from production or otherwise cultivate that land.

(2) Any reference to a date in paragraph 11 or 12 shall be to that date falling within the current set-aside period.

Exemptions from the prohibition on sowing and preparation for sowing a crop on the land set aside from production

11.—(1) A farmer may make preparations for sowing on or after 15th July.

(2) Subject to sub-paragraph (3), a farmer may sow any seed on or after 15th July where the seed sown is sown in order to produce a crop for harvesting in the following year.

(3) Where a farmer sows a grass ley on land set-aside from production pursuant to the exemption in sub-paragraph (2), he shall not graze any animals on that land during the remainder of the current year.

Exemption from prohibition on cultivation of land set aside from production for the purpose of weed control

12. A farmer may at any time on or after 1st July cultivate the land set aside from production for the purposes of controlling weeds.

Replacement of the green cover and changing management options

13.—(1) Subject to sub-paragraphs (2) and (3), in any period during which a farmer is required to maintain a green cover in a field or part of a field, he may nevertheless replace that green cover with another provided that the seed is sown as soon as is practicable after the destruction of the existing green cover.

(2) The seed to be sown to establish a replacement green cover shall –

(a) where the cover is to be replaced in part only of a field managed in accordance with the under 10 metre strips option, be seed of a relevant kind; and

(b) in other cases be –

(i) seed of a relevant kind; or

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(ii) a relevant mixture of seed.

(3) A farmer shall, in respect of the field or part of a field where the green cover has been replaced, comply with such of the conditions set out in Part A of this Schedule as relate to one of the following management options –

- (a) where the seed sown is seed of a relevant kind, the sown green cover option; or
- (b) where the seed sown is a relevant mixture of seed, the wild bird cover option.

(4) Where a farmer replaces a green cover in accordance with sub-paragraph (1), he shall not graze any animals on that land, or harvest any crops produced on that land, during the remainder of the current year.

Use of the green cover

14.—(1) A farmer shall ensure that, subject to sub-paragraph (2), no green cover or cuttings from any green cover are used for seed production or any other commercial or agricultural purpose in the current year.

(2) A farmer may –

- (a) subject to paragraphs 11(3) and 13(4), use any such green cover or cuttings for any agricultural purposes after 31st August; and
- (b) place on the market any cuttings, or crops, that are harvested from the green cover on or after 15th January in the following year.

(3) A farmer shall ensure that no cuttings from the green cover are removed from the set-aside land concerned except in accordance with sub-paragraph (2) or with the prior consent of the Department.

Application of fertiliser, waste, lime and gypsum to the land set aside from production

15.—(1) A farmer shall not apply any fertiliser, waste, lime or gypsum to the land set aside from production except in accordance with the following sub-paragraphs.

(2) A farmer may apply fertilisers to the land set aside from production if prior to such application he satisfies the Department that the land is situated in an area known to be used as a feeding area by geese in winter and is to be managed as such an area.

(3) Throughout the set-aside period a farmer may apply organic waste to the land set aside from production provided that it –

- (a) is applied only where there is an existing green cover on the set-aside land;
- (b) is applied in amounts which will not destroy that green cover; and
- (c) in the case of manure and slurry, is not applied –
 - (i) within 10 metres of any watercourse; or
 - (ii) within 50 metres of any borehole.

(4) A farmer shall not store, dump or otherwise dispose of any waste on the land set aside from production, save that he may store organic waste in a field which comprises or forms part of the set-aside land where that organic waste is to be applied by him to that field in accordance with sub-paragraph (3).

(5) A farmer may apply fertiliser during the current year to any agricultural parcel of land managed in accordance with paragraph 4 where a new green cover is being established in that year, provided that the total nitrogen content of that fertiliser is not more than 30 kilograms per hectare of the land to which it is applied.

(6) A farmer may apply lime or gypsum to the land set aside from production where that land is to be cropped in the following year.