



Agri-environment Scheme Explanatory Booklet

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Environmentally Sensitive Areas Scheme
Countryside Management Scheme



Department of
**Agriculture and
Rural Development**

www.dardni.gov.uk

AN ROINN
**Talmhaíochta agus
Forbartha Tuaithe**

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Environmentally Sensitive Areas Scheme

and

Countryside Management Scheme

Agri-environment schemes have been developed by the Department of Agriculture and Rural Development (DARD) to encourage farmers and landowners to adopt environmentally friendly management practices. The schemes are co-funded by the European Union. This booklet explains how the Environmentally Sensitive Areas Scheme and the Countryside Management Scheme work and provides guidance on the requirements of the schemes.

When you join an agri-environment scheme, the scheme requirements and management plans appropriate to your circumstances, described in this Explanatory Booklet, form part of your legal agreement with DARD.

The requirements of the Environmentally Sensitive Areas Scheme and the Countryside Management Scheme are very similar. Throughout this booklet the term 'scheme' refers to both of these agri-environment schemes.

Please retain this Explanatory Booklet for the duration of your agreement. Further information and advice can be obtained from the points of contact provided at the back of this booklet.

This booklet is available on-line at www.dardni.gov.uk.

If required, this publication can be made available in an alternative format. For further details please contact Tel: (028) 8675 7507

Introduction

Farming is the cornerstone of Northern Ireland's rural economy through its widely accepted roles in food production and the protection and enhancement of the countryside.

The Environmentally Sensitive Areas (ESA) Scheme was the first 'on farm' programme designed to promote the integration of production of wholesome food with responsible management of the countryside. Covering 20% of Northern Ireland, the ESA Scheme has proven highly successful – raising awareness, changing attitudes and perceptions, and delivering environmental benefits.

The Countryside Management Scheme was first introduced in 1999. This scheme encourages farmers to positively manage habitats, improve water quality, enhance the landscape and protect heritage by integrating good farming practice with care and protection of the environment.

Under recent CAP Reform (Council Regulation 1782/2003), farmers must protect the environment and attain standards of animal health and welfare and public health in order to receive direct agricultural support. These requirements are known as 'Cross-Compliance'.

Agri-environment schemes have been developed since the late 1980s. Current schemes require farmers to attain standards of environmental management that are over and above those required under Cross-Compliance.

Through agri-environment schemes, agriculture can make a significant contribution to biodiversity, and ensure the long-term sustainability of our unique and attractive countryside.

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Abbreviations

- ASSI** – Area of Special Scientific Interest
BACS – Bank Automated Clearing System
BAP – Biodiversity Action Plan
CAFRE – College of Agriculture, Food and Rural Enterprise
CMB – Countryside Management Branch
CMS – Countryside Management Scheme
CoGAP – Codes of Good Agricultural Practice for the Prevention of Pollution of Water, Air and Soil
DARD – Department of Agriculture and Rural Development
DOE – Department of the Environment
DRD – Department of Regional Development, Roads Service
EC – European Commission
EU – European Union
EHS – Environment and Heritage Service
ESA – Environmentally Sensitive Area
GFP – Good Farming Practice
ha - hectare
kg - kilogram
LFACA – Less Favoured Area Compensatory Allowance
LMC – Livestock and Meat Commission
LU – Livestock Unit
m – metre
mm - millimetre
MOSS – Management of Sensitive Sites
N - Nitrogen
NI – Northern Ireland
NIBG - Northern Ireland Biodiversity Group
OS – Ordnance Survey
SFP – Single Farm Payment
UK – United Kingdom

Definitions

'agriculture' includes horticulture, fruit growing, seed growing, dairy farming, livestock breeding or keeping, the use of land as grazing land, meadowland, osier land, reedbeds, market gardens and nursery ground.

'biodiversity' is the diversity of the natural world, ecological variety and richness.

'breach of agreement' is a failure to adhere to the conditions of the agreement and/or failure to carry out something on which grant is/was paid.

'fertilisation' is the application of chemical fertiliser, slurry, farmyard manure, sewage sludge, poultry litter, lime or any other organic fertiliser.

'field boundaries' include dry stone walls, ditches, earth banks, hedges and rows of trees.

'cultivation' includes reclamation, ploughing, reseeding, direct drilling, surface seeding or new drainage including activities associated with cultivation including rolling and chain harrowing.

'habitat' means the normal abode or locality of animals or plants.

'pesticides and herbicides' includes all herbicides, pesticides, insecticides (including spent sheep dip), fungicides, molluscicides and nematicides.

'noxious weeds' are as listed under the Noxious Weeds Order 1977 and include wild oat (*Avena fatua* L.); thistle (*Cirsium vulgare* (Savi) Ten.); *Cirsium arvense* (L.) Scop., dock (*Rumex obtusifolius* L.; *Rumex crispus* L.) and ragwort (*Senecio jacobaea* L.). Where rushes (*Juncus effusus*) cover more than one third of an unimproved field, rush shall be included in this definition.

'overgrazing' is grazing land with livestock in such numbers as to damage the growth, quality or species composition of the vegetation to a significant degree.

'poaching' is severe trampling by livestock or vehicle rutting and may include one of the following: no visible remains of grass/vegetation with bare soil; deep bare soil trenches caused by vehicle tracks; bare soil often mixed with frequent amounts of livestock manure; waterlogged soils with livestock 'wading in muck'.

'farmyard manure' means a mixture of bedding material and animal excreta in solid form arising from the housing of cattle, sheep and other livestock, excluding poultry manure, but including spent mushroom compost and the stackable solids fraction from mechanical separation of slurry excluding pig slurry.

'slurry' means (a) excreta produced by livestock whilst in a yard or building or (b) a mixture of such excreta with bedding, rainwater, seepage, washings or any other extraneous material from a building or yard used by livestock or in which livestock manure is stored or any combination of these, of a consistency that allows it to be pumped or discharged by gravity at any stage in the handling process and includes dirty water that is stored with slurry or mixed with slurry.

Section 1 General information

Section 1 provides general information on the Environmentally Sensitive Areas (ESA) Scheme and Countryside Management Scheme (CMS).

General information

Application criteria

Application procedure

Scheme requirements

Scheme agreement

Payments

Scheme alterations and changes

Scheme inspections

Contact with other statutory agencies

Environmental training

1. General information

What is an agri-environment scheme?

Agri-environment schemes are co-funded by the European Union as part of their Rural Development Programme. They are the main mechanism Government uses to encourage farmers and landowners to adopt environmentally friendly practices. Agri-environment schemes contribute to the delivery of the Northern Ireland Biodiversity Strategy.

This booklet provides details on the following agri-environment schemes:

- Environmentally Sensitive Areas (ESA) Scheme
- Countryside Management Scheme (CMS)

These schemes have very similar aims and structure, and will subsequently be referred to in this booklet as either 'agri-environment scheme' or 'scheme'.

What are the scheme aims?

The main aims of agri-environment schemes are to:

- enhance biodiversity by maintaining species diversity through the positive management of wildlife habitats;
- enhance landscape and heritage features by integrating their management into the everyday workings of the farm.

How do the schemes contribute to biodiversity?

At the Rio Summit in 1992 the United Kingdom (UK) was one of 178 countries to sign the Convention on Biological Diversity. Each signatory recognised that action was required to halt the global decline of animal and plant species. On the basis of the convention the UK government produced its own Biodiversity Action Plan in June 1994, with the aim:

'To conserve and enhance biological diversity within the UK and to contribute to the conservation of global biodiversity through all appropriate mechanisms'.

1

As a result, the Northern Ireland Biodiversity Group (NIBG) identified issues affecting biodiversity in Northern Ireland and proposed a number of specific recommendations. In response, the Environment and Heritage Service (EHS), Department of Environment (DOE) produced the Northern Ireland Biodiversity Strategy and a list of Priority Species and Habitats. A number of Biodiversity Action Plans (BAPs) have been produced to look specifically at the issues affecting our most vulnerable habitats and species. The schemes take account of the Priority Habitats and Species outlined in these plans. The scheme habitat management plans specify how farmers can best contribute to the conservation of important habitats and species in Northern Ireland, and so assist the delivery of associated BAP targets.

2. Application Criteria

What are the application criteria?

- All farmers or landowners must own, and/or have on a five-year written lease, a minimum of 3 hectares (ha) of agricultural land.
- A current DARD Business Reference Number.

What if I do not have a DARD Business Reference Number?

You should seek advice from your local DARD Office (Appendix 7).

What scheme should I apply for?

The ESA Scheme applies only to land inside one of the five designated ESA areas (see Figure 1) in Northern Ireland – Mourne and Slieve Croob, Antrim Coast, Glens and Rathlin, West Fermanagh and Erne Lakeland, Sperrins and Slieve Gullion. The CMS applies to land outside the ESAs.

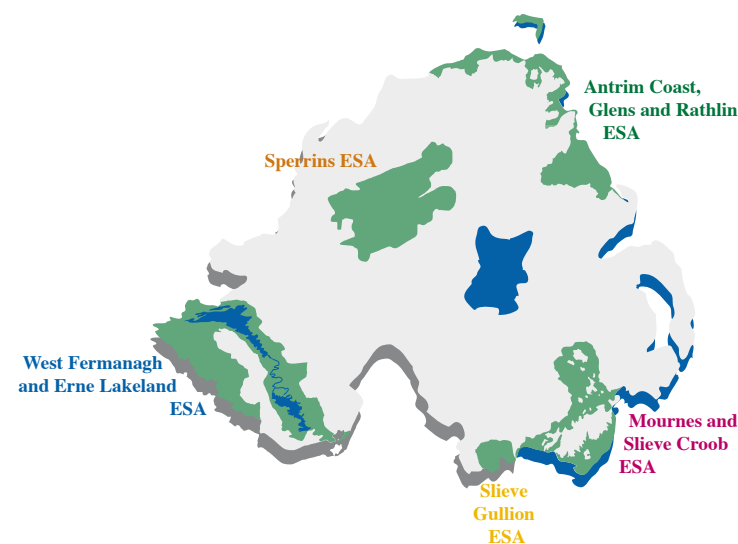


Figure 1:
Environmentally Sensitive Areas in Northern Ireland

1

Do I have to join an agri-environment scheme?

No, all agri-environment schemes are voluntary.

How much of my land do I have to enter?

The schemes adopt a whole farm approach, which means that all eligible land must be entered into the scheme. Participation is voluntary, offering an annual payment in return for integrating positive environmental management into farming practices. In addition to complying with the application criteria, participants must follow the management requirements for all farm and/or optional habitats.

Will participation in the scheme affect my Single Farm Payment (SFP)?

A landowner and farmer may participate in both an agri-environment scheme and the Single Farm Payment Scheme.

Certain areas of the farm may become ineligible for SFP if they are classified as follows under an agri-environment scheme:

- Woodland habitat;
- Orchards with a tree density greater than 50 trees per hectare.

In addition, the following areas on your farm are not eligible for payment under the SFP, although it may be possible to consolidate SFP entitlements already established on these options:

- Field corners planted with native trees;
- Orchards with a tree density greater than 50 trees per hectare.

Agri-environment scheme payments can only be made where the management requirements exceed the SFP set-aside management requirements. This means you will be unable to claim payments for some agri-environment measures in addition to set-aside payments on the same land area. You will therefore not be able to site the following options on land that is used to fulfil set-aside requirements:

- Ungrazed grass margins along watercourses;
- Ungrazed grass margins planted with native trees along watercourses;
- Retention of winter stubbles;
- Conservation cereals;
- Wild bird cover;
- Ungrazed grass margins/field corners;
- Ungrazed grass margins/field corners planted with native trees.

Queries relating to eligibility for the Single Farm Payment Scheme should be addressed to Grants and Subsidies Branch at your local DARD office (Appendix 7).

How long does an agreement last?

A scheme agreement normally lasts for 10 years starting from the commencement date outlined in the acceptance letter issued by DARD. However, either you or DARD may withdraw from the agreement in the year following completion of the first five years. The commencement date is usually the date on which DARD receives the signed agreement from the farmer. No work associated with the application should be undertaken until receipt of an acceptance letter, stating the start date of the agreement, from DARD.

Can I participate in more than one agri-environment scheme?

A landowner or farmer may only receive funding from either the ESA Scheme or CMS on any one individual portion of ground. However, a landowner can participate in more than one scheme if he owns and/or has on a long-term lease, land within an ESA and also owns and/or has on a long term lease land outside an ESA.

Can I enter only part of my farm into these schemes?

Agri-environment schemes are 'whole' farm schemes, and hence all land owned must be entered into the scheme. Land held under a leasing agreement may be entered into the scheme.

If I let all of my land in conacre can I apply?

The landowner is deemed to have responsibility for the management of the land and is eligible to apply. In this instance the landowner should inform the person renting the land that they are entering into an agri-environment scheme and make them aware of the scheme obligations and management requirements.

Can I enter common or shared grazing land?

Common land can be entered into the schemes provided all the common graziers (those having shares in the common) are in agreement and sign a scheme agreement at the same time.

Is conacre eligible?

As agreements are for a minimum of five years, land taken in conacre cannot be entered into an agri-environment scheme.

Can leased land be entered into a Scheme?

Leased land may be entered into a scheme. In order to do this, you must notify the owner of the land of your intention to apply for a scheme and provide a written tenancy agreement (or lease) from the landowner. This tenancy agreement/lease must permit you to manage the land under the terms of the scheme for at least five years. It is the applicant's responsibility to seek legal advice as required regarding lease agreements. Basic information on the requirements of a tenancy agreement/lease is given in Appendix 1.

3. Application procedure

When can I make an application?

Farmers/landowners within an ESA can make an application at any time by completing a simple application form. Forms can be obtained at local DARD Offices (Appendix 7). Details of the CMS application period can be obtained from Countryside Management Branch staff. Addresses and telephone numbers are provided in Appendix 8.

What happens if my farm map is not up to date?

It is important that your farm map is up to date, as errors can lead to delays in processing your application. Check your farm map and note if there have been any changes since the last map update.

If you have undertaken any activity that has altered the land area of your farm, you should inform your local DARD Office and obtain a revised farm map. This also applies to land that you intend to, or are taking on a long-term lease. You must ensure the accuracy of these maps with the landowner.

What happens after I apply for the scheme?

Upon receipt of a completed application form, DARD will issue an acknowledgement letter. A member of Countryside Management Branch will then contact you to arrange a suitable date and time to carry out the farm audit. You must be present while the audit is being carried out. A farm audit will usually take a minimum of two hours, but may take longer depending on the size of the farm.

What happens during a farm audit visit?

During the audit:

- The scheme rules will be fully explained.
- A Farm Waste Management advisory and assessment visit will be carried out.
- All fields on the farm will be classified according to the habitat type, and any archaeological features present will be noted.
- Participation in suitable optional habitats will be agreed.
- The length of protective fencing (if required) to meet the conditions of the scheme will be agreed.
- Other capital enhancement items will be agreed.

After the audit has been completed, and provided your farm is eligible, you will receive a folder containing details of the scheme for your farm. This will include a management agreement for you to sign and return to DARD (and a copy to keep). The scheme is voluntary and you may still choose to cancel your application at this stage by not signing the agreement.

What happens during the Farm Waste Management assessment?

All scheme applicants will be subject to a compulsory farm waste management advisory visit as part of the farm audit process. During the audit the member of Countryside Management Branch and the applicant will complete a Farm Waste Management checklist. A completed copy of this checklist and an advisory letter will be issued to the applicant shortly after the visit. These will highlight the river catchment in which the farm is located, outline any remedial works or changes in management practice that are necessary on the farm to comply with scheme requirements and general farm waste management advice. All remedial works or changes in management practice must be carried out as soon as possible. Details on farm waste management are given in Section 2.

4. Scheme requirements**What are the scheme requirements?**

- Follow the General Environmental Requirements (Section 2).
- Follow Good Farming Practice (Section 2).
- Attend locally based, agri-environment scheme workshops (Section 1).

Manage all field boundaries on the farm.

Produce and implement a Farm Waste Management Plan (Section 2).

Follow the management requirements for all farm habitats and features (Section 3).

Follow the management requirements for all optional habitats (Section 4).

If there are no farm habitats (for example, species-rich grassland, breeding wader sites, wetlands, moorland, farm scrub, woodland or parkland), you must undertake at least one optional habitat to ensure the scheme will benefit the environment.

Figure 2 provides an overview of the structure of the schemes.

How are payments calculated?

Payment rates for the ESA Scheme and the CMS are identical. Annual management payments, based on £/hectare (ha), compensate for the loss of income and costs incurred associated with adhering to the management requirements of the scheme.

The minimum area for most habitats is 0.1 ha. Exceptions are wild bird cover, which has a minimum area of 0.2 ha; ungrazed grass margins and ungrazed grass margins planted with trees which have a minimum area of 0.01 ha and restoration of traditional orchards, which also has a minimum area of 0.01 ha.

Are there additional payments to regenerate habitats?

It may be necessary to undertake regeneration or control works, such as heather regeneration and bracken control, to improve the environmental quality of the habitats under scheme agreement. Additional payment can be made for this work.

Capital enhancement works

In addition to the annual management payment, funding is available for capital enhancement works to meet the management requirements of the scheme and to enhance the farm landscape. Capital enhancement items are listed in Figure 3. The eligibility for, and availability of these items may vary, and participants should consult local Countryside Management staff for further details. Payment for enhancement works can be claimed as soon as the work is completed.

Figure 2: Scheme summary

Whole farm requirements

All of these requirements are compulsory

- General scheme requirements
- Good Farming Practice
- Field boundary management
- Farm waste management

Positive management of farm habitats

If the habitats listed below are present on the farm they must be managed according to the management plan requirements. – Improved land

- Unimproved land
- Species-rich grassland
- Breeding wader sites
- Moorland
- Farm scrub and woodland
- Parkland
- Archaeological features

If only improved and/or unimproved land is present on the farm, one of the optional habitats (listed below) **must** be chosen.

Optional habitats

You can choose one or more of these optional habitats.

- Field boundary restoration (includes protective fencing)
- Grass margins planted with native trees (maximum area 0.2ha)
- Ungrazed grass margins
- Arable options
- Lapwing sites and fallow plots
- Winter sites for swans and geese
- Traditional orchard restoration

Specific conservation measures

These measures are optional.

- Heather regeneration by burning or flailing
- Bracken control by tractor or knapsack spraying

Figure 3: Capital enhancement works

Enhancement Item**Field Boundary Restoration**

- Dry stone wall - double skinned
- Dry stone wall - single-skinned
- Hedge laying
- Hedge coppicing
- Hedge interplanting / reinstatement
- Sod bank reinstatement

Tree planting / management

- Tree/shrub planting
- Tree guard and stake
- Spiral rabbit guard
- Planting standard parkland trees
- Planting traditional fruit trees
- Tree surgery
- Tree pollarding
- Restorative pruning for traditional orchards

Items to enhance wildlife value

- Nest boxes for small birds
- Nest boxes for large birds
- Nest boxes for bats
- Red squirrel feeders

Provision of alternative watering sites

- Installation of water trough
- Installation of up to 150m pipeline
- Installation of over 150m pipeline

Structures / work to raise water levels

- Structures/work to raise water levels

Creation of scrapes

- Creation of scrapes

Restoration of traditional and heritage features

- Traditional farm buildings
- Features of historic interest
- Traditional gates- wooden
- Traditional gates- metal
- Traditional gates- composite
- Rebuilding pillar
- Re-pointing pillar cap
- Rebuilding or re-plastering pillar cap
- Wooden post
- Stone post

Erection of protective fencing

- 3 line wire
- Additional line wire
- Woven (sheep) wire + 2 lines
- Woven (sheep) wire + 3 lines
- Proofing against rabbits and hares
- Parkland tree guard (1.8m square)
- Parkland tree guard (3.6m triangular)
- Parkland tree guard (3.6m square)

Plastic recycling bin

- Plastic recycling bin

5. Scheme agreement

What is a scheme agreement?

After the farm audit is completed, you will receive details of the scheme for your farm. These will include:

- This agri-environment scheme booklet, containing background information and those management plans applicable to you;
- Your farm map(s) showing all farm habitats, optional habitats, management requirements, details of field boundary restoration and details of capital enhancement works;
- Good Farming Practice requirements;
- Duplicate copies of the scheme agreement.

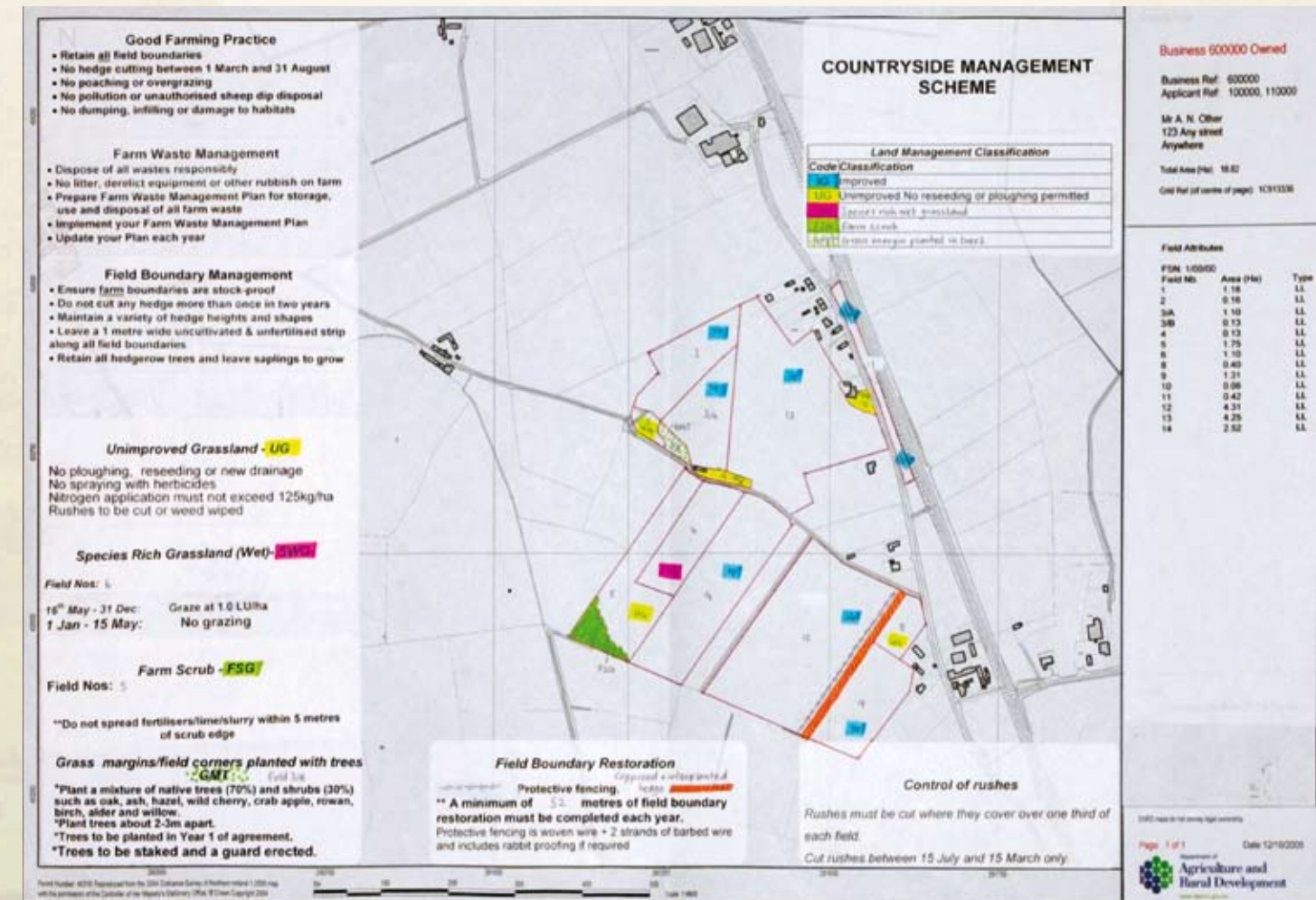
You should read all documentation carefully and sign both copies of the scheme agreement if you wish to enter into the scheme. One copy should be returned to DARD. The date on which the signed agreement is received by DARD is usually the date on which your scheme commences. This is known as your 'anniversary date'.

What information is included on the farm map?

An example of a scheme farm map is given in Figure 4. The map provides details on the location of all farm habitats and any optional habitats undertaken. All fields are given a coloured classification code, representing improved grassland/arable land or a habitat. The 'Land Management Classification' table on the map tells you what each code represents.

In addition, details of all field boundary restoration works are shown, including the location of the restoration, the restoration type (hedge, stone wall, sod bank), what fencing is required and the minimum length to be carried out each year. Details of any capital enhancement work to be carried out will also be given on the farm map.

Figure 4: An example of a scheme farm map



When do I have to put in place management/creation of habitats?

All habitat management and creation must be put in place as soon as possible after signing the scheme agreement. For example, if fencing is required to enable you to adhere to a farm habitat management prescription, it should be completed as soon as possible.

6. Payments

What do I need to do to qualify for scheme payment?

All works must be completed as specified in the scheme agreement, including the management requirements for all farm and optional habitats. Payment for field boundary restoration is included in the annual management and it is important that the specified type and length of restoration is completed each year. DARD must be notified as soon as possible of any works which have not been completed.

What will be my annual payment?

Annual payments vary according to farm size, the habitats and archaeological features that are present on the farm and the area/length of optional habitats agreed. The annual payment, and how it is calculated will be clearly stated on the agreement.

How are payments made?

The date on which the signed agreement is received by DARD is usually called the 'anniversary date'. Payment is usually made on or about the anniversary date of your agreement.

When will I get paid?

Payment, subject to scheme conditions, will normally be issued within 12 weeks from confirmation of claim.

Can I have my monies paid directly into my bank account using Bank Automated Clearing System (BACS)?

Yes. Information on how to use BACS is available from:

BACS Section,
Room 9, Orchard House,
40 Foyle Street,
Derry/ Londonderry
BT48 6AT
Tel: (028) 7131 9895

7. Scheme alterations and changes

Can I change the terms and conditions of the scheme agreement?

Normally you cannot change the terms and conditions of the agreement you have entered with DARD. The options you have chosen and the management requirements within those options must be carried out for the duration of the scheme. However, if you acquire land, your agreement will be revised to add in the new area. If you wish to make changes to the optional habitats chosen, it may be possible to revise your agreement.

If you withdraw from your agreement, or if the DARD terminates it, DARD may reclaim some or all of the payments already issued. 'Force majeure' may apply in exceptional circumstances.

What happens if I acquire additional land?

You must notify DARD in writing as soon as you acquire the land. The new area of land will be added to your original agreement after your next anniversary date and will be subject to the conditions of the scheme.

Can I sell, let or lease all, or part of, the land entered into the scheme?

If you sell or lease land under agreement you should notify DARD in writing. If you sell land and the new owner continues with the agreement, DARD will not seek to recover any monies already paid. If, however, the new owner does not accept the obligations of the agreement within three months of the sale or transfer of the land, DARD may reclaim some or all of the payments already issued.

Should you lease or let your farm, it is your responsibility to ensure that the tenant adheres to the requirements of the scheme.

Will changes to European Community (EC) legislation affect the scheme agreement?

Changes to EC legislation may affect the requirements of the agreement. DARD will inform you of any changes in advance.

8. Scheme inspections

What happens if, after joining the scheme, I fail to comply with the scheme rules?

A proportion of agreements will be inspected prior to payment. If you do not comply with your scheme requirements, or if you make any false or misleading statements, DARD may invoke a financial penalty or terminate your agreement depending on the type and severity of the breach of agreement. In the event of a dispute as to whether a breach of agreement has occurred, you may have your case referred to arbitration. However it is recognised that certain problems, such as extreme weather, may prevent you from fully complying with the requirements of your agreement. If this occurs you should contact your local Countryside Management Branch staff.

9. Contact with other statutory agencies

What if I have an Area of Special Scientific Interest (ASSI), scheduled historic monument or other designated area on my farm?

The designation of an area of land as an ASSI, other designated site or scheduled monument does not affect your eligibility to join a scheme. However, if you have land under agreement within the Management of Sensitive Sites (MOSS) Scheme or other types of management agreement, the specific land area within the farm will not be eligible for payment. This does not affect the eligibility of the remainder of the farm.

Written consent must be obtained from Environment and Heritage Service (EHS), Department of Environment (DOE) before any works are carried out within an ASSI or along an ASSI boundary. It is the responsibility of the agreement holder to obtain this consent.

The EHS contact telephone number for further information is (028) 9054 6595.

What happens if I need to fence along a roadside?

Approval will not be given for fencing on the outer (road) side of restored field boundaries that run alongside public roads. Fencing will only be approved on the field side of such hedges. Approval should be sought from the Department of Regional Development (DRD), Roads Service before new fences are erected

along the outer (road) side of public roads. Roads Service can be contacted on telephone number (028) 9054 0540.

Replacement fences on the field side of restored field boundaries must follow the line of existing fences and the restored field boundary must follow the line of the original boundary.

10. Environmental training

Environmental training workshops are delivered by the College of Agriculture, Food and Rural Enterprise (CAFRE). Workshops are available to all farmers and are delivered locally at various locations and farms throughout Northern Ireland. Each workshop consists of one or more sessions lasting approximately two hours and all are designed to give farmers practical help and guidance.

Environmental training and agri-environment schemes

Farmers who join an agri-environment scheme are expected to attend the following three workshops:

- Cross-Compliance and Good Farming Practice;
- Field Boundary Management;
- Dealing with Farm Wastes.

Other environmental training

Other workshops in the programme are:

- Environmental Legislation;
- Nutrient Management Planning;
- Water Quality;
- Habitats;
- Heritage Features.

For further information on environmental training please telephone (028) 9442 6874 or E-mail enquiries@dardni.gov.uk