

Statutory Instruments 1999 No. 1176

The Land in Care Scheme (Tir Gofal) (Wales) Regulations 1999 - continued

[Back to previous page](#)

SCHEDULE 3

Regulations 2(1), 3(5)(a) and 9(1)(b)

Optional Management Activities

Column 1	Column 2
Activity	Maximum payment rate
1. In relation to arable land-	£120 per hectare per agreement year
(a) establishment of unsprayed cereal, rape and linseed crops:	
(i) on existing arable land	
(ii) on arable land converted from improved grassland	£390 per hectare per agreement year
(b) management of winter stubbles-	£80 per hectare per agreement year
(i) after a conventional crop	
(ii) after an unsprayed cereal crop	£120 per hectare per agreement year
(c) establishment of spring cereals undersown with grasses and legumes	£90 per hectare per agreement year
(d) establishment of unsprayed root crops followed by winter grazing	£235 per hectare per agreement year
(e) establishment of rough grass margins	£350 per hectare per agreement year
(f) establishment of uncropped fallow margins	£450 per hectare per agreement year subject to no payment being made for more than 3 hectares in any agreement year
(g) establishment of a wildlife cover crop	£350 per hectare per agreement year subject to no payment being made for more than 3 hectares in any agreement year

(h) conversion of arable land to grassland: (i) conversion to improved grassland where there is light grazing	£95 per hectare per agreement year
(ii) conversion to semi-improved haymeadow	£165 per hectare per agreement year
(iii) conversion to semi-improved grazed pasture	£210 per hectare per agreement year
(iv) conversion to improved grazing on coastal grazing marsh and floodplain grassland	£220 per hectare per agreement year
2. In relation to grassland restoration for the purpose of enhancing habitats and features- (a) conversion of improved grassland to semi-improved haymeadows- (i) parkland	£95 per hectare per agreement year
(ii) other improved grassland	£160 per hectare per agreement year
(b) conversion of the following types of improved grassland to semi-improved grazed pasture- (i) parkland	£95 per hectare per agreement year
(ii) coastal grazing marsh and floodplain grassland managed for breeding birds	£100 per hectare per agreement year
(iii) coastal grazing marsh and floodplain grassland managed for breeding birds and wildfowl	£125 per hectare per agreement year
(iv) other improved grassland	£160 per hectare per agreement year
(c) conversion of semi-improved enclosed grassland to unimproved grassland-	£80 per hectare per agreement year

(i) grazed semi-improved neutral grassland converted to grazed unimproved neutral grassland	
(ii) grazed semi-improved acid and limestone grassland converted to grazed unimproved acid and limestone grassland	£95 per hectare per agreement year
(iii) semi-improved haymeadow converted to unimproved haymeadow on neutral grassland	£110 per hectare per agreement year
(iv) semi-improved haymeadow converted to unimproved haymeadow on acid and limestone grassland	£130 per hectare per agreement year
3. In relation to the establishment of new habitats- (a) establishment of new broad-leaved woodland and scrub on sites of less than 0.25 hectares	£1,600 per hectare (single payment)
(b) the management of naturally regenerating broad-leaved woodland or newly planted broad-leaved woodland	£140 per hectare per agreement year
(c) establishment of stream-side corridors	£310 per hectare per agreement year
(d) establishment of new reed beds other than on saltmarshes	£310 per hectare per agreement year
(e) establishment of heathland vegetation on acid grassland	£110 per hectare per agreement year
(f) establishment of heathland vegetation on maritime cliffs and slopes	£70 per hectare per agreement year
(g) establishment of heathland on improved land	£290 per hectare per agreement year
(h) establishment of new saltmarshes	£230 per hectare per agreement year
(i) establishment of new reedbeds on saltmarshes	£200 per hectare per agreement year

(j) establishment of new sand dunes	£235 per hectare per agreement year
4. Managing buffer zones on improved land adjacent to ponds, lakes, streams and field boundary ditches	£180 per hectare per agreement year
5. Management of improved grassland-	£160 per hectare per agreement year
(a) for breeding lapwings	
(b) for over-wintering wildfowl	£40 per hectare per agreement year
6. Increasing water levels-	£130 per hectare per agreement year
(a) on improved grassland which is being converted to semi-improved grassland	
(b) on marshy grassland	£55 per hectare per agreement year
(c) on improved land and coastal grazing marsh and floodplain grassland-	£80 per hectare per agreement year
managed for breeding birds	
managed for wildfowl	£50 per hectare per agreement year
(d) on historic and archaeological sites	£130 per hectare per agreement year
7. In relation to public access-	£150 per agreement year plus £0.15 per metre per agreement year
(a) creation and maintenance of new footpaths for public access	
(b) creation and maintenance of new bridleways and cycle paths	£150 per agreement year plus £0.30 per metre per agreement year
(c) creation and maintenance of paths suitable for use by disabled people for public access	£150 per agreement year plus £0.30 per metre per agreement year
(d) permitting access to agreement land for	£500 per agreement year

educational visits	
(e) permitting other public access to areas of enclosed agreement land	£150 per agreement year plus £35 per hectare per agreement year

SCHEDULE 4

Regulations 2(1), 3(5)(b) and 9(1)(b)

Capital Activities

<i>Column 1</i>	<i>Column 2</i>
<i>Activity</i>	<i>Maximum payment rate</i>
1. In relation to the establishment of restoration of field boundaries-	£2 per metre
(a) establishment or restoration of hedgerows	
(b) restoration of dry stone walls	£18 per square metre
(c) restoration of stone-faced earth banks	£11 per square metre
(d) restoration of earth banks which are not stone-faced	£3 per metre
(e) erection or restoration of slate fences-	£18 per metre
(i) erection of a new slate fence	
(ii) resetting existing slates and rewiring	£10 per metre

(f) additional work involved in importing stone from outside the farm boundary in order to repair stone walls	£7.50 per square metre
(g) erection of post and wire fencing which is made of-	£1.25 per metre
(i) softwood	
(ii) hardwood	£1.50 per metre
(h) installation of stock netting	£0.50 per metre
(i) installation of top wiring for stone walls	£0.60 per metre
(j) installation of electric fencing	£1.00 per metre
(k) installation of rabbit fencing which is made of-	£2.40 per metre
(i) softwood	
(ii) hardwood	£2.60 per metre
(l) erection of post and rail fencing which is made of-	£9 per metre
(i) softwood	
(ii) hardwood	£11 per metre
(m) installation of a gate which is made of-	£110 per gate

(i) softwood	
(ii) hardwood	£160 per gate
	Provided that no payment shall be made for work in relation to the establishment or restoration of field boundaries under this paragraph insofar as it relates to such work which exceeds 10 metres per hectare per agreement year per farm business and also that the total payments made in relation to work under subparagraphs (a) to (g) above shall not exceed £3,500 per farm business per agreement year.
2. In relation to ditch casting	£2 per metre
3. in relation to heather management-	£105 per hectare
(a) burning	
(b) restoration by seed and mulch	£210 per hectare
4. In relation to tree planting and tree management-	£25 per tree
(a) pollarding of trees	
(b) pruning and restoration of fruit trees	£10 per tree
(c) supplying and planting of trees (other than orchard trees) and shrubs	£0.50 per tree or shrub
(d) installation of tree shelters which are at least 1.8 metres high	£1 per shelter
(e) installation of tree shelters which are more than 0.6 metres	£0.50 per shelter

high but less than 1.8 metres high	
(f) planting of orchard trees together with guards and stakes	£12 per tree
(g) installation of stock guards for parkland trees	£25 per guard
5. In relation to bracken (a) removal or reduction of bracken by mechanical means	£50 per hectare
(b) removal or reduction of bracken by chemical means	£120 per hectare
(c) removal or reduction of bracken by ground spraying	£55 per hectare
6. In relation to invasive plant species- (a) removal or reduction of rhododendrons outside woodland areas	£1500 per hectare
(b) removal or reduction of other invasive plant species	£750 per hectare
7. In relation to scrub- (a) removal or reduction of	£150 per hectare

scrub by mechanical means	
(b) removal or reduction of scrub by hand	£500 per hectare
8. In relation to- (a) planting marram grass or reeds	£100 per hectare
(b) turf stripping for the creation of new habitats	£300 per hectare
(c) provision of species-rich seeds mixture	£150 per hectare
(d) treatment of eroded historic landscape sites	£7 per square metre
(e) construction of hard surfacing for re-aligning tracks	£5 per square metre
9. In relation to water levels and features- (a) creation of a pond	£3 per square metre of surface area up to and including 100 square metres of surface area, and £0.50 per square metre of surface area thereafter
(b) restoration of an existing pond	£2.25 per square metre
(c) installation of a soil bund or sluice	£35 per bund or sluice
(d) installation of a timber bund or sluice	£140 per bund or sluice

(e) installation of a culvert	£100 per culvert
(f) construction of hard surfacing to alleviate sedimentation of water features	£5 per square metres
(g) construction of hard surfacing for feeding pads to alleviate sedimentation	£100 per feeding pad
(h) installation of a grazing marsh bridge	£100 per bridge
(i) installation of a water gate	£25 per gate
10. In relation to the supply of water-	
(a) installation of pipelines to supply water	£0.40 per metre
(b) installation of a water trough	£100 per trough
11. In relation to agreement land to which public access is available-	£100 per gate
(a) installation of a bridle gate which is made of (i) softwood	
(ii) hardwood	£150 per gate
(b) installation of a kissing gate which is made of-	£110 per gate

(i) softwood	
(ii) hardwood	£160 per gate
(c) installation of a gate suitable for use by disabled people	£250 per gate
(d) installation of a stone step stile or a through stile	£30 per stile
(e) installation of a wooden stile	£34 per stile
(f) installation of a ladder stile	£55 per stile
(g) construction of a hard surfaced footpath which is 1 metre wide	£5.50 per metre
(h) construction of a hard surfaced path 1.2 metres wide for use by disabled people	£9 per metre
(i) construction of a hard surfaced bridleway 3 metres wide	£5.50 per metre
(j) construction of a footbridge	£175 per footbridge
(k) installation of a bench seat which is made of- (i) softwood	£30 per seat
(ii) hardwood	£40 per seat

(l) installation of a post for signs, waymarks and boards which is made of- (i) softwood	£7 per post
(ii) hardwood	£10 per post
(m) construction of hard standing for car parks	£5 per square metre
12. In relation to wildlife- (a) installation of a barn owl nest box	£20 per nest box
(b) installation of a nest box other than a barn owl nest box	£5 per nest box
(c) installation of a spiral rabbit guard	£0.30 per guard
(d) installation of a badger gate	£20 per gate
(e) installation of an otter holt	£80 per holt
13. In relation to restoring traditional farm buildings	50% of costs up to a maximum of £10,000 per farm business

SCHEDULE 5

Regulation 2(3)

Interpretation of Schedules

1. In Schedules 1 to 4-

"acid grassland" means a species poor type of grassland growing on an acidic soil, widespread in upland areas;

"arable land" means land used for the growing of cereals, root crops and brassicas;

"blanket bog" means an area with a type of species poor upland vegetation overlying a mantle of peat which completely smothers the underlying terrain, and where the water supply is derived entirely from rainfall;

"buffer zone" means a narrow strip of land located between a valued habitat and more intensively managed farmland, and which received no fertiliser, lime or pesticides;

"coastal grazing marsh" means a flat coastal area located behind sea defences or sand dunes, and comprising grassland which is sub-divided and drained by ditches holding standing water throughout the year;

"conventional crop" means a crop that has not been grown in accordance in the terms of a Tir Gofal agreement;

"ditch casting" means the practice of dredging out water filled ditches on a regular basis to promote the free flow of water and maintain a habitat for wildlife;

"enclosed" in relation to land means distinct parcels of land which are surrounded and separated by traditional field boundaries or fencing;

"felling licence" means a licence to fell trees granted by the Forestry Commissioners under section 9 of the Forestry Act 1967[11];

"floodplain grassland" means a flat area of land located adjacent to a river and comprising grassland which is sub-divided and drained by a network of ditches holding standing water throughout the year;

"grassland" means land on which the vegetation consists primarily of grass species;

"grazing land" means land used for the keeping of cattle, horses or sheep;

"grazed pasture" means grassland used for the grazing of cattle, horses or sheep;

"haymeadow" means grassland from which livestock is excluded for a sufficient period during the summer months for a crop of grass to be grown and from which grass is cut and baled in a traditional manner;

"heathland" means land on which there is a plant community with at least 25% cover of heathers, bilberry and western gorse, occurring in either lowland or upland areas;

"heathland vegetation" means a mixture of heathers, bilberry, western gorse, grasses, and herbs in which the dwarf shrubs cover at least 25% of the surface;

"high mountain heath" means land with a type of vegetation occurring on high altitude mountain ridges and summits, composed of heavily wind-pruned heather, bilberry or grasses, together with characteristic large lichens and mosses;

"improved" in relation to grassland means grassland which has been drained, fertilised, reseeded, or otherwise managed to improve its productive capacity, and which is characterised by a predominance of agricultural grasses;

"improved land" means improved grassland or arable land which has been modified by a combination of draining, ploughing, re-seeding, fertilising, liming or heavy grazing to improve its productive capacity;

"invasive plant species" means plants which have been introduced either intentionally or unintentionally to Wales by man and which have a tendency to spread rapidly unless controlled;

"limestone grassland" means a species rich type of grassland growing on lime rich soil, occurring both in upland and lowland areas;

"lowland heath" means a type of vegetation situated below the upper limit of agricultural enclosure and with a least a 25% cover of heathers and western gorse;

"marshy grassland" means damp grassland on peaty or mineral soils, composed predominantly of rushes, sedges, and characteristic wetland herbs and grasses;

"moorland" means land with an upland plant community composed of either heather or grasses or a mixture of both;

"neutral grassland" means a type of species rich grassland growing on a soil intermediate in character between acidic and lime rich, usually occurring within isolated fields or small groups of fields;

"non-native species" in relation to plants or animals means plants or animals other than farm livestock or crops which have been introduced either intentionally or unintentionally into Wales by man;

"off farm wastes" means waste products from agricultural or industrial enterprises which are located outside the agreement land;

"parkland" means an area of scattered mature or ancient trees overlying pasture or arable land, often of particular landscape or historic significance;

"raised bog" means an area with a type of species poor wetland vegetation overlying a dome of peat developed within a lowland drainage basin, and where the water supply is derived entirely from rainfall;

"reedbed" means an area with a type of tall wetland vegetation characterised by a predominance of common reed;

"rough grass margins" means infrequently mown grass strips lying adjacent to cereal or root crops;

"saltmarsh" means an area of salt tolerant coastal vegetation which is regularly inundated by the tides;

"sand dune" means an area of coastal grassland or heathland overlying sand or sandy soil;

"scrub" means land dominated by shrubs which are usually less than 5 metres high, most commonly a combination of blackthorn, hawthorn and gorse;

"semi-improved grassland" means grassland with a relatively species poor type of vegetation composed of a mixture of agricultural and non-agricultural species, derived from unimproved acid, limestone or neutral grassland following regular applications of fertiliser, lime and heavy grazing;

"semi-natural broadleaved woodland" means land which has at least 30% cover of

native trees which have generally not been planted and are at least 5 metres high;

"short turf" means an area of grassland maintained at a height of less than 15 centimetres by the action of grazing animals;

"slate fence" means a fence comprising pieces of slate hammered vertically into the ground in a line and attached to each other using a single strand of wire;

"species-rich fens" means areas with a type of wetland vegetation occurring on deep peat, and where the water supply is predominantly via ground water;

"spoil" means waste material thrown or brought up in excavating or dredging activities;

"stream-side corridors" means narrow strips of land adjacent to watercourses or other water bodies, fenced to exclude stock and allow for the regeneration of native vegetation;

"swamp" means an area with a type of tall wetland vegetation characterised by a mixture of plants including grasses, rushes, common reed and characteristic herbs;

"traditional field boundaries" means structures such as hedges, stone walls, earth banks and slate fences customarily used to create separate fields within a farm;

"uncropped fallow margins" means strips of annually cultivated land, no longer sown to cereals or roots, but located next to arable crops;

"unenclosed" in relation to land means extensive tracts of land that are open in character and where the only field boundaries are those along the perimeter;

"unimproved" in relation to grassland means grassland with a type of vegetation which has not been modified by agricultural activity, with the exception of light grazing and moderate applications of farmyard manure;

"upland heath" means land with a type of vegetation situated above the upper limit of agricultural enclosure with at least a 25% cover of heathers, bilberry and western gorse;

"water features" means areas of open water including ponds, lakes, streams and ditches;

"wetland" means an area of peaty or mineral soil with a permanently high water table, and which may be subject to frequent flooding in winter;

"wildlife cover crop" means a mixture of cereals, brassicas and other seed sources, sown to benefit a range of insects, birds and mammals living on arable land;

"winter stubbles" means the remains of a cereal or linseed crop following harvest, and which are retained through the winter period into early spring;

"Woodland Grant Scheme agreement" means an agreement which the Forestry Commissioners enter into to make grants pursuant to section 1 of the Forestry Act 1979[12] for and in connection with the use and management of land for forestry purposes;

2. In Schedules 1 to 4-

(a) any reference to a given unit of measurement includes (where appropriate to the

circumstances) a reference to a fraction of that unit; and

(b) where (in accordance with sub-paragraph (a) above) a reference to a given unit of measurement is a reference to a fraction thereof, any reference to a payment rate in relation to the given unit of measurement shall be adjusted in proportion to the fraction concerned.

SCHEDULE 6

Regulation 14

List of Statutory Instruments

The Habitat (Broadleaved Woodland) (Wales) Regulations 1994[13]

The Habitat (Water Fringe) (Wales) Regulations 1994[14]

The Habitat (Coastal Belt) (Wales) Regulations 1994[15]

The Habitat (Species-Rich Grassland) (Wales) Regulations 1994[16]

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Wales, contain the provisions of a new agri-environment scheme implementing in part a zonal programme approved by the European Commission under Article 7 of Council Regulation (EEC) No. 2078/92 (OJ No. L215, 30.7.92, p. 85) on agricultural production methods compatible with the requirements for the protection of the environment and the maintenance of the countryside. The new agri-environment scheme, which replaces existing agri-environment schemes applying to Wales, is entitled the Land in Care Scheme or Tir Gofal (which Welsh term means land which is in the care of any person who has an interest in it).

The Regulations provide for payments of aid to be made at any time during or after the agreement year (regulation 6(1) and (2)) (payment of aid), to any person who enters a Tir Gofal agreement (as defined in regulation 2(1)) with the Countryside Council for Wales requiring him to follow the general environmental conditions set out in Schedule 1 and to carry out management and capital activities which are conducive to a specified purpose (as defined in regulation 2(1)) on land in which he has an interest (regulations 3 and 4). A Tir Gofal agreement may include a special project activity (as defined in regulation 2(1)).

The rates of aid payable are set out (regulation 9 and Schedules 1 to 4).

The Regulations also-

(a) make provision in relation to a change of occupation to the land to which a Tir Gofal agreement relates (regulation 8);

(b) impose an obligation on a Tir Gofal agreement holder to permit entry and inspection (regulation 10);

(c) provide for the withholding and recovery of aid together with interest, the imposition of penalties and the termination of Tir Gofal agreements (regulations 11, 12 and 13);

(d) provide for a closing date for applications for existing agri-environment schemes (regulations 14 and 15 and Schedule 6).

No regulatory appraisal has been prepared in respect of these Regulations.

Notes:

[11] 1967 c. 10.back

[12] 1979 c. 21.back

[13] S.I. 1994/3099, amended by S.I. 1996/3075.back

[14] S.I. 1994/3100, amended by S.I. 1996/3073.back

[15] S.I. 1994/3101, amended by S.I. 1996/3074.back

[16] S.I. 1994/3102, amended by S.I. 1996/3072.back

ISBN 0 11 082632 9

Other UK SIs | [Home](#) | [National Assembly for Wales Statutory Instruments](#) | [Scottish Statutory Instruments](#) | [Statutory Rules of Northern Ireland](#) | [Her Majesty's Stationery Office](#)

We welcome your comments on this site

© Crown copyright 1999

Prepared 28 May 1999