

## SCHEDULE 1

### STANDARDS OF GOOD AGRICULTURAL AND ENVIRONMENTAL CONDITION

#### **Minimum land management reflecting site specific conditions to limit erosion**

7.—(1) Paragraphs 4(1) and (3) and paragraphs 5(1) and (2) do not apply where:

- (a) soil is waterlogged only within 5 metres of a gateway or other access point and access is required to an area of land that is not waterlogged;
- (b) the waterlogged soil is on an established track to land that is not waterlogged;
- (c) poaching of soil is a necessary consequence of mechanical operations that are required to improve the drainage of the waterlogged soil;
- (d) poaching of soil is a necessary consequence of works that are required to ensure animal or human welfare;
- (e) poaching of soil is a necessary consequence of harvesting a crop of fresh vegetables or fruit to meet contractual deadlines or where such produce would deteriorate if not harvested as a matter of urgency;
- (f) poaching of soil is a necessary consequence of measures taken to ensure animal welfare during periods of extreme weather conditions.

(2) The Department shall vary or suspend any of the requirements in sub paragraphs 4(1) and (3) and sub paragraphs 5(1) and (2) in relation to an area and for a period of not more than two months, where in its opinion—

- (a) an area is affected by extreme weather conditions; and
- (b) those weather conditions justify the variation or suspension of the requirement in this paragraph, taking into consideration the economic impact of the weather conditions and the environmental effects of any variation or suspension of the requirements.

(3) Where the Department has varied or suspended any requirements under sub paragraph (2), it shall publish directions to the farmers in the area concerned stating, with reasons, the details and duration of the variation or suspension, and the farmers shall comply with the requirement as varied in the directions.