

## SCHEDULE 2

Regulation 2(1)

### USUAL GOOD FARMING PRACTICES

#### PART I

### ENVIRONMENTAL LEGISLATION

#### **Water pollution**

1. The Control of Pollution Act 1974(1).
2. The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2001(2).
3. The Groundwater Regulations 1998(3).

#### **Air pollution**

4. The Clean Air Act 1993(4).
5. The Hill Farming Act 1946(5).

#### **Fertilisers and pesticides**

6. The Action Programme for Nitrate Vulnerable Zones (Scotland) Regulations 2003(6).
7. Part III of the Food and Environment Protection Act 1985(7) and the Control of Pesticides Regulations 1986(8).
8. The Plant Protection Products Regulations 1995(9).

#### **Designated sites**

9. The Ancient Monuments and Archaeological Areas Act 1979(10).
10. The Wildlife and Countryside Act 1981(11).
11. The Conservation (Natural Habitats etc.) Regulations 1994(12).
12. The Ancient Monuments (Class Consents) (Scotland) Order 1996(13).

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(1) 1974 c. 40.

(2) S.S.I. 2001/206, amended by S.S.I. 2001/248.

(3) S.I. 1998/2746, amended by S.S.I. 2000/323.

(4) 1993 c. 11.

(5) 1946 c. 73.

(6) S.S.I. 2003/51.

(7) 1985 c. 48.

(8) S.I. 1986/1510, amended by S.I. 1990/2487, 1994/3142 and 1997/188.

(9) S.I. 1995/887, amended by S.I. 1996/1940, 1997/7 and 2499, 1998/2760, 1999/1228, S.S.I. 2001/161, 202 and 454 and 2002/279.

(10) 1979 c. 46.

(11) 1981 c. 69.

(12) S.I. 1994/2716, amended by S.I. 1997/3055 and S.S.I. 2000/323.

(13) S.I. 1996/1507.

## Forestry Management

13. The Forestry Act 1967(14).

## PART II

### VERIFIABLE STANDARDS

1. Any farmer who constructs a new silage or storage facility must give notification to the Scottish Environmental Protection Agency prior to starting to use it. The farmer must keep records showing that this notification has been given.

2. Where it is proposed to dispose of sheep dip on a holding, prior authorisation to do this must be obtained from the Scottish Environmental Protection Agency. The farmer must keep documents and records showing that this authorisation has been obtained. The farmer must keep records detailing the manner of disposal of the sheep dip.

3. Trimming of hedgerows must not be carried out between 1st March and 31st July.

4. Removal or destruction of any hedges, stone walls or other boundary features shall not be allowed except with the prior written agreement of the Scottish Ministers.

5. Any farmer who intends to undertake any operation which is likely to damage a Site of Special Scientific Interest designated pursuant to section 28 of the Wildlife and Countryside Act 1981 must obtain the prior approval of Scottish Natural Heritage to the carrying out of that operation. The farmer shall maintain records showing that this authorisation has been obtained.

6. Livestock shall be managed in such a way as to avoid overgrazing and undergrazing. Where the Scottish Ministers form the opinion that land was being overgrazed, a management regime including a maximum (and, where appropriate, a minimum) stocking rate to be observed on that site will be prescribed. Overgrazing is defined as grazing land with livestock in such numbers as to adversely affect the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land to a significant degree; and to ensure that livestock is managed in such a way as to prevent damage to sensitive habitats(15) that are important for biodiversity reasons. Undergrazing means not using land fully, or scrub or coarse becoming evident, where it is detrimental to the environmental interest of the land.

7. Unsuitable supplementary feeding methods shall be avoided.

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(14) 1967 c. 10.

(15) Sensitive habitats, important for biodiversity reasons, may include juniper and montone scrub, herb-rich swards, already coded areas and wetland habitats as well as other natural and semi-natural habitats.