
STATUTORY INSTRUMENTS

1992 No. 905

AGRICULTURE

The Farm Woodland Premium Scheme 1992

Approved by both Houses of Parliament

Made - - - - 31st March 1992

Coming into force - - 1st April 1992

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by section 2 of the Farm Land and Rural Development Act 1988(1) and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following Scheme of which a draft has been laid before, and approved by resolution of, each House of Parliament:

Title, commencement and extent

1.—(1) This Scheme may be cited as the Farm Woodland Premium Scheme 1992 and shall come into force on the day after the day on which it is made.

(2) This Scheme shall apply to Great Britain.

Interpretation

2.—(1) In this Scheme unless the context otherwise requires—

“agricultural” shall be construed, in relation to England and Wales, in accordance with section 109(3) of the Agriculture Act 1947(2) and, in relation to Scotland, in accordance with section 86 of the Agriculture (Scotland) Act 1948(3), except that the expression “agricultural use” shall have the same meaning as in section 2(6) of the Farm Land and Rural Development Act 1988;

“agricultural business” means a business consisting in, or such part of a business as consists in, the pursuit of agricultural activities;

“agricultural unit” means land which is occupied as a unit for agricultural purposes;

“application” means application for grant under this Scheme and “applicant” shall be construed accordingly;

(1) 1988 c. 16. The expression “the appropriate authority” upon whom the powers of section 2 are conferred is defined in sections 2(6) and 1(5) of that Act and is to be read with the definition of “the appropriate Minister” in those sections. Section 2 was amended, in relation to Scotland, by section 3(2) of the Crofter Forestry (Scotland) Act 1991 (c. 18).

(2) 1947 c. 48.

(3) 1948 c. 45.

“the appropriate Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food, and in relation to Scotland or Wales, the Secretary of State;

“arable land” means eligible land in arable use in respect of which the Forestry Commissioners have agreed to make payment of Better Land Supplement under the Woodland Grant Scheme;

“common grazing” means a common grazing in Scotland;

“conversion plan” means a plan for the conversion of eligible land to woodlands by planting or natural regeneration;

“converted land” means eligible land converted from agricultural use to use for woodlands in accordance with a conversion plan;

“designated maps” means—

- (a) in relation to England, the 3 volumes of maps numbered 1 to 3, each such volume being marked “volume of maps of less-favoured farming areas in England” and with the number of the volume, dated 20th May 1991, signed and sealed by the Minister of Agriculture, Fisheries and Food and deposited at the offices of the Ministry of Agriculture, Fisheries and Food at Nobel House, 17 Smith Square, London SW1P 3JR;
- (b) in relation to Wales, the 2 volumes of maps numbered 1 and 2, both volumes being marked “volume of maps of less-favoured farming areas in Wales” and with the number of the volume, dated 20th May 1991, signed by the Secretary of State for Wales and deposited at the offices of the Welsh Office Agriculture Department at Trawsgoed, Aberystwyth, Dyfed SY23 4HT;
- (c) in relation to Scotland, the 4 maps numbered 1 to 4, each such map being marked “map of less-favoured farming areas in Scotland” and with the number of the map, dated 15th May 1991, signed by the Secretary of State for Scotland and deposited at the offices of the Scottish Office Agriculture and Fisheries Department at Pentland House, 47 Robb’s Loan, Edinburgh EH14 1TW;

“disadvantaged land” means land—

- (a) which is, in the opinion of the appropriate Minister, inherently suitable for extensive livestock production, but not for the production of crops in quantity materially greater than that necessary to feed such livestock as are capable of being maintained on such land, and
- (b) whose agricultural production is, in the opinion of the appropriate Minister, restricted in its range by, or by any combination of, soil, relief, aspect or climate,

which land is within the area shaded blue on the designated maps;

“eligible land” means land which has been in agricultural use for at least 3 years before the date of an application;

“grazings committee” means a grazings committee appointed under section 24 of the Crofters (Scotland) Act 1955(4);

“grazings constable” means a grazings constable appointed under section 24 of the Crofters (Scotland) Act 1955;

“improved grassland” means eligible land consisting of grassland in respect of which the Forestry Commissioners have agreed to make payment of Better Land Supplement under the Woodland Grant Scheme;

“initial entrant” means a person whose application is approved under paragraph 3(1);

“nature reserve” means—

(4) 1955 c. 21. Section 24 was amended by the Crofters (Scotland) Act 1961 (c. 58) Schedule 1 Part II paragraph 13 and by the Crofting Reform (Scotland) Act 1976 (c. 21) section 16(1).

- (a) land subject to an agreement under section 16 of the National Parks and Access to the Countryside Act 1949⁽⁵⁾ that it shall be managed as a nature reserve; or
- (b) land declared to be a national nature reserve by the Nature Conservancy Council pursuant to section 35 of the Wildlife and Countryside Act 1981⁽⁶⁾;

“occupier” means a person who occupies land as freehold owner in England or Wales, as proprietor of the *dominium utile* in Scotland, or as lessee, and in relation to a common grazing means the grazings committee or grazings constable, and references to “occupies” and “occupation” shall be construed accordingly;

“severely disadvantaged land” means land—

- (a) (i) which is, in the opinion of the appropriate Minister, inherently suitable for extensive livestock production, but not for the production of crops in quantity materially greater than that necessary to feed such livestock as are capable of being maintained on such land, and
- (ii) whose agricultural production is, in the opinion of the appropriate Minister, severely restricted in its range by, or by any combination of, soil, relief, aspect or climate, or
- (b) situated in the Isles of Scilly,

which land is within the area shaded pink on the designated maps;

“successor” means a person whose application is approved under paragraph 3(2);

“unimproved land” means eligible land other than arable land and improved grassland;

“the Woodland Grant Scheme” means the Scheme under which the Forestry Commissioners enter into agreements to make grants pursuant to section 1 of the Forestry Act 1979⁽⁷⁾ for and in connection with the use and management of land for forestry purposes.

(2) Any reference in this Scheme to a numbered paragraph or Schedule shall be construed as a reference to the paragraph or Schedule bearing that number in this Scheme.

Approval of applications

3.—(1) Subject to the provisions of this Scheme, the appropriate Minister may approve an application in relation to any eligible land if the applicant—

- (a) has entered into a written agreement with the Forestry Commissioners for the conversion of the land to woodlands under the Woodland Grant Scheme;
- (b) submits to the appropriate Minister a conversion plan with respect to the land that is consistent with that agreement, and
- (c) (i) occupies the land, and carries on, whether personally or by a manager, an agricultural business on an agricultural unit which includes that land, or
- (ii) is, where the land comprises a common grazing, the grazings committee or grazings constable for that common grazing.

(2) Subject to the provisions of this Scheme, the appropriate Minister may approve an application in respect of land comprising converted land, or eligible land in relation to which a conversion plan remains to be carried out, if the applicant—

(5) 1949 c. 97. Section 16 is to be read with section 15A of that Act, inserted by paragraph 1 of Schedule 9 to the Environmental Protection Act 1990 (c. 43).

(6) 1981 c. 69. Section 35 is to be read with section 27A of that Act, inserted by paragraph 11 of Schedule 9 to the Environmental Protection Act 1990 (c. 43).

(7) 1979 c. 21. Section 1 was amended by the Crofter Forestry (Scotland) Act 1991 (c. 18) section 3(1).

- (a) occupies the land in succession to a previous occupier who was, in relation to that land, an initial entrant or a successor;
 - (b) has submitted the application within 12 months of the termination of occupation of that previous occupier; and
 - (c) carries on, whether personally or by a manager, an agricultural business on an agricultural unit which includes that land.
- (3) An application shall not be taken to be approved unless the appropriate Minister has given approval of it in writing.

Applications for grant

4. Every application shall be made in such form as the appropriate Minister may require.

Restrictions on approval of applications

- 5.—(1) The appropriate Minister shall not approve an application which relates to land which—
- (a) is registered as common land pursuant to the Commons Registration Act 1965⁽⁸⁾;
 - (b) forms part of a nature reserve;
 - (c) is occupied by a lessee unless the owner of that land has given his consent in writing to the occupier’s application;
 - (d) is occupied by a grazings committee or grazings constable unless that committee or, as the case may be, constable, pursuant to section 26A of the Crofters (Scotland) Act 1955⁽⁹⁾, has obtained the approval of the Crofters Commission and the consent of the landlord, and that consent has been registered.

(2) For the purposes of sub-paragraph (1)(c) above, “owner” means, in England or Wales, freehold owner, and in Scotland, proprietor of the *dominium utile*, and where land is occupied by a sub-tenant, includes a superior tenant.

(3) The appropriate Minister shall not approve an application under paragraph 3(1) which relates to land which, in the opinion of that Minister, has been converted to woodlands or had carried out on it any operations relating to such conversion, whether or not such conversion or operations were carried out in pursuance of a written agreement made with the Forestry Commissioners under the Woodland Grant Scheme.

- (4) The appropriate Minister shall not approve an application which relates to land—
- (a) which is to be planted with trees as a condition of a felling licence granted by the Forestry Commissioners under section 10 of the Forestry Act 1967⁽¹⁰⁾;
 - (b) on which trees have been felled without the authority of a felling licence granted under Part II of the Forestry Act 1967 in circumstances where section 9(1) of that Act applies so as to require such a licence;
 - (c) which is to be planted with trees pursuant to a restocking notice served by the Forestry Commissioners under section 17A of the Forestry Act 1967⁽¹¹⁾; or
 - (d) which is to be planted with trees pursuant to a notice served by the Forestry Commissioners under section 24(2) of the Forestry Act 1967.

(5) The appropriate Minister shall not approve an application which relates to any land which is to be converted to woodlands—

⁽⁸⁾ 1965 c. 64.

⁽⁹⁾ 1955 c. 21. Section 26A was inserted by section 1(2) of the Crofter Forestry (Scotland) Act 1991 (c. 18).

⁽¹⁰⁾ 1967 c. 10.

⁽¹¹⁾ Inserted by section 1(a) of the Forestry Act 1986 (c. 30).

- (a) where the converted land is also intended for agricultural use;
- (b) intended to be managed as coppice; or
- (c) where the trees are intended to be used as Christmas trees or cricket bat willow.

(6) The appropriate Minister may refuse to approve an application which relates to any land if it appears to that Minister that the conversion to woodlands of that land would frustrate the purposes of any assistance previously given or to be given out of money provided by Parliament or the European Economic Community, or that the payment of grant under this Scheme in respect of that land would duplicate any such assistance.

6.—(1) The appropriate Minister shall not approve an application which relates to land in England or Wales, possession of which was obtained from a tenant of that land by means of a notice to quit—

- (a) to which Case B in Part I of Schedule 3 to the Agricultural Holdings Act 1986⁽¹²⁾ applied; or
- (b) in respect of which a counter-notice could have been served under section 26(1)(b) of the Agricultural Holdings Act 1986 unless no such counter-notice was served or unless the Agricultural Land Tribunal consented to the operation of the notice to quit on the grounds set out in section 27(3)(e) of that Act (with or without other grounds).

(2) The appropriate Minister shall not approve an application which relates to land in Scotland, possession of which was obtained from a tenant of that land by means of—

- (a) a notice to quit to which section 22(2)(b) of the Agricultural Holdings (Scotland) Act 1991⁽¹³⁾ applied;
- (b) a notice to quit in respect of which a counter-notice could have been served under section 22(1) of the Agricultural Holdings (Scotland) Act 1991 unless no such counter-notice was served or unless the Scottish Land Court consented to the operation of the notice to quit on the grounds set out in section 24(1)(d) of that Act (with or without other grounds);
- (c) an authorisation given by the Scottish Land Court under section 12(1) of the Crofters (Scotland) Act 1955⁽¹⁴⁾ to resume a croft or part of a croft;
- (d) an authorisation given by the Scottish Land Court under section 12(3) of the Crofters (Scotland) Act 1955 to resume any land forming part of a common grazing; or
- (e) a notice served pursuant to a resumption clause in a lease.

7. The appropriate Minister shall not approve under paragraph 3(1) an application in relation to an agricultural unit if—

- (a) save in the case of an application relating to a common grazing, the application (whether by itself or when taken together with any other application relating to that agricultural unit) concerns the conversion to woodlands of—
 - (i) more than 50 of the land comprised in that unit; or
 - (ii) more than 40 hectares of unimproved land forming part of that unit;
- (b) in the case of an application relating to a common grazing, the application (whether by itself or when taken together with any other application relating to the common grazing) concerns the conversion to woodlands of more than 100 hectares of the eligible land comprised in that common grazing; or
- (c) the application concerns the conversion to woodlands of less than 1 hectare of eligible land.

⁽¹²⁾ 1986 c. 5. Schedule 3 was amended by the Agricultural Holdings (Amendment) Act 1990 (c. 15).

⁽¹³⁾ 1991 c. 55.

⁽¹⁴⁾ 1955 c. 21.

Requirements for persons taking part in the Scheme

8. An applicant shall undertake to the appropriate Minister in his application form that he or his personal representatives or, in Scotland, his executors, will—

- (a) carry out the work described in the conversion plan relating to the land which the application concerns, within the times and in the manner specified in the plan and to the satisfaction of the appropriate Minister;
- (b) maintain any converted land forming part of that land in accordance with good forestry practice, to the satisfaction of the appropriate Minister throughout the period of—
 - (i) in the case of converted land consisting of 50% or less by area of broadleaved trees, 20 years, commencing on the first day after the end of the year in which the planting of trees on the plantation concerned is completed or, as the case may be, in which the work necessary to encourage natural regeneration of trees on land comprised in the plantation concerned is completed; or
 - (ii) in the case of converted land consisting of more than 50% by area of broadleaved trees, 30 years, commencing as aforesaid;
- (c) not put any such converted land to agricultural use during the period mentioned in sub-paragraph (b) above;
- (d) not manage any such converted land as coppice during that period;
- (e) not use the trees on any such converted land as Christmas trees or cricket bat willow during that period;
- (f) save in the case of a common grazing, notify the appropriate Minister in writing—
 - (i) of any change in occupation of the eligible land or the converted land which he or they occupy within one month of its occurrence;
 - (ii) of the termination of the agricultural business carried on by him or them on the agricultural unit which includes or is adjacent to that eligible land or that converted land;
- (g) save in the case of a common grazing, furnish such information as to the agricultural business carried on by him or them on the agricultural unit which includes or formerly included or is or was adjacent to the eligible land or converted land which he or they occupy, and as to that converted land, as the appropriate Minister may require to evaluate the effectiveness of this Scheme;
- (h) in relation to a common grazing, furnish such information as to that common grazing or, as the case may be, the converted land thereon, or as to his activities in connection with that common grazing, as the appropriate Minister may require to evaluate the effectiveness of this Scheme.

Grants under this Scheme

9.—(1) Subject to the provisions of this Scheme, the appropriate Minister may make to an initial entrant or a successor, or their personal representatives or, in Scotland, their executors, grants for abating financial loss which has been or will be suffered in consequence of their occupation of converted land.

(2) Grants under sub-paragraph (1) above shall be made annually in relation to the categories of converted land specified in column 1 of Schedule 1 at the rate per hectare specified in column 2 of that Schedule and shall be made in respect of the area of such converted land remaining in the occupation of the claimant at the time the claim for payment is made.

(3) Save in relation to a common grazing, an initial entrant or a successor, or their personal representatives or, in Scotland, their executors, shall cease to be eligible for payments if at any time

he or they cease to carry on an agricultural business on the agricultural unit which includes or is adjacent to the eligible land or converted land which he or they occupy.

Duration and payment of grant

10.—(1) Subject to the provisions of this Scheme, the number of annual payments under paragraph 9 made in respect of any area of converted land of a category specified in column 1 of Schedule 2 shall not exceed the maximum number specified in column 2 of that Schedule in relation to converted land of that category.

(2) For the purposes of this paragraph, the description of any area of converted land specified in column 1 of Schedule 2 which applies when the conversion plan has been carried out in relation to that area shall remain applicable to any part of that area so long as any payment under this Scheme is due to be made in relation to that area.

(3) In respect of each area of converted land—

- (a) the first annual payment shall be made during the twelve months following the payment by the Forestry Commissioners of the first instalment of grant under the Woodland Grant Scheme, in respect of the conversion of land to those woodlands pursuant to the agreement referred to in paragraph 3(1)(a);
- (b) subsequent annual payments shall be made on 1st October in each year or on such other date or dates in each year as the appropriate Minister may decide.

Claims for grant

11. Every claim for payment under this Scheme shall be made in such form and at such times as the appropriate Minister may require.

Financial limits

12.—(1) When by reason of the total of applications already approved or received, the appropriate Minister is at any time of the opinion that the financial resources which are available for payment of grant under this Scheme during any period are insufficient to satisfy the payment in relation to England, Wales or Scotland, as the case may be, during that period, which would result from the approval of any further application, he may decide—

- (a) that he will not accept for consideration any further application, or request to vary a conversion plan under paragraph 13, until a time subsequently specified by him; or
- (b) that he will cease to approve, or postpone approval of, any such application or request submitted to him.

(2) A decision by the appropriate Minister under sub-paragraph (1) above may relate to—

- (a) applications in respect of the conversion to any category of converted land referred to in column 1 of Schedule 1; or
- (b) applications generally,

and in the case of a decision under sub-paragraph (1)(a) not to accept further applications and to specify a time when further applications may be accepted, shall be published by notice in the London or Edinburgh Gazette, as appropriate.

Variation of conversion plans

13. The occupier of land in respect of which payment of grant is due to be made under this Scheme may, with the prior written agreement of the appropriate Minister, vary the conversion plan with respect to that land in any manner that Minister may approve consistent with this Scheme, and

may thereafter claim payment of grant in respect of the conversion to woodlands in accordance with the plan as so varied.

Withholding and recovery of grant

14.—(1) If at any time after the appropriate Minister has approved an application it appears to that Minister that the applicant, with a view to obtaining payment of grant under this Scheme, has made any statement or furnished any information which is false or misleading in a material respect, the appropriate Minister may—

- (a) reduce or withhold any payment under this Scheme due to the applicant or his personal representatives or, in Scotland, his executors;
- (b) recover from him or them an amount equal to any payment made under this Scheme or such part thereof as the appropriate Minister may specify; and
- (c) terminate the participation in the Scheme of the applicant or his personal representatives or, in Scotland, his executors.

(2) If at any time after the appropriate Minister has approved an application it appears to that Minister that the applicant or his personal representatives or, in Scotland, his executors, have without reasonable cause failed to carry out any undertaking given by him pursuant to paragraph 8, or to comply with any other requirement of this Scheme, the appropriate Minister may—

- (a) postpone, reduce or withhold any payment under this Scheme due to the applicant or his personal representatives or, in Scotland, his executors;
- (b) recover from him or them an amount equal to any payment made under this Scheme or such part thereof as the appropriate Minister may specify; and
- (c) terminate the participation in the Scheme of the applicant or his personal representatives or, in Scotland, his executors.

(3) Before postponing, reducing, withholding or recovering any payment or terminating participation in the Scheme under this paragraph the appropriate Minister shall—

- (a) give to any person to whom any payment of such grant would be made, or from whom any payment would be recoverable, or the participation of whom in the Scheme he proposes to terminate, a written notification of the reasons for the action proposed to be taken by that Minister,
- (b) afford that person or, in the case of a grazings committee, a representative of that committee, an opportunity of appearing before and being heard by a person appointed for the purpose by the appropriate Minister, and
- (c) consider the report by the person so appointed and supply a copy of the report to the person mentioned in sub-paragraph (a) above.

(4) The appropriate Minister shall not approve a further application from any person whose participation in the Scheme has been terminated under this paragraph, where the application is submitted within five years of the date of that termination.

(5) For the purposes of sub-paragraph (2) above, “reasonable cause” shall be taken to refer to ill-health or death of the applicant or his personal representatives or, in Scotland, his executors, severe weather conditions, shortage of suitable tree plants, or compulsory purchase of land in respect of which the application was approved, or such other exceptional circumstances as the appropriate Minister considers justify failure to carry out any undertaking or to comply with any requirement under this Scheme.

(6) Where the appropriate Minister is entitled under this paragraph to recover from any person any payment made under this Scheme, the appropriate Minister may in addition recover from that person interest on the amount of that payment, calculated at the rate of one percentage point above

the sterling three months London Interbank Offered Rate, on a day to day basis, from the date when that payment was made to that person to the date of its recovery by the appropriate Minister.

Obligation to permit entry and inspection

15.—(1) The occupier of land to which an application relates, or which is being converted to woodlands in pursuance of a conversion plan, or which is converted land and in respect of which grant is still being claimed, or which he is required to maintain in accordance with paragraph 8(b), shall permit any person duly authorised by the appropriate Minister, accompanied by such persons acting under his instructions as appear to the person so authorised to be necessary for the purpose, at all reasonable times and on production of his authority on demand, to enter upon and inspect any such land in order to verify the accuracy of any particulars given in any application or claim made under this Scheme, and compliance with the requirements of the Scheme.

(2) The occupier shall render all reasonable assistance to the authorised person in relation to the matters mentioned in sub-paragraph (1) above, and in particular shall, at the request of that person, accompany him in making the inspection and shall identify any areas of land which are concerned in the application or claim in question.

Amendment of the Farm Woodland Scheme 1988

16. In the Farm Woodland Scheme 1988(15)—

(a) after paragraph 7 there shall be inserted the following paragraph:

“**7A.** The appropriate Minister shall not approve an application to enter this Scheme under paragraph 3(1) where the application is received by him or by the Forestry Commissioners on his behalf on or after 1st April 1992.”;

(b) after paragraph 15 there shall be added the following paragraph:

“**16.**—(1) Where the appropriate Minister has approved an application to enter this Scheme by any person in relation to any land, and any part of the land (“the unplanted part”) has not been converted to woodlands, that person may terminate his participation in this Scheme with respect to the unplanted part on giving written notice to that effect to the appropriate Minister.

(2) Where participation in this Scheme is terminated under sub-paragraph (1) above, the appropriate Minister shall not make payments under the Scheme in respect of the unplanted part, nor in respect of the part of the land converted to woodlands unless it comprises at least 1 hectare.”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

31st March 1992.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9th March 1992

Strathclyde
Parliamentary Under Secretary of State, Scottish
Office

10th March 1992

David Hunt
Secretary of State for Wales

We approve

9th March 1992

Thomas Sackville
Irvine Patnick
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

Paragraph 9(2)

RATES OF GRANT

Column 1 Categories of converted land	Column 2 Amount of grant payable per hectare per annum £
Converted land formerly arable land or improved grassland—	
if severely disadvantaged land before conversion	130
if disadvantaged land before conversion	190
if neither severely disadvantaged nor disadvantaged land before conversion	250
Converted land formerly unimproved land, which was either severely disadvantaged land or disadvantaged land before conversion	60

SCHEDULE 2

Paragraph 10

MAXIMUM NUMBER OF PAYMENTS

Column 1 Categories of converted land	Column 2 Maximum number of annual payments
Converted land consisting of more than 50% by area of broadleaved trees	15
Converted land consisting of 50% or less by area of broadleaved trees	10

EXPLANATORY NOTE*(This note is not part of the Scheme)*

This Scheme, which applies to Great Britain, provides for the payment of annual grants to abate financial losses incurred in consequence of the conversion of agricultural land (including, in Scotland, common grazings) to use for woodlands. The Scheme complies with Title VIII of Council Regulation (EEC) No. 2328/91 on improving the efficiency of agricultural structures (OJ No. L218, 6.8.91 p.1). This Scheme supersedes the Farm Woodland Scheme 1988 under which no further applications may be accepted after the coming into force of this Scheme (paragraph 16).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

This Scheme provides for applications for grants in respect of eligible land (as defined in paragraph 2(1)) to be made by occupiers of agricultural land carrying on agricultural businesses, and by grazings constables and grazings committees in respect of common grazings in Scotland. An initial entrant must submit with his application a plan for the conversion of eligible land to woodlands, which must be consistent with proposals for conversion agreed by him with the Forestry Commissioners for the purposes of the Woodland Grant Scheme (paragraph 3(1)). Where payment of grant is due under the Scheme in respect of converted land, or where the planned conversion has not yet been completed, a successor to the initial entrant may apply for grant (paragraph 3(2)). Every applicant is required to give undertakings with respect to the planned conversion, the management and use of the land to which his application relates and related matters (paragraph 8).

The Scheme also—

- (a) excludes certain categories of land (paragraphs 5 and 6);
- (b) imposes on Scheme participants maximum and minimum limits in relation to the amount of land which may be converted to woodlands (paragraph 7);
- (c) specifies duration of payments and rates of grant according to the category of woodlands and the type of land from which they were converted (paragraphs 9 and 10 and Schedules 1 and 2). Rates of grant depend on whether the eligible land is disadvantaged or severely disadvantaged land. Those categories of land are defined in paragraph 2(1) by reference to designated maps. The maps are available for inspection during normal office hours at the addresses specified in the definition;
- (d) provides for the imposition, where certain financial conditions apply, of limits on the number of applications or approvals during any specified period of the Scheme (paragraph 12);
- (e) permits participants to vary their plans with the consent of the appropriate Minister (paragraph 13);
- (f) provides for the withholding or recovery of grants in cases of false statements or failure to observe requirements of the Scheme (paragraph 14);
- (g) requires participants to allow entry onto and inspection of their land by persons duly appointed by the appropriate Minister, for the purposes of ensuring compliance with the provisions of the Scheme (paragraph 15).