SCOTTISH STATUTORY INSTRUMENTS

2004 No. 113

AGRICULTURE

The Countryside Premium Scheme (Scotland) Amendment Regulations 2004

Made - - - -	*10th March 2004*
Laid before the Scottish Parliament - - - -	*10th March 2004*
Coming into force - -	*31st March 2004*

The Scottish Ministers, in exercise of the powers conferred by section 98(1) and (2) of the Environment Act 1995(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Countryside Premium Scheme (Scotland) Amendment Regulations 2004 and shall come into force on 31st March 2004.

Amendment of the Countryside Premium Scheme (Scotland) Regulations 1997

2.—(1) The Countryside Premium Scheme (Scotland) Regulations 1997(**2**) are amended in accordance with this regulation.

(2) In Schedule 2 (management activities), in the third column (management requirements)–

(a) for item 1.d. substitute–

"(d) Fertiliser, slurry or farmyard manure must not be applied to the field after 31st May except with the consent of the Scottish Ministers; and";

(b) for item 2.a. substitute–

"(a) (i) Livestock must be excluded from the site for a period of not less than 3 months between 15th April and 15th August; or

(ii) where the particular conservation interest of the site would not be met by this requirement, a livestock management and grazing regime, as set

(**1**) 1995 c. 25. Section 98(1) was amended by the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I.1999/1820), Schedule 2, paragraph 120(7). See section 98(5) for the definition of "the appropriate Minister". The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.I. 1997/330.

out in a grazing plan to be agreed in advance with the Scottish Ministers, must be implemented;";

(c) for item 2.b. substitute–

"After the period referred to in item 2.a.(i) the grass must be grazed down or cut; and";

(d) for item 3.b. substitute–

"(b) A programme, agreed in advance with the Scottish Ministers, to establish a new sward, must be implemented. The programme may include measures to reduce fertility and address weed problems;";

(e) for item 3.c. substitute–

"(c) Except during years 1 to 3 of the relevant period, the site must not be mown or grazed between 15th April and 15th August. During years 1 to 3, on fertile sites, mowing, with disposal of cuttings, may be necessary. In such cases, mowing may be permitted after 1st July with the consent of the Scottish Ministers;";

(f) for item 4.b. substitute–

"(b) (i) Grazing must not exceed 0.15 livestock units per hectare for 6 months from 1st April; or

(ii) where the particular conservation interest of the site would not be met by this requirement, a livestock management and grazing regime, as set out in a grazing plan to be agreed in advance with the Scottish Ministers, must be implemented;";

(g) for item 5.b. substitute–

"(b) The site must not be mown or grazed for a period of not less than 3 months between 15th April and 15th August after which rank growth must be controlled. On fertile sites, where practicable, mowing may be permitted, with disposal of cuttings, between 15th April and 15th August with the consent of the Scottish Ministers;";

(h) for item 5.c. substitute–

"Outwith the period referred to in item 5.b. grazing must not exceed an annual average of 1.4 livestock units per hectare;";

(i) after item 6.d. insert–

"(e) Mowing of the site, with disposal of cuttings, may be permitted with the consent of the Scottish Ministers where necessary to control rank vegetation of low conservation value.";

(j) for item 8.b. substitute–

"(b) The site must be grazed between 1st September and 30th November at a level only sufficient to remove rank growth and lightly crop any dwarf shrubs; any grazing should not exceed 1.2 livestock units per hectare;";

(k) for item 11.b. substitute–

"(b) Subject to item 11.e., the strip must not be grazed;";

(l) for item 11.d. substitute–

"(d) Scrub control and the use of pesticides may be permitted with the consent of the Scottish Ministers;";

(m) after item 11.d. insert–