WELSH STATUTORY INSTRUMENTS

2003 No. 529 (W.74)

AGRICULTURE, WALES

The Tir Gofal (Amendment) (Wales) Regulations 2003

Made - - - -	*5th March 2003*
Coming into force - -	*7th March 2003*

The National Assembly for Wales, being designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Name, commencement, application and interpretation

1.—(1) These Regulations are called the Tir Gofal (Amendment) (Wales) Regulations 2003 and come into force on 7th March 2003.

(2) These Regulations apply in relation to Wales.

(3) "The principal Regulations" means the Land in Care Scheme (Tir Gofal) (Wales) Regulations 1999(**3**).

Amendment of regulation 2

2. At the end of regulation 2 of the principal Regulations there is added the following paragraph:—

"(4) In these Regulations, references to "hardwood" mean Welsh oak only and payments in relation to any other wood are to be made at the "softwood" rate.".

Amendment of Schedule 2

3.—(1) Schedule 2 to the principal Regulations is amended in accordance with the provisions of this regulation.

(2) For paragraph 2 there is substituted:—

"**2.** In relation to the management of heath land which is—

(a) high mountain heath and upland heath — £50 per hectare per agreement year

(**1**) S.I.1999/2788.
(**2**) 1972 c. 68.
(**3**) S.I. 1999/1176 as amended by S.I. 1999/3337 (W. 45) and 2001/423 (W.17).

(b) lowland heath — £80 per hectare per agreement year".

(3) Paragraph 3(b) is deleted and the following text inserted:

"(b) management of unimproved neutral grassland — £90 per hectare per agreement year".

(4) Paragraph 3(d) is deleted and the following text inserted:

"(d) management of semi-improved grassland — £90 per hectare per agreement year".

(5) Paragraph 4(a) is deleted and the following text is inserted:

"(a) management of bogs — £40 per hectare per agreement year".

(6) Paragraph 4(b) is deleted.

(7) Paragraph 5(a) is deleted and the following text is inserted:

"(a) management of improved land which is coastal grazing marsh or floodplain grassland

(i) lightly grazed — £180 per hectare per agreement year

(ii) moderately grazed — £100 per hectare per agreement year".

Amendments to Schedule 3

4.—(1) Schedule 3 to the principal Regulations is amended in accordance with the provisions of this regulation.

(2) In paragraph 2(c), sub-paragraphs (i) and (ii) are deleted.

(3) In paragraph 2(c) for sub-paragraphs (iii) and (iv) there is substituted:

"(iii) on neutral grassland — £110 per hectare per agreement year

(iv) on acid and limestone grassland — £130 per hectare per agreement year".

(4) For sub-paragraphs 3(e) and (f) there is substituted:

"(e) establishment of heathland vegetation on acid grassland or maritime cliffs and slopes — £110 per hectare per agreement year".

(5) For sub-paragraphs 3(h) and 3(i) there is substituted:

"(h) establishment of new saltmarshes and creation of reedbeds on existing saltmarshes — £230 per hectare per agreement year."

(6) Paragraph 4 is deleted.

Amendments to Schedule 4

5.—(1) Schedule 4 to the principal Regulations is amended in accordance with the provisions of this regulation.

(2) After sub-paragraph 1(h) there is added:

"(ha) erection of post, wire and netting fencing which is made of—

softwood — £1.75 per metre

hardwood — £2.00 per metre"

(3) In sub-paragraph 1(k)(ii) for "£2.60" there is substituted "£2.88".

(4) In sub-paragraph 1(l)(ii) for "£11" there is substituted "£10.80".

(5) In sub-paragraph 1(m)(i) for "£110" there is substituted "£120".

(6) In sub-paragraph 1(m)(ii) for "£160" there is substituted "£144".

(7) In paragraph 3 there is inserted:

"(c) heather cutting — £60 per hectare".

(8) For sub-paragraph 5(a) there is substituted:

"(a) removal or reduction of bracken by mechanical means or tractor mounted sprayer — £50 per hectare".

(9) For sub-paragraph 5(b) there is substituted:

"(b) removal or reduction of bracken by aerial spraying or hand held sprayer — £120 per hectare".

(10) Sub-paragraph 5(c) is deleted.

(11) For sub-paragraph 8(a) there is substituted:

"(a) introducing wild plants — £150 per hectare".

(12) Sub-paragraphs (b), (c), (d) and (e) of paragraph (8) are deleted.

(13) For sub-paragraph 9(a) there is substituted:

"(a) creation or restoration of a pond — £2.50 per square metre and subject to a maximum of £500 per pond".

(14) Sub-paragraph 9(b) is deleted.

(15) For sub-paragraph 9(c) there is substituted:

"(c) installation of soil bunds — £35 per bund".

(16) For sub-paragraph 9(d) there is substituted:

"(d) installation of a timber sluice — £140 per sluice".

(17) For sub-paragraph 9(f) there is substituted:

"(f) hard surfacing — £5 per square metre".

(18) Sub-paragraph 9(g) is deleted.

(19) In sub-paragraph 11(a)(i) for "£100" there is substituted "£120".

(20) In sub-paragraph 11(a)(ii) for "£150" there is substituted "£144".

(21) In sub-paragraph 11(b)(i) for "£110" there is substituted "£120".

(22) In sub-paragraph 11(b)(ii) for "£160" there is substituted "£144".

(23) Sub-paragraph 11(m) is deleted.

Amounts of Aid

6. In regulation 9 there are added the following paragraphs—

"(3) Payments for capital activities in accordance with Schedule 4 are subject to the following overall limits for the duration of the Tir Gofal agreement—

(a) For farms of less than 20 hectares — £5,000;

(b) For farms of 20-50 hectares — £10,000;

(c) For farms of more than 50 hectares — £20,000.

(4) The Countryside Council may increase any payment in relation to habitats referred to in Schedule 2 or 3 by 10% where cattle have been used to achieve an environmental benefit, and by a further 10% of the original figure where Welsh Black cattle have been so used.".

Transitional provisions

7.—(1) These Regulations have immediate effect in relation to Tir Gofal agreements signed on or after the date these Regulations come into force.