

Isle of Man Agricultural Development Scheme Works Approval, Ditching and Hedge Cutting Form

Please complete in BLOCK CAPITALS and black ink.

Please refer to the accompanying Guidance Note before completing this form. The Note defines the type of work which requires approval from the Department as far as the Agricultural Development Scheme (ADS) is concerned and the types of land which are subject to this approval.

For official use only
Reference Number:

WA

If you commence work without approval from the Department, your Agricultural Development Scheme payment may be reduced.

Send completed form to: **Field Delivery Team — Agriculture and Lands Directorate**
Department of Environment, Food and Agriculture
This Slieau Whallian
Foxdale Road
St John's, IM4 3AS

Contacts: Telephone: **+44 1624 685844** Fax: **+44 1624 685851** Email: **agriculture@gov.im**

Section 1 General information

1. Farm Identification Number	AB
2. Business name	
3. Address	
	Postcode
4. Contact name	
5. Telephone number(s)	

Section 2 Field and work details (see notes on page 4)

6. Please supply an accurate location map showing the site and nature of the proposed works. Ensure that you include all the information detailed in the Guidance Note and continue on a separate sheet if necessary.

6 digit Field Number(s) (see Note 1, p.4)	Description of proposed work. (see Note 2, p.4) If the work is hedge cutting during the non-cutting period state the date(s) the work will be done and why it is necessary to do it at that time. For ditching, please indicate what material is to be removed and for what reason (see note 2 page 4)	Hedge Cutting only- Is the proposed work to be done during the non-cutting period? (1 March - 31 August)
		Yes / No
		Yes / No
		Yes / No
		Yes / No
		Yes / No

Section 3 Other information (see Notes 3 and 4 on page 4)

7. Will the proposed work affect any archaeological features including those recorded on the National Heritage Record? **Yes** **No**
8. Is the land subject to an Agri-Environment or s30 Management Agreement? **Yes** **No**
9. Is the land designated as an ASSI, National Nature Reserve, Wildlife or Ramsar site? **Yes** **No**
10. Is the proposed work to be carried out on land which is currently the subject of a ADS Appeal? **Yes** **No**

Signature**Print name****Date****Data Protection**

If you would like to know what we do with your personal information and your rights in relation to it, our Privacy Policy can be found here: <https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/environment-directorate/fisheries-division/privacy-notice/>

Our Data Protection Officer can be contacted on 686781 or at: DPO_DEFA@gov.im

Section 4 Official use only

Assessing Field Officer	Date of Assessment	Did you visit the site?	Did a Bio-diversity Officer visit the site? If Yes , who and when?	Outcome Permitted/Not Permitted	Date of outcome letter to applicant
		Yes / No			
Comments					
Signed FO				Date	

Introduction

Please read these notes carefully and ensure that you supply the relevant information. Incomplete forms will be returned to you and this will delay work on your application. Please also refer to Chapter 6 of the Farmers' Handbook, as this outlines the circumstances where the Department's approval is required for work to be undertaken and the process which will be followed in considering your application.

Do you need to complete this form?

You need to complete a Works Approval Form in the following circumstances:

- Before applying fertiliser, manure, herbicides, pesticides or liming materials to any rough grazing land, moorland, unimproved pastures, wetlands or other semi-improved areas. With regard to herbicides, spot applications to control injurious weeds as defined in the Weeds Act 1957 can be made without the Department's approval.
- Before removing or destroying boundary features such as stone walls (complete or dilapidated), turf and stone-faced banks (including Manx sod hedges), hedges and hedgerow trees, boundary trees or watercourses.
- Before undertaking new drainage works, construction work including usage of the land for spoil, ploughing, clearing, levelling, re-seeding or cultivation on un-cultivated land or semi-natural habitats. Ditching of agricultural fields, that is, deepening and cleaning of ditches as part of maintenance.
- If you wish to carry out any hedge management operation (other than trimming by hand or as agreed by DEFA or Police on the public roadside for Health and Safety reasons) from the 1 March to 31 August.

You **do not** need to complete this form for the following:

- Maintenance or repair work.
- Heather burning and bracken control where it is part of a normal management cycle and is carried out in accordance with the Heath Burning Code. Burning heather on registered heathland must be licensed as per the requirements of the Heath Burning Act 2003.
- Specific control of injurious weeds covered by the Weeds Act 1957.

Work which may require permission under other legislation

The requirement for Departmental permission to carry out work as defined in the Agricultural Development Scheme does not replace, duplicate or affect other statutory requirements. Farmers undertaking demolition or construction work should check whether or not planning consent is required before proceeding. The following existing legislation should also be borne in mind and may require permission for specific work or actions from authorities other than the Department:

- Wildlife Act 1990.
- Manx Museum and National Trust Act 1959-86.
- Fisheries Act 2012 section 18
- Land Drainage Act 1934 (currently under review with a new Act proposed for 2013).
- Tree Preservation Act 1993.
- Town and Country Planning Act 1999.

Thus if the proposed work is on an ASSI or on land included in a management agreement with the Department, permission to undertake it will be required from DEFA, Forestry, Amenity and Lands Directorate and it will not be subject to the processes described in this note.

Similarly, if the work involves an archaeological heritage site, land managers must consult Manx National Heritage for authorisation and notify the Department that this has been obtained.

If work relates to land included in an Agri-Environment Scheme, and it is not already specifically approved under that agreement, land managers should consult DEFA, Agriculture Directorate before commencing work.

Where work may affect a watercourse (all rivers, streams, ditches, open drains, cuts, culverts, dykes, sluices, sewers (other than public sewers) and passages through which water flows) wherever they might be on the farm, consent must be obtained from the Department of Infrastructure. Consent must also be sought for constructing anything or planting trees/shrubs within 30' either side of a watercourse designated a 'Main River'. Maps showing main rivers can be seen at the Department of Infrastructure Division Offices. New drainage work on uncultivated land or semi-natural habitats also requires permission from the Department of Infrastructure if there are watercourses on the land. Permission from that Department is not required for land drains, for example, if there are no watercourses on the land. Where evidence of such work is found during a Cross Compliance inspection, the Inspector will ask to see the consent letter from the Department of Infrastructure.

Where proposed work could affect the river passage of freshwater fish or cause damage or disturbance to any life stages of fish and their habitats, approval for the work must first be sought from DEFA, Fisheries Directorate. If such work becomes apparent during an Inspection, evidence of the approval will be sought.

Section 6

Notes (filling in the form)

1. Field Number

The 6 digit field reference is given on your ADS application form but if you do not know it, please call see gov.im/mapping ('Field Boundaries') to obtain it.

2. Description of Work

Definitions of the terms used in relation to land type are given in Section 8 (below). Please refer to these to fully describe the work to be undertaken and to mark the map with the location and extent of proposed work, covering the following points as relevant:

- Give the size of the work to be undertaken (acres, metres etc.) including any land that may be used to store spoil or provide material etc.
- Will waste be produced and, if so, what is it and how will it be disposed of?
- Is there a risk of pollution and, if so, how will the risk be managed?
- Please also describe the nature of the site currently i.e. its land type and any information you have on the plants and animals found there.
- Ditching of Farm land —note the material which is to be removed, Gravel, silt, sand, clay, pebbles and the timing of the proposed works.

3. Archaeological features

To find out about archaeological heritage sites on your land, please refer to Chapter 6, of the Farmers' Handbook.

4. Land Designations

If you have any queries about the status of your land in respect of these designations, please contact the Department's Forestry, Amenity and Land Directorate on 695737.

Section 7

How is my application assessed?

An Officer will contact you to arrange a site visit and an initial response will be provided within 5 weeks. However, the response may be to advise you that the Environmental Impact Assessment (EIA) will need to be carried out at a particular time of year and that a decision cannot be given until this has been completed. You should not commence work until permission is given as you will incur penalties if you do. If the EIA identifies the need for a more detailed Environmental Impact Statement, you will be advised of this. The scope of the Statement will be set out and details of Government approved bodies which can carry out the work will be provided. This work will be at your expense.

For how long is permission for work valid?

You have 12 months to complete work from the date of receiving permission to carry it out. If the work cannot be completed within this timescale, you should contact the Department and may need to re-apply.

Section 8

Definitions of types of land

Unimproved grassland, heath and moorland e.g. coastal and floodplain marshes, grassland with some tree cover, lowland and coastal heathland including dry and wet heath, moorland and other open or enclosed upland grassland.

Land will be considered uncultivated if it has less than 30% ryegrass and/or white clover and it has not been improved by management practices including liming and fertilising. Evidence that the land has not been cultivated for 12 to 15 years and has not been re-seeded, drained or ploughed within this timeframe will be considered.

Scrubland includes land where at least 20% of the canopy cover is made up of tree species and/or the following shrubs; Blackthorn, Hawthorn, Hazel, Holly, Gorse and Willow spp.

EIAs will apply where proposed work is to clear or manage scrub with the aim of converting to arable or stock farming or intensifying these existing uses.

Wetlands e.g. open water, water courses, saltmarsh, ponds, dubs, lakes, lowland and blanket bogs, fens.
River. Any natural or artificial channel through which water flows and includes a tributary, stream or ditch.