

FARM SUSTAINABILITY STANDARDS

2

Protection of
Habitats & Biodiversity

UNDERPINNING REQUIREMENTS

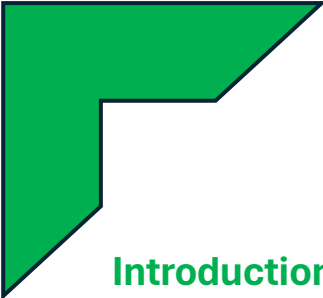
Sustainable Agriculture Programme



Department of
**Agriculture, Environment
and Rural Affairs**
www.daera-ni.gov.uk

An Roinn
**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'
**Fairmin, Environment
an' Kintra Matthers**



Introduction

There continues to be a significant decline in biodiversity. Habitats and species are increasingly under threat and under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and the Environment (Northern Ireland) Order 2002, Northern Ireland is legally required to protect biodiversity in designated sites.

The aim of these rules is to protect Habitats and Biodiversity in designated sites which includes Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) and their features. All SACs and most SPAs are also designated as ASSI. You must be aware of your responsibilities as a claimant of land within an ASSI to ensure that the special features are not damaged during land management operations. If you have a ASSI on your holding, you should have been formally notified by NIEA or previous landowner and will already be aware of the environmental obligations which exist on this land. However, where there is any doubt farm businesses should contact NIEA for clarification.

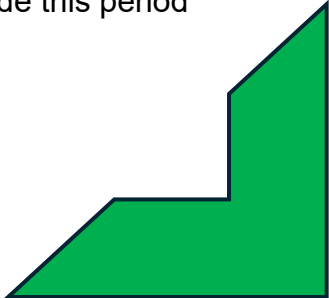
All claimants must be aware there is a legal obligation not to carry out any activities, even outside a designated site, which is likely to result in the disturbance of birds or the deterioration of habitats affecting birds or habitat deterioration in the designated site.

All claimants shall take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting birds.

Birds nest in most of our hedges, therefore hedge, tree or scrub cutting (including trimming and laying) is not permitted during the bird nesting season between 1st March and 31st August to avoid damaging the birds, nests or chicks.

Scrub, heather, gorse/whin and fern provide a habitat for a range of birds such as the curlew, red grouse, lapwing, linnet, yellowhammer and merlin. The burning of their habitat during their nesting season from 15 April to 31 August will have a very damaging impact on their population.

Many of the bird populations in Northern Ireland have experienced a dramatic reduction in recent decades. For many of these birds parts of your farm are their habitat. If you can avoid carrying out any other activities which are likely to disturb birds, their nests and young during the nesting season and even outside this period you will help improve the local bird population.





Damaging the birds, nests or chicks is a criminal offence under the Wildlife (NI) Order 1985 as amended. The public are encouraged to report the reckless or intentional disturbance of nesting birds as a wildlife crime.

All claimants must also protect habitats and biodiversity from damage caused by use of Plant Protection Products and protect habitats and biodiversity from Invasive Alien Species (IAS). Noxious Weeds must also be controlled.

Giant hogweed, Himalayan balsam, Giant rhubarb, Skunk Cabbage, Rhododendron Ponticum and Japanese Knotweed can spread rapidly and compete strongly with native plants to form dense stands and thus prohibit regeneration of the native plants.

Once established, these invasive species are extremely difficult and costly to control and eradicate. They reduce species diversity, alter the habitat for wildlife and their ecological effects are often irreversible.

Their introduction or spread threatens the environment, the economy and society, and human health. Japanese knotweed can grow through a weakness in concrete. They must be cleared completely before starting to build or lay roads.

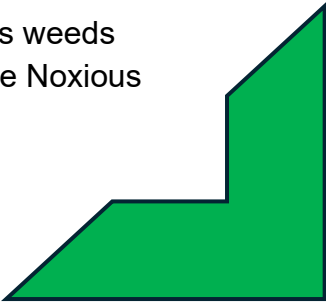
Contact with any part of Giant Hogweed must be avoided as even minute amounts of sap can cause blistering of the skin following exposure to sunlight. Giant Hogweed must be removed from development sites to comply with legislation.

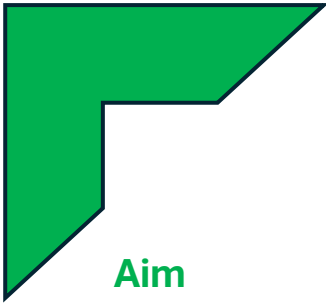
Under the Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019 it is an offence to intentionally keep; grow or cultivate; transport to, from or within Northern Ireland, use or exchange Giant hogweed, Himalayan balsam, Giant rhubarb, Skunk Cabbage, and Japanese Knotweed; or to release it into the environment.

Noxious weeds are Thistle, Dock, Ragwort (Ragweed or Benweed) and Wild oat. They should be controlled because they are persistent and can out compete grass and crops over several years reducing their yield and their quality. In addition, ragwort (ragweed or benweed) is poisonous and may cause illness and even death to livestock. Cattle, horses, pigs and chickens are very susceptible, sheep and goats less so.

They are best controlled before they flower because they will not have been allowed to produce seed, spread and infest other agricultural land.

Landowners have a legal responsibility to control the spread of noxious weeds (Thistle, Dock, Ragwort (Ragweed or Benweed) and Wild oat under the Noxious Weeds (Northern Ireland) Order 1977.





Aim

The aim of FSS 2 is the protection of Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) and their features and the protection of habitats and biodiversity on all lands.

Requirements

The main requirements for farmers under FSS 2 are:

- Farmers must prevent damage to Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) and their features.
- Farmers must restore damage caused to the Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) and/or their features.
- Farmers must protect the habitats and biodiversity for nesting birds.
- Farmer must protect habitats and biodiversity from damage caused by use of Plant Protection Products (PPP's).
- Farmers must protect habitats and biodiversity from Invasive Alien Species (IAS). Farmers must also control Noxious Weeds.

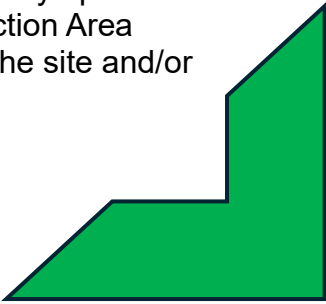
Farmers Must

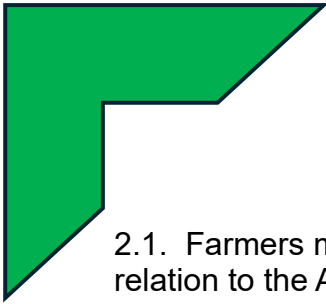
1.1. Farmers must NOT damage, cause disturbance or destruction (notifiable operation) to the Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) and/or their features.

1.2. Farmers must gain written consent before carrying out any works (notifiable operation) which may cause damage, disturbance or destruction to Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC).

1.3. Farmers must comply with any conditions attached to a consent given by NIEA to carry out any works or agricultural activities on Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) and/or their features.

1.4. Farmers must NOT damage, cause disturbance or destruction by any operation OUTSIDE of Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) which impact on the site and/or the features of that designated site.





2.1. Farmers must comply with the terms of any management notices issued in relation to the Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC).

2.2. Farmers must comply with restoration orders issued in relation to the Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC).

3.1. Farmers must NOT carry out hedge cutting, or removal, scrub cutting or removal or cutting of trees within hedges (including trimming, laying and coppicing) between 1 March and 31 August (inclusive). Even if a DAERA derogation is granted, no works should take place if there is evidence of nesting birds.

3.2. Farmers must not carry out burning of any land (including uplands), scrub, heather, gorse, whin or fern from 15 April – 31 August inclusive. Outside this period, no works should take place if there is evidence of nesting birds.

3.3. Farmers must notify NIEA of their intention to burn any land.

3.4. Farmers must NOT carry out any OTHER activities which are likely to result in the disturbance of birds, their nests and young or the deterioration of habitat affecting birds between 1 March and 31 August. Outside this period no activity should take place if there is evidence of nesting birds.

4.1. Farmers must be registered with the Department on the NI list of Pesticide Operators if, as part of their farming activity, they:

- store professional use Plant Protection Products (PPPs).
- use professional PPPs.
- have professional PPPs applied by a third party.

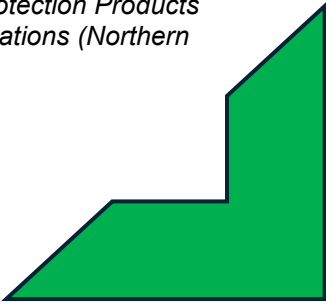
This is a legal requirement placed on all professional PPP users under 'The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020'

Visit [The Official Controls \(Plant Protection Products\) Regulations \(Northern Ireland\) 2020 – List of Operators Registration](#) to register your business online if you have not already done so. Additional guidance to assist you is also available.

4.2. Farmers must ensure that only PPPs authorised for professional use in the UK/NI are stored on the landholding (including by a third party acting on their behalf)

4.3. Farmers must ensure that only PPPs authorised for professional use in the UK/NI are used on the landholding (including by a third party acting on their behalf).

Farmers must only store or use PPPs - that have been approved under the Plant Protection Products Regulations (Northern Ireland) 2011 as amended, or the Control of Pesticides Regulations (Northern Ireland) 1987 as amended.





Details of authorised products are published online by the HSE on their website at <https://secure.pesticides.gov.uk/pestreg/>. The database for Extensions of Minor Used (off-Label authorisations) can be found at <https://secure.pesticides.gov.uk/offlabels/search.asp>. These databases identify the extent of the authorisation as GB+NI, GB only or NI only.

Where divergence creates separate authorisations in GB +NI, GB only or NI only, separate MAPP numbers for the product in the different regimes are required.

You cannot use PPP's authorised for use in GB only. Further you must not use PPPs authorised in the RoI which are identified by a PCS number.

4.4. Farmers must use PPP's properly, including compliance with the statutory conditions of use specified on the product label and the application of the principles of good plant protection practice as set out in the "Code of Practice for Using Plant Protection Products" (COP).

The meaning of 'good plant protection practice' as used here is taken from the definition as set out under Article 3 of Regulation (EC) 1107/2009, i.e. a practice whereby the treatments with plant protection products applied to given plants or plant products, in conformity with the conditions of their authorised uses, are selected, dosed and timed to ensure acceptable efficacy with the minimum quantity necessary, taking account of local conditions and of the possibilities for cultural and biological control.

4.5. Farmers must retain records of all PPPs used for at least 3 years.

The Plant Protection Product Regulations (Northern Ireland) 2011 contain the legal requirements for pesticide operators to keep records. As a minimum the PPP records must contain the name of the plant protection product, the time and the dose of application, the area and the crop where the plant protection product was used.

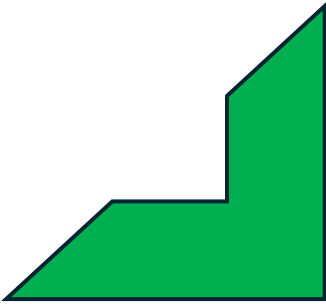
If you are using a contractor to undertake spraying on your behalf, you must request copies of their spray records for your farm and be able to produce them on request.

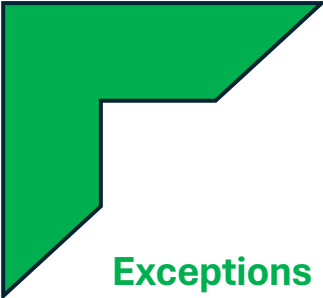
4.6. Farmer must comply with all/any notices issued to them in respect of PPP legislation.

5.1. Farmers must control, prevent spread and eradicate those terrestrial plant species classified as Widely Spread Species and any other listed species to which the Farm Sustainability Standards apply.

5.2. Farmers must comply with requirements of Invasive Alien Species (IAS) restoration or management notices.

5.3. Farmers must control Noxious weeds before they have had time to flower, seed and spread.





Exceptions

The following exceptions are applicable to the requirements above:

1.1. and 1.4.

- The operation has written consent as part of a DAERA/NIEA scheme.
- Planning permission from a Local Authority,
- Written consent from a public body or statutory authority that has complied with its duty to consult NIEA before giving its consent,
- An emergency operation, the steps taken are appropriate and NIEA is informed in writing as soon as possible after the emergency- not exceeding 15 days.

3.1. – Cutting Roadside hedges

This requirement does not apply to hedge cutting between 1st March and 31st August where health and safety is an issue, for example, roadside hedges.

If a farmer owns or occupies land next to a public road or footpath, they are responsible for maintaining the hedges and trees to ensure they:

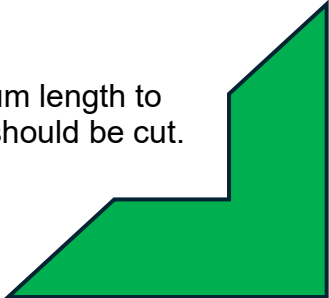
- Do not obstruct the movement of vehicles
- Do not obstruct the movement of pedestrians
- Do not obstruct the view of drivers
- Do not obstruct the view of traffic signs

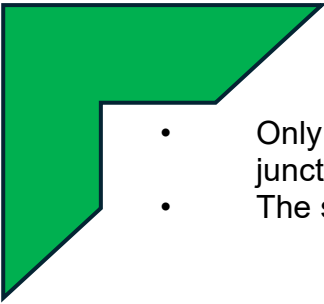
If this happens the farmer can be notified by the Department for Infrastructure (DfI) Roads to trim the hedges in question. Full details of the farmers responsibilities are available at: <https://www.nidirect.gov.uk/services/roadside-grass-cutting-weeds-and-overgrown-hedges-or-trees>

In order to avoid hedges causing an obstruction between the 1st March and 31st August, roadside hedges should be cut in January and February. If hedges are not causing an obstruction they should not be cut in the closed period.

If a farmer needs to cut during the closed period in order to comply with the legislation they should ensure they have clear evidence for doing so and that they can comply with the Code of Practice for Safety at Street Works and Road Works available at <https://www.infrastructure-ni.gov.uk/publications/safety-street-works-and-road-works-code-practice>

The farmer must make a careful check for nesting birds and chicks, mark and avoid any possible nest sites and then proceed with caution.

- Only the side of the hedge that faces the road of the minimum length to allow unobstructed movement of vehicles and pedestrians should be cut.
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- Only the top of the hedge should be cut where the view is obstructed at a junction or corner.
 - The side of the hedge facing the field should not be cut.

Remember to clear hedge trimmings from footpaths and roads as they can cause a hazard to pedestrians and road users.

For further information, contact your local CAFRE Agri-Environment adviser on 0300 200 7842 or daera.helpline@daera-ni.gov.uk

Where fencing of hedges involves cutting the hedges, you must not cut the hedge between 1st March and 31st August, unless there is a health and safety reason, for example roadside hedges, or an animal welfare reason.

3.1. Cutting Fieldside hedges

A farmer can apply for permission to cut a hedge (a derogation) between 15 August and 30 August to allow them plant oilseed rape or reseed grasses or other herbaceous forage (clovers, lucerne, sainfoin and forage vetches) on arable land. The following criteria must be met before DAERA can make a decision on the application:

- Only hedges located in a field with an arable crop usage code in their SAF in any one of the last six years will be considered.
- The farmer must demonstrate a need for the hedge to be cut before the end of the closed period, for example oil seed rape that you need to sow from 15th August in a field where the hedges are overgrown.

If permission is granted, the farmer must check the hedge for nesting birds before cutting. If there is evidence of nesting birds then the farmer must not cut the hedge even though they have been granted a derogation.

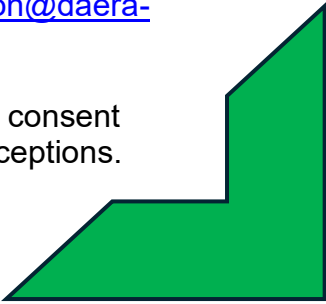
DAERA advises farmers to seek the help of a competent organisation or suitably qualified individual to help them determine if birds are nesting in the hedge they intend to cut.

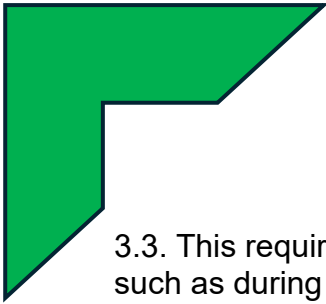
If a derogation is granted only the side of the hedge next to the arable crop is permitted to be cut.

For further information, contact your local CAFRE Agri-Environment adviser on 0300 200 7842 or daera.helpline@daera-ni.gov.uk

You must apply to DAERA at least five working days before the proposed hedge cutting date to allow time for your application to be assessed. You can request an application form (HC1 form) by telephoning 0300 200 7842 or in person at a local DAERA Direct office or by emailing a request to hedgecuttingderogation@daera-ni.gov.uk

3.2. This requirement does not apply if the farmer is operating under a consent issued by DAERA/NIEA or can rely on one of the legal defences or exceptions.





3.3. This requirement does not apply if burning is required in emergency situations such as during a wildfire incident.

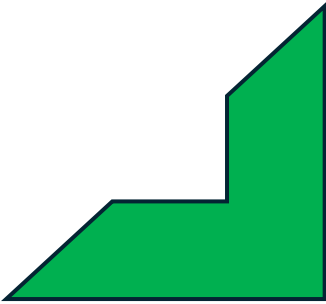
3.4. This requirement does not apply if the farmer is operating under a consent issued by DAERA/NIEA to undertake operations during this period. If operating under a consent, the farmer must check for nesting birds before undertaking the operation. If there is evidence of nesting birds then the farmer must not undertake the operation even though they have a consent.

Advice

Further advice regarding invasive alien species and noxious weeds should be sought where the requirements could potentially conflict with:

- Sites designated for Nature Conservation - Areas of Special Scientific Interest, Special Protection Areas or Special Areas of Conservation.
- Contact NIEA Conservation Designations and Protection. further information on the conservation of natural habitats and of wild flora and fauna can be obtained from NIEA by emailing cdp@daera-ni.gov.uk or NIEA General Enquiry number 0300 200 7856 or on the DAERA website: <https://www.daera-ni.gov.uk/topics/biodiversity>
- Scheduled archaeological sites. Contact DfC Historic Environment Division on (028) 9081 9226 or <https://www.communities-ni.gov.uk/topics/historic-environment> for further information;
- Agri-environment scheme agreements. Contact DAERA on 0300 200 7842 for further information.

If you have Giant hogweed, Himalayan balsam, Giant rhubarb, Skunk Cabbage, or Japanese Knotweed on your land, you must inform the NIEA Invasive Non-Native Species (INNS) team of the management measures you have in place. You can contact the NIEA Invasive Non-Native Species (INNS) team at: Email: invasivespecies@daera-ni.gov.uk or Tel: 028 9056 9558





Inspections and Checks

1.1. and 1.4. Inspections in respect of measures relating to ASSIs, SPAs and SACs will include:

Pre-visit checks

Checking for consents and permissions
Check survey data including remote sensing data for the site

Field check(s) by one or more inspectors either on foot and/or using a drone.

- Checking of Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) for operations or activity.
- Checking if a consent has been issued for the activity/operation.
- Checking for compliance with conditions attached to a consent given by NIEA to carry out any works on Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) and/or their features.
- Checking of any operation outside of an Areas of Special Scientific Interest (ASSI), Special Protection Area (SPA) or Special Area of Conservation (SAC) site(s) which impacts on the site and/or the features of that designated site

3.1. DAERA will carry out on the ground checks to inspect if farmers have carried out hedge cutting, or removal, scrub cutting or removal or cutting of trees within hedges (including trimming, laying and coppicing)

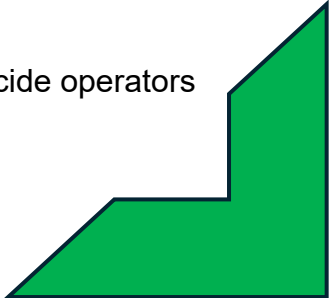
- Between 1 March and 31 August (inclusive) or
- Where there is evidence of nesting birds.

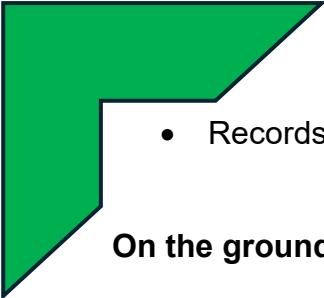
3.2. - 3.3. DAERA will use a combination of aerial photography and on the ground checks to inspect that farmers have not carried out burning of any land (including uplands), scrub, heather, gorse, whin or fern between the 15 April and 31 August and that outside this period no burning took place if there was evidence of nesting birds.

3.3. Record checks will be carried out as necessary to verify NIEA has been notified of any intention to burn.

3.4. DAERA will use a combination of aerial photography and on the ground checks to inspect if farmers have carried out operations which have damaged nesting bird habitat.

Inspections in respect of PPPs will involve 3 elements:

- Administrative Check of business details on the NI List of Pesticide operators database (only if PPPs are stored or used on the farm)
 - Inspection of PPP's stored on the premises.
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- Records inspection.

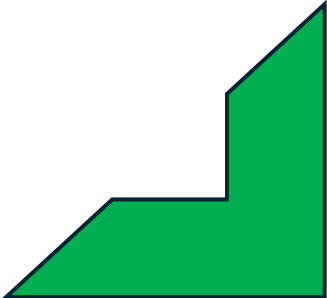
On the ground Inspections will be carried out to check for evidence of:

- Giant hogweed
- Himalayan balsam
- Giant rhubarb
- Skunk cabbage
- Rhododendron ponticum
- Japanese Knotweed

and to check for compliance with any relevant IAS restoration or management notices and for evidence of any Noxious weed infestations.

In addition, DAERA must follow up on any other suspected breaches that they witness or that are reported to them by other people.

A report form will be completed during the visit. Photographs will be taken as a record of the inspection and in some cases, samples may be taken. Any areas of concern or non-compliance will be highlighted, and any remedial action will be discussed with you (if present). Where there has been non-compliance, DAERA will write to you to confirm the findings of the inspection and to detail any areas of improvement that may be required. If you have been asked to carry out remedial works and these works have not been completed within the given timescale, there may be additional non-compliances.



Additional Information

Each ASSI has a list of notifiable operations which would require consent from NIEA. Claimants with an ASSI on or adjacent to their farm should check the list of notifiable operations on the DAERA website.

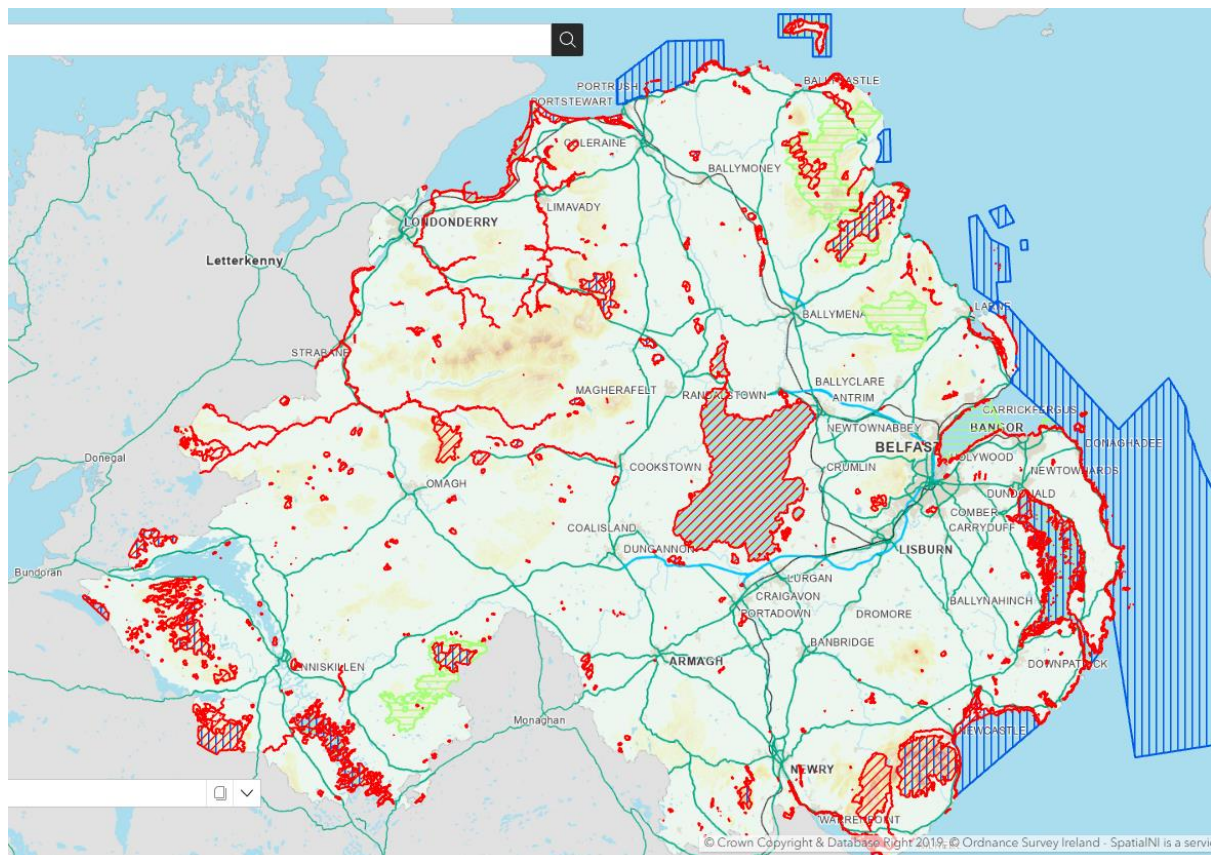
- by clicking and following the link from the ASSI map or visit DAERA page on notifiable operations. [ASSI notifiable operations | Department of Agriculture, Environment and Rural Affairs](#)

Further information on the conservation of natural habitats and of wild flora and fauna can be obtained from NIEA by emailing cdp@daera-ni.gov.uk or NIEA General Enquiry number 0300 200 7856 or on the DAERA website:

[Areas of Special Scientific Interest | Department of Agriculture, Environment and Rural Affairs](#). This page has a link to the on-line consent service to seek permission to undertake operations in an ASSI.

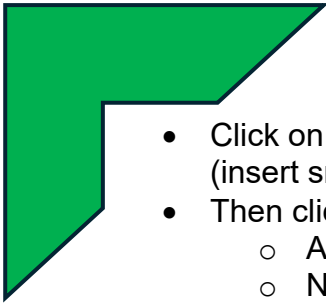
ASSIs, SPAs and SACs overview map.

To view the detail go to [NIEA Natural Environment Viewer](#)



Read the instructions on the welcome information which will pop up as the site opens

- Click on the layer list symbol (insert the graphic)

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- Click on the Protected Areas box, this will expand the selection list available (insert snap)
 - Then click on the boxes to select
 - Area of Special Scientific Interest
 - National Site Network – Special Area of Conservation and
 - National Site Network - Special Protection Area
 - Zoom in to your field locations and note if any of the designations are on your fields.

If you know the name of the ASSI click on this link <https://www.daera-ni.gov.uk/services/searching-protected-areas> and search on the name. Then open the ASSI site citation and map.

Hedge or scrub cutting or removal or cutting of trees

For further information, contact your local CAFRE Agri-Environment adviser on 0300 200 7842 or daera.helpline@daera-ni.gov.uk

If you wish to seek a derogation you must apply to DAERA at least five working days before the proposed hedge cutting date to allow time for your application to be assessed. You can request an application form (HC1 form) by telephoning 0300 200 7842 or in person at a local DAERA Direct office or by emailing a request to hedgecuttingderogation@daera-ni.gov.uk

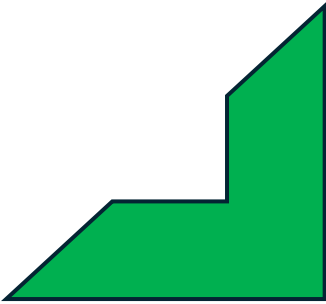
DAERA advises farmers to seek the help of a competent organisation or suitably qualified individual to help them determine if birds are nesting in the hedge they intend to cut.

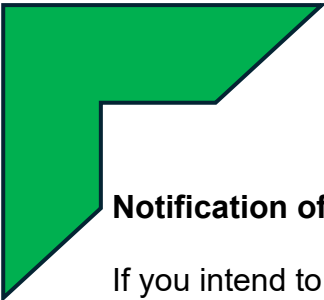
If a derogation is granted only the side of the hedge next to the arable crop is permitted to be cut.

Burning of any land (including uplands), scrub, heather, gorse, whin or fern

- Gorse burning should be avoided as this stimulates gorse seed germination and contributes to its spread.
- Controlled periodic burning of heather in small areas from September to March may benefit grazing and wildlife conservation.
- Further advice on selective controlled burning can be provided by telephoning DAERA Countryside Management Delivery Branch on 0300 200 7842.
- If there is evidence of nesting birds outside of their nesting season, no burning should take place.

Further information on the conservation of wild birds can be obtained from NIEA on (028) 9056 9546 or on the DAERA website: <https://www.daera-ni.gov.uk/articles/special-protection-areas>





Notification of intention to burn any land

If you intend to burn any land you should notify NIEA at WildfireInfo@daera-ni.gov.uk at least 7 days in advance of the burn. The information provided must detail spatially the land that is being proposed to be burnt and details of any associated burning consents. This will enable NIEA to provide you with advice about your burn if required.

Disturbance of birds by other activities

For further information, contact your local CAFRE Agri-Environment adviser on 0300 200 7842 or daera.helpline@daera-ni.gov.uk

Plant Protection Products

Further information on Plant Protection Products can be obtained by clicking on the below links.

<https://www.daera-ni.gov.uk/articles/operator-responsibilities-regarding-pesticides>

<https://www.daera-ni.gov.uk/articles/official-controls-plant-protection-products-regulations-northern-ireland-2020-list-operators-registration>

<https://www.daera-ni.gov.uk/articles/code-practice-using-plant-protection-products>

<https://www.daera-ni.gov.uk/articles/new-regulations-regarding-recording-plant-protection-products-ppps-usage>

Register of authorised PPP's:

<https://secure.pesticides.gov.uk/pestreg/ProdSearch.asp>

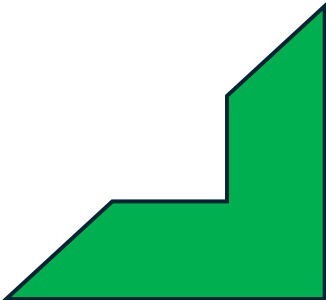
Extensions of Minor Use Register (EAMU/off label use):

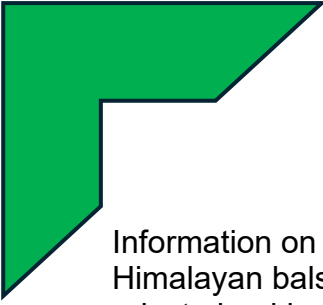
<https://secure.pesticides.gov.uk/offlabels/search.asp>

For Plant Protection Product queries, email: pesticides@daera-ni.gov.uk

Invasive Alien Species

If you have Giant hogweed, Himalayan balsam, Giant rhubarb, Skunk Cabbage or Japanese Knotweed on your land, you must inform the NIEA Invasive Non-Native Species (INNS) team of the management measures you have in place. You can contact the NIEA Invasive Non-Native Species (INNS) team at: Email: invasivespecies@daera-ni.gov.uk or Tel: 028 9056 9558





Information on how to control, prevent spread and eradicate the Giant hogweed, Himalayan balsam, Giant rhubarb, Skunk Cabbage and Japanese Knotweed on private land is available at <https://invasivespeciesni.co.uk/wp-content/uploads/2024/11/NIEA-Invasive-Alien-Species-Order-FAQs.pdf> (from page 21)

You should try to eradicate these plants where possible, unless there are mitigating circumstances. This is especially important if there is a high likelihood of spread, e.g. the plant is located along a river or stream or adjacent to any waterbody or area of high public footfall. The plant material should be removed and safely disposed of.

Noxious weeds

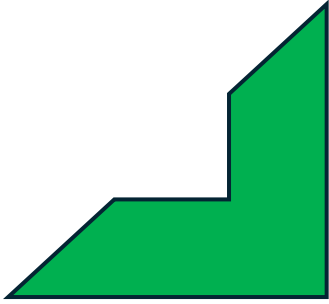
Noxious weeds can be controlled by preferably spot spraying with an appropriate herbicide. Cutting noxious weeds before they flower and thus before they produce seed is also effective at reducing the risk of spread. Small amounts of ragwort can be controlled by pulling.

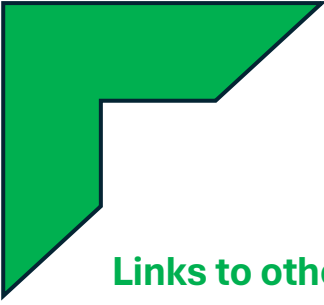
Dead and dying ragwort remains attractive to stock, even in hay or silage, and so livestock should be removed from fields where ragwort has been cut and stock should not be offered silage or hay that is heavily contaminated with ragwort.

A fact sheet giving information on the control of noxious weeds in grassland is available at: <https://www.daera-ni.gov.uk/publications/guidance-leaflet-nw10-herbicides-control-noxious-weeds-grassland>

Contact:

For further information, contact your local CAFRE Agri-Environment adviser on 0300 200 7842 or daera.helpline@daera-ni.gov.uk





Links to other Underpinning Requirements

If a farmer removes a landscape feature, they would be in breach of an additional underpinning requirement under FSS 3 - Farmers must not remove hedgerows, dry-stone walls, earth banks nor lay drainage pipes and/or infill open ditches or sheughs without prior written permission (derogation) from DAERA.

