

2. Technical supplements to operations

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Technical guidance for the Crofting Agricultural Grant Scheme, Small Farmers Grant Scheme and New Entrants Capital Grant Scheme.

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2.1 Introduction

2.1.1

A list of eligible operations are set out in Appendix 1 of the procedural instructions.

2.1.2

Cases of doubts in eligibility should be referred to senior agricultural officer [Ross Dunsmore](#) with a full report of the circumstances, with recommendations.

2.2 Initial improvement works for the restoration of degraded land

2.2.1

Grant is available for initial grassland improvement works which are intended to bring about distinct and durable improvement in the productivity of permanent pasture.

Where restoration works may be at risk from the level of deer populations in the area, grant assistance must be conditional on adequate deer protection measures being in place. If there is doubt as to the risk from deer, claimants should be advised to contact the Deer Commission.

2.2.2

Before approving applications, staff will need to check that they are justified on agricultural and cost-benefit criteria taking into account the cost of any necessary deer protection measures. All schemes where deer may be a problem should be submitted to an SNH Deer Officer for comment and advice.

Deer officers are primarily based at SNH Headquarters at Great Glen House, Inverness. [See the SNH website for further details.](#)

2.2.3

Degraded land is defined by the condition of the sward. It is considered degraded when improved sown grasses are no longer present at a reasonable level. The productive indicator species are ryegrass, cocksfoot, timothy and clover.

If it is required to test the level of sward degradation within a field, a number of metre-square test sites should be randomly selected to whether indicator species are less than 30 per cent. If the test sites average less than 30 per cent indicator species then the land can be considered degraded and eligible for grant support.

2.2.4

The necessary works may include ploughing, cultivation, herbicide sprays, suitable grass seed mixtures and appropriate amounts of lime and fertilisers as required for a grass sward.

The application of lime, straight phosphate and straight potash require to be based on a recent soil analysis, along with a recommendation for the appropriate quantity of NPK fertiliser to apply to the particular area being restored.

If lime, phosphate and potassium levels are at levels sufficient for grassland, it is still a requirement to apply a balanced NPK fertiliser, which provides for a quick release of soluble fertiliser. This should be approved at gross application rate of 250 kg/ha.

2.2.5

Where heavy dressings of lime are required to achieve a suitable increase in soil PH, these may be applied in two consecutive seasons.

2.2.6

Examples to demonstrate nutrient value of fertilisers: 17:17:17 – provide 170 kg of nutrient value for N, P and K per one tonne gross weight. 34.5 per cent N - provides 345 kg nutrient N per one tonne gross weight

2.2.7

Organic food production – in cases where an applicant is involved in organic food production the normal conditions associated with levels of phosphoric acid and nutrients will need to be disregarded, provided that:

- the applicant is a committed member of the organisation "UK Research into Organic Farming Systems"
- SAC has recommended a level of treatment with semi-organic fertilisers which will make sure a satisfactory result (semi-organic fertilisers are naturally occurring materials like Chilean nitrate fertilisers, or fertiliser produced from natural materials, such as processed seaweed. Organic fertilisers, e.g. dung, are not acceptable because of wide variations in quality)
- the normal cost benefit rules are still complied with

2.2.8

It must be the applicant's intention that land being restored is of a permanent nature and will remain in grass for a minimum period of eight years.

2.2.9

Grass seed mixtures should reflect the above requirements and must contain at least 1.5 kg/ha of suitable white clover species; intermediate perennial ryegrass; meadow grasses; fescues; and red clover. Short-term grasses may be included but should represent more than five per cent of the mix.

2.2.10

Where a nurse or cover crop is required to guarantee the successful establishment of the grass, the seed and establishment cost but not the harvesting costs of the nurse or cover crop will be eligible for grant.

2.2.11

Where a pioneer crop to be grazed off by livestock is considered 'necessary' for the success of the work, the establishment costs of the pioneer crop can be grant-aided.

2.2.12

If a sow-out to permanent pasture carried out as above is a failure or partial failure for reasons outwith the applicant's control, the cost of a second seeding or patching will be eligible for grant.

2.3 Bracken control

2.3.1

Eligible works – Control of bracken can be carried out by approved mechanical or chemical means.

2.3.2

Work must be carried out over a suitable period. Where mechanical means are employed this will usually entail not less than two treatments per year over three successive years.

2.3.3

Appropriate follow-up action to prevent bracken re-colonisation is an essential element of any bracken control programme. Failure to implement specific measures to encourage useful herbage species would probably result in re-colonisation by bracken. In the better areas such as in-bye land these measures will constitute some form of reseedling etc. In more difficult conditions bracken regrowth could be suppressed by intensive grazing preferably by cattle.

2.3.4

Grant may be paid in instalments, which may require to be recovered should the applicant fail to complete the full programme.

2.3.5

Aerial spraying should be approved where it can be demonstrated that this is the most effective and practical method.

2.3.6

With effect from 18 July 2012 there are new arrangements for obtaining consent for aerial spraying of bracken as the new UK Plant Protection Products (Sustainable Use) Regulations 2012 come into force. The Chemicals Regulation Directorate (CRD) is part of the Health and Safety Executive and based in York. Applicants, i.e. aerial operators, will submit an application plan to CRD, which will issue permits. (CRD) website link: <http://www.pesticides.gov.uk/guidance/industries/pesticides/topics/using-pesticides/Aerial-Spraying>

There is no change to the rules for Non-Aerial chemical spraying of bracken. Applicant must apply for multi-agency consent via SEPA and be in receipt of consent in advance of spraying. The form is available on the SEARS website.

<http://www.sears.scotland.gov.uk/Herbicide.aspx>

2.4 Formation or improvement of access tracks to previously treated land improvement areas

2.4.1

Eligible works – comprise the formation of tracks or the hardening of an earth road to give access to previously treated land improvement areas. Such tracks may be constructed on the existing ground surface or excavated sub soil without the addition of any other materials where site conditions are considered to be satisfactory.

Works may include bulldozing, blasting rock, levelling, consolidating and ancillary drainage work.

2.4.2.

Removal of tracks from permitted development rights – From 15 December 2014 Permitted Development Rights no longer apply to agricultural and forestry tracks in Scotland. All developments to form or alter agricultural and forestry tracks must be notified to the planning authority before any works begin – but maintenance of existing tracks will not be affected.

No works should be started until the planning authority has advised that prior approval of the works is not required; 28 days has passed since submission of notification, without the planning authority advising that prior approval is required; or the planning authority has advised prior approval is required, and this approval has been obtained.

No fee is applicable when submitted a prior notification application.

2.4.3

Access tracks should be constructed to the minimum standards needed to fulfil their intended agricultural purpose.

2.5 Land drainage

This includes under-drainage, ditching, arterial drainage and hill drainage.

2.5.1

Drainage work outwith land occupied by a business may be eligible for grant provided that it is for the benefit of the business that is the subject of the claim. It is the responsibility of the applicant to arrange all necessary way leaves and permissions.

2.5.2

All works essential for the proper functioning of the drainage scheme may be eligible for grant.

2.6 Under drainage

2.6.1

Eligible works and facilities include:

- new pipe or tile under drainage system
- improvement of existing systems
- installation of suitable permeable backfill above the new drains to improve the permeability of the drain trench
- where considered necessary for a drainage function, mole channels, subsoiling, gravel filled mole channels and similar works may be grant-aided under this item
- provision of any ancillary structures required for effective land drainage, including substantially constructed drain outlets, inspection chambers, silt traps and inlet grids and drainage pumps
- in certain circumstances, in association with the installation of a new under drainage system, high pressure water jetting to remove gelatinous iron ochre

2.7 Ditching

2.7.1

Eligible works and facilities include:

- excavating new ditches
- improving existing ditches or natural stream channels
- cleaning ditches provided that no grant for similar work has been paid previously for the section of channel concerned. However, this condition may be waived where there are exceptional circumstances (e.g. storm damage)
- piping and filling ditches provided that the work will serve a drainage function, for example, to avoid channel instability problems or to reduce maintenance costs
- provision of culverts or bridges disturbed or rendered necessary by the drainage works
- provision of stock watering points in the line of the channel and rendered necessary by the drainage works
- provision of protective fencing

2.7.2

Excavated material must be placed at least 600 millimetres from the edge of the ditch and spread in such a way that it does not cause ponding of surface water.

2.8 Hill drainage: Eligibility

2.8.1

This is restricted to the re-cutting of existing systems with any associated re-conditioning work. The top width should be not less than 550 millimetres and the bottom width not less than 150 millimetres with the sides sloped to a stable angle. Hill drains shall be opened with a tracked excavator with “V”, or standard, bucket. The provision of a new system of hill drains is no longer eligible.

Excavated material must be placed at least 600 millimetres from the edge of the ditch and spread in such a way that it does not cause ponding of surface water. Bank slips must be cleared and rectified and any silt accumulated during excavation should be cleared before the scheme is completed.

2.9 Arterial drainage and river works

2.9.1

Eligible works include:

- widening, deepening, re-grading or realignment of the channels of rivers, streams, canals and ditches which are outlets for drainage water from at least 100 hectares of land or equivalent outflows
- the provision of new open or piped channels that will serve at least 100 hectares of land or equivalent outflows
- the provision, restoration, strengthening, heightening or realignment of flood protection works
- the protection of river banks and flood defence works against erosion
- the provision, improvement or reinstatement of culverts, conduits, outfalls and flap valves rendered necessary by and associated with eligible arterial drainage works

2.10 Ancillary matters

2.10.1

Exploratory works – when an application includes the cost of any necessary field exploration, surveys, maps or measurements, that cost where considered reasonable and appropriate, may qualify for grant as part of an eligible land drainage improvement only if incurred directly by the claimant. Contractors rates should be inclusive of consultants fees.

2.10.2

Ineligible works and facilities – it is expected that normal maintenance work, especially to ditches, will be periodically carried out without grant aid. Only where there is to be major improvement of existing schemes will grant aid be given. The pitting and rodding of pipe drains is ineligible.

2.10.3

Other interested parties – applicants are obliged to obtain any way leaves, easements or consents that are needed, and to comply with any statutory requirements which may apply to the proposed works. For example, applicants may need to consult neighbouring proprietors and occupiers; owners of any fishing rights which might be affected by the proposed works; SEPA; the local roads authority; the water and sewerage department, or the environmental health department. Depending on the works proposed, it may be necessary to consult other individuals, institutions or authorities. Where appropriate, the applicant must obtain written permissions.

2.10.4

Consultations – RPID Engineers, Environmental Affairs Group Engineers Services Team, Victoria Quay, Edinburgh are available to advise officers on the engineering aspects of proposals. Consultations are at the discretion of officers involved. Where substantial lengths of piping in excess of 250 millimetres diameter or considerable lengths of drainage channels wider than 1.5 metres bottom width are proposed, consultation may be deemed advisable.

2.10.5

Plans - all applications for grant on field drainage, including ditching, must be accompanied by a plan of the proposed work. Plans should be of a suitable scale, preferably 1:2500. Drain layout must be plotted accurately showing the size and length of each drain laid and the exact position of junction boxes, inspection chambers etc. The cost of providing the plan is eligible for grant.

2.11 Provision or improvement of agricultural/horticultural buildings and

2.11.1

General – for justification of these items see paragraph 1.6. Most of the usual agricultural and horticultural buildings are included in this paragraph. In general, buildings which are necessary for the operation of the business are eligible to the extent that such operations are normally carried out by producers on their own holdings up to the point of first sale. Applicants should be reminded that buildings should be covered by insurance.

2.11.2

Eligible Items include:

- any permanent steading building (including the main structural element of plastic clad buildings) serving a recognised agricultural purpose
- horticultural buildings, including green houses, to be used to serve a recognised horticultural purpose
- internal works necessary for the proper use of buildings including cubicles, permanent fittings etc
- works and facilities for more specialised types of agricultural production; e.g. honey, keeping milch goats, the production of rabbit meat etc
- any permanent fencing, walls and gates, which are an integral part of or ancillary to the building must attract the building rate of grant

2.11.3

Ineligible items include:

- buildings, or parts of buildings for wholesale and/or retail distribution or processing beyond the stage normally carried out on the holding by reasonably progressive producers or for any of the other activities, examples of which are listed below
- preserving by sterilisation, by freezing, by dehydration, by heat or chemical process, canning or bottling, pulping or cooking of agricultural produce, the slaughter of farm animals, other than rabbits and mink, or any other process or treatment not normally carried out by farmer/crofter. (This is meant to exclude non-agricultural activities even where these are undertaken by agricultural businesses. However it is not intended to refuse grant on new types of bona fide agricultural buildings or equipment, in respect of which eligibility for assistance should be established);
- the treatment of timber for sale
- the treatment of wool
- the provision of agricultural contract services
- the leasing or hiring of equipment to agricultural businesses
- processing or treatment for resale of produce from other agricultural businesses
- temporary, makeshift or portable or mobile buildings
- piggery buildings where specified levels of fattening pig places are or will be exceeded (but see paragraph 1.12.1)
- poultry facilities where the number of birds exceeds or will exceed a specified limit (but see paragraph 1.12.1)
- garages for cars and other private vehicles
- living accommodation
- fish farming facilities
- facilities for equestrian purposes other than work horses used on the holding
- works of repair or maintenance
- temporary plastic coverings on tunnel type structures
- glass replacement on greenhouses

2.11.4

Design features – standards of construction

Changes to design standards for new agricultural buildings – CE marking

A new EU directive means that from 1 July 2014 all new farm buildings manufactured using a steel frame to be CE marked. The CE mark is an industry standard that proves that buildings comply with all relevant EU legislation and therefore "fit for purpose".

BS Standard BS 5502 Part 22, (the Standard in question), has changed so that there are now only two main classifications of Farm Buildings (previously 4 classes):

- Class 2 are agricultural buildings occupied for less than six hours per day at a maximum occupancy of one person/100m² with up to a maximum of 10 people in the building. Class 2 buildings must be single-storey other than small mezzanine floors. They must also be located no higher than 200 metres above sea level. Finally they must have no loads applied to them other than normal environmental loads, i.e. wind and snow. A Class 2 building will be built to last 20 years and is designed to a lower design standard to withstand less loading
- Class 1 is any permanent agricultural building which falls outside of the above parameters is a Class 1 building. A Class 1 building will be built to last 50 years and is designed to a higher standard to withstand more loading.

Some examples:

Class 1 - Small 18.30 x 9.15 x 3.66 metres (60' x 30' x 12') sheep building located at 300 metres above sea level

Class 1 - Grain store/ silage store – any size, any location

Class 1 - Farm workshop with solar panels on the roof

Class 2 - Cattle shed on level ground, lowland position

- BS 5502 Classification - the buyer needs to make sure they specify what loads will be on the building when talking to the supplier so that they can correctly design and build it. Think about possible future uses as these may change the demands on the building. Importantly these changes being made should make sure that you are buying a properly designed and engineered building, safe and fit for purpose

2.11.4.1

It is a requirement of the scheme that to qualify for grant, the work must be eligible under the scheme and relate to capital works. This means that improvements must be lasting, not flimsy or makeshift and for agricultural buildings, likely to continue to be of benefit for a minimum of five years assuming normal use and maintenance.

2.11.4.2

Size of steadings – assistance will be limited to the size and type of steadings suitable to the actual or potential agricultural needs of the holding as assessed by the agricultural officer, but the total eligible land held by the applicant may be taken into account. Seasonal or grazing lets are not to be taken into account.

It is difficult to be wholly prescriptive on a minimum size but it is reasonable to argue that on a value for money basis a minimum size of croft building can be considered.

This being the case we would not be over-equipping many crofts if we were to assist a general purpose building with dimensions of five metres by six metres providing floor area of 30 square metres (based on an average souming of two cows and 10/15 sheep).

On an active croft with a souming or stock carry (including grazings share) of 5/6 cows and 100 sheep, with a modest suite of agricultural machinery a building providing a floor area 120 metres (45' by 30') would be considered adequate.

However, to accommodate the larger crofts found particularly on the east coast and for active crofters we should be flexible enough to consider an applicant's proposals for a large building. In such cases it would be for the applicant to make a clear case for a building.

The building must be sited on the eligible unit.

2.11.4.3

Fixtures and fittings – in addition to the basic structure of agricultural buildings, design features which are an integral part of their construction or which by virtue of their purpose are essential to the function of the building are eligible at the same rate as that applicable to the building.

Such components, fittings or fixtures may be eligible even if moveable – provided they are satisfactorily designed for their intended purpose, can meet the Capital Nature Test and are technically sound. Examples of this moveable fitting would be items such as self-feed barriers, animal handling equipment etc.

An existing building may be improved by the addition of a fixture or fitting that meets these criteria. Fixed ventilation fans, space heating, lighting and power points may be considered under this section as can water bowls, troughs, piping etc.

Ineligible fixtures and fittings include workshop benches and fittings (e.g. fixed racks, shelves and cupboards), cages for livestock and mobile sheep dippers.

Guidance on equipment which constitutes plant in its own right is given at paragraph 2.13.4.12.

2.11.4.4

Substantial upgrading of buildings may be eligible for grant, but not repair or maintenance work. In all cases the expenditure must be of a capital nature and the applicant must demonstrate benefits to the business other than those being achieved by the original investment. Also, an investment to simply upgrade an existing building, or parts of it, by new up-to-date material without fundamentally changing the nature of production cannot be considered for assistance. For these reasons all proposals under the heading of substantial upgrade must be carefully examined.

2.11.4.5

Examples of substantial upgrading that may be eligible are given below but are subject to the conditions set out in paragraph 2.12.4.4:

- reroofing a building in the same materials as the existing one or a more suitable material. Reroofing in cases where stripping a roof covering is necessary over a complete roof or a complete slope of a substantial section of a roof due to failure of roof covering, slate nails or timber. Sound slates, tiles or wood may be reused but their value should not be included in the eligible costs
- taking down a wall or a substantial part of it and rebuilding it from the foundations
- renewal of a cracked, worn out or otherwise unsatisfactory concrete floor by a new one
- waterproofing measures, e.g. new damp courses to old walls, complete rendering of walls
- renewal of cement pointing of a complete building or substantial sections of walling

2.11.4.6

Examples of ineligible repairs:

- all work which might be properly regarded as maintenance or repair, e.g. re-fixing or replacing odd slipped or missing slates and tiles, or steel, fibre cement etc sheets
- piecemeal rebuilding of minor parts of a wall
- piecemeal repairs to concrete or other floors
- repairs to external or internal rendering
- piecemeal repairs to pointing

2.11.4.7

Change of use (non-agricultural) of assisted buildings – In the event of unauthorised change of use within the retention recovery action should be taken.

2.11 4.8

Second-hand buildings – second-hand agricultural buildings are eligible for grant subject to the normal safeguards that the buildings are suitable for their intended purpose and that the components are inspected and passed as being structurally sound by a professional officer on behalf of the Principal Agricultural Officer before approval is issued. This may involve partial rejection, e.g. the cladding and there may be requirements to replace any defective items and probably to wire brush all structural steelwork and apply two coats of approved paint before re-erection.

2.11.4.9

Buildings for livestock:

- cattle – all the usual types of cattle accommodation are eligible subject to any limitations set out in paragraphs 1.12. Partly slatted floors for dairy cows, for example in dunging areas, and fully or partly slatted floors for beef cattle and dairy heifers and calves may be approved, but fully slatted

floors for dairy cows may not be accepted. Similarly, fully-slatted floors for beef cows with calves are not acceptable unless a bedded calf creep is provided

- sheep – eligible items include sheds for lambing, shearing and winter housing with or without slatted floors, and wool stores. Pens, dippers and similar facilities are eligible under paragraph 2.16. Shelters may be eligible under paragraph 2.15
- pigs – provided that the project satisfies the pig restriction rules all the usual styles of housing for breeding, rearing and fattening purposes including fixed or demountable farrowing crates, handling facilities, dry sow stalls, cubicles and stalls for the close tethering of dry sows may be accepted
- bees – buildings for use in connection with the production of honey are eligible
- milch goats – eligible items including buildings for breeding, rearing and milking purposes
- poultry – buildings which pass the capital nature test may be eligible under the scheme subject to the limitations prescribed in paragraph 1.12
- rabbits - eligible items include buildings for breeding, rearing or fattening purposes
- other livestock – facilities for other livestock, such as deer, llamas, etc would be eligible

2.11.4.10

Buildings for storage – eligible items include buildings for the storage of other home produced crops and for bought-in feed. Stores for bulk and liquids such as bins, hoppers or tanks for seed, cattle feed, fertilisers, bulk milk tanks, etc, are eligible if laid on a suitably prepared base. Silos for storage of grass are covered in paragraphs 2.14 and 3.3.4.2.

2.11.4.11

Other buildings – buildings for implements and machinery - eligible items include open and closed sheds for implements and machinery used for the purpose of the agricultural business including workshops, inspection pits and loading platforms.

2.11.4.12

General guidance on machinery and equipment – while machinery and equipment is not generally grant-aidable there are some exceptions. Examples of these are indicated below but these should not be regarded as exhaustive and guidance on the eligibility of other similar items may be sought from technical support.

- facilities for the sheltering and/or feeding of out-wintered livestock (see paragraph 2.14)
- equipment for handling and treatment of livestock (see paragraph 2.16);
- water pumps (see paragraph 2.19.5)
- electricity generators (see paragraph 2.20)
- provision of electrical equipment including electric motors, fans for grain or hay drying (excluding heaters) and other ancillary equipment (see paragraph 2.22)
- land drainage pumps

With the exception of electricity generators, plant and machinery must be new and unused and must meet the requirements specified under the individual item to be eligible for grant.

However, equipment may be required to service more than one eligible facility and provided it is designed for an eligible function and stationary while in use it may be considered for grant. Tractors, tractor mounted machinery and mobile feed trailers are ineligible but see exceptions for electrical equipment (see paragraph 2.23).

Works associated with agricultural buildings – eligible items include yards, hard standings, dung sheds, slurry stores etc.

2.11.4.13

Insurance – applicants are expected to have buildings insured against fire or storm damage. Cover should be for the current value. Where a building or other structure is adequately insured and suffers such damage, grant on any replacement building or structure should be confined to the cost less any insurance money received.

If the building or structure was not insured or was under insured, the net cost for grant purposes should be based on the cost of any replacement building or structure less the value of the original before the damage occurred; i.e. the value at risk, and not merely any insurance money the applicant may have received.

Some structures, e.g. plastic tunnel buildings, sheep pens, etc, are not normally insured and others, particularly those which were old or worn out before the damage occurred, may have little more than a nominal salvage value. In such cases account should be taken of any evidence as to the extent of or limitations upon the insurance cover available.

Insurance money received, or notional insurance, should normally be set against the cost of any replacement building, see paragraph below. Unless specifically excluded from the policy, the cost of demolition or site clearance work can reasonably be regarded as insurable and should also be deducted.

The decision as to whether a building is a replacement is a matter for judgement by professional staff. A proposal for a building to serve the same purpose as the original must be presumed to be a replacement and be treated accordingly, regardless of any change in size, type or siting.

Where the proposal is for a building serving a different purpose it can be presumed not to be a replacement unless the Principal Agricultural Officer has reason to think otherwise, e.g. the damage/loss of a fodder store to be replaced by a roofed silo with fodder storage above where it would be reasonable to take into account the insurance compensation for the loss of the fodder store.

2.12 Provision, replacement or improvement of roofed or unroofed silos or grain stores

2.12.1

General – This item covers roofed and unroofed silos intended for grass and other green forage crops and includes silage effluent tanks and appropriate ramps and aprons.

Stores for all grain to be used on the holding are eligible, e.g. prop corn, wet grain or distillers grain.

2.12.2

Silage pits and clamps – The minimum acceptable standard is an earth banked clamp with concrete floor and effluent tank or any other facilities acceptable to the Local Authority or SEPA. In the interest of good silage making, the walls of an earth banked pit should be suitably lined. The cost of temporary plastic sheeting is not eligible for grant.

All retaining walls and their foundations shall be designed and constructed in accordance with BS 5502 Part 22. Each wall should have a display notice giving details of the design limits.

In cases where it is thought at the application stage that the walls do not comply with the British Standard recommendations, a design certificate, prepared by a qualified civil or structural engineer, must be obtained if the work is to be grant-aided.

Tops of retaining walls should be provided with an appropriate guard or sight rail.

Pits sunk into the ground should have a childproof barrier. For example a woven wire fence with barbed wires added on top so that a combined minimum height of 1.3 metres is obtained above the ground level.

2.12.3

Prevention of pollution – the written agreement of the SEPA must be obtained before work is started and also on completion of the works. The Authority may be willing to grant consent for or agree to relevant proposals only subject to certain safeguards. These conditions must be complied with and grant cannot be paid where they have not been met.

Any additional costs reasonably incurred as a result of meeting conditions imposed by the SEPA may be eligible for grant.

2.13 Provision, replacement or improvement of facilities for feeding out-wintered stock

2.13.1

Works eligible for grant include – provision of facilities for the sheltering of out-wintered livestock, including fixtures, fittings, concreted or bottomed feeding sites with associated drainage, feed barriers, ring feeders, haiks, fencing and gates. Storage recycling bins can also be considered eligible for assistance, in order to qualify for support the bin would have to either be associated within an agricultural building or on a hard standing area where stock are fed during the winter months.

2.13.2

Eligibility criteria – to qualify for assistance as a shelter under this item the proposed structure must satisfy the undernoted basic criteria:

- the intended purpose is the intermittent sheltering of out-wintered livestock in severe weather and not for in-wintering
- a structure for sheltering cattle should be sited to allow free and direct access to a suitable area of out-wintering ground. The building should be sited at the most practical site which may be near the other croft buildings
- a structure for sheep should have the provision for restraining them for short periods (i.e. lambing or severe weather) but not for in-wintering
- the structure is of a functional standard sufficient to provide reasonably for shelter needs and is also designed and constructed to withstand the conditions prevailing on the particular site and complies with BS 5502 as applicable
- the following additional points should be noted relating to the assessment of expenditure eligible for grant-aid

2.13.3

Feeding equipment – must be associated with hard standing.

2.13.4

Electricity – cost of internal wiring may be assisted under the parent item.

2.13.5

Water – the cost of internal work is assisted under the parent item. Unless the cost of bringing the supply to the shelter is negligible, that part of the cost should be assisted under paragraph 2.19

2.13.6

Slatted floors – the use of slats in lambing sheds would only be considered under exceptional circumstances where no other form of bedding is practical.

2.13.7

Works ineligible for grant – feeding equipment without adequate hard standing area for the livestock being fed. In relation to storage recycling bins neither the purchase of plastic liners nor any collection fees would qualify for assistance under the scheme.

2.14 Provision or improvement of equipment for handling or treatment of livestock

2.14.1

Officers should bear in mind that eligible facilities may in some circumstances in crofting communities be more appropriate on a township basis.

2.14.2

Eligible items include:

- crushes and tractor mounted catcher crates (including weigh crushes and portable crushes)
- permanently sited pens with permanent or demountable fencing
- mobile handling equipment where the use of that equipment is appropriate to meets the needs of the qualifying unit
- permanently sited dipping baths and foot baths
- provision of hardcore or concrete floors to pens
- turning cradles/trimming stands for treatment of sheep incorporated with the handling system
- provision of loading banks and pens
- animal clippers and electrical sheep shearing equipment

2.14.3

Ineligible items include:

- small hand held items of equipment (e.g. drench guns but see paragraph 2.22.2)
- equipment intended for the servicing of other eligible equipment (e.g. sharpening equipment, welders, hoists etc)

- mobile demountable sheep dipping equipment

2.15 Provision of fences, hedges, walls and gates

2.15.1

Eligible works and facilities - eligible works include erection of boundary structures including fences, hedges, walls and dykes.

2.15.2

Examples of eligible expenditure are:

- strained - line post and wire fences, with or without woven wire netting
- high tensile wire fences with droppers
- permanent electric fences
- top wiring for a wall or protective fencing alongside a wall
- additional line wires to an existing fence or substituting woven wire netting for line wires on an existing fence
- protective fencing (e.g. to shelter belts, ditches, small Christmas tree plantations etc)
- deer fencing for deer farming or for the protection of crops or grassland
- rabbit netting
- permanently fixed and durable windbreaks for livestock or crops
- walls, dykes
- hedges (see paragraph 2.18)
- gates associated with the walls, dykes and hedges

2.15.3

Ineligible items include:

- amenity fencing for agricultural dwellings, but where such fencing serves an agricultural purpose grant would be restricted to the cost of a post and wire fence
- temporary fencing (but see paragraph 2.16.4)
- removal of hedges
- repairs and minor alterations
- removal of old fencing prior to the erection of a replacement fence

2.15.4

Other factors affecting eligibility:

- livestock fencing – fencing to exclude livestock from an area of improvement is eligible
- apportionment fencing – is normally eligible because it is a requirement and the apportionment is not effected until the fence is erected. However where an apportionment is approved for a forestry scheme the fencing should be funded from the forestry package
- boundary fencing – where both parties are eligible for grant in the erection of the mutual fence, grant can be paid on the full cost of the fence. Where only one party eligible it can only be approved and claimed on 50 per cent of the costs
- hedges – where the establishment of a new hedge may be at risk from the level of deer populations in the area, grant assistance must be conditional on adequate deer protection measures being in place. If there is doubt as to the risk from deer, claimants should be advised to contact Deer Staff within SNH. <http://www.snh.gov.uk/land-and-sea/managing-wildlife/managing-deer/deer-contacts/>
- before approving claims, staff will need to check that they are justified on agricultural and cost-benefit criteria taking into account the cost of any necessary deer protection measures. All schemes where deer may be a problem should be submitted to SNH Deer Staff for comment and advice
- sound railway sleepers, telephone or electricity poles are acceptable

2.15.5

Where one party is ineligible for grant under the capital grant scheme but is willing to share in the cost of the fence, grant rate will be paid to the eligible party on his own share of the expenditure.

2.15.6

Electric fencing – permanently sited electric fencing, supplied either from the mains/batteries/solar is eligible for grant provided the controller/energiser complies with the appropriate British Standard. In

addition to the conventional three, four or five e-wire electric fence systems, various types of proprietary fencing systems are eligible including visual barrier fencing, automatic monitoring systems, remote deactivating systems, wind or solar powered generators, etc.

Providing there is agricultural justification a single wire may also be considered eligible when erected as an off-set wire on bracket or on posts alongside an existing fence or a stone dyke, provided that on completion a permanent stock-proof barrier is established.

The benefit of providing an offset electric fence is to provide protection to non-electric fence or dyke so that its life is extended though it receiving less physical damage.

2.16 Provision of stock grids

2.16.1

Eligible items include grids on croft or township roads; contributions paid to highway authorities towards the capital cost of grids under a formal agreement made in terms of section 47 of the Roads (Scotland) Act 1984 are also eligible; major reconstruction works to improve an existing grid and associated gates, fencing and by pass.

2.16.2

Ineligible items include minor repair work to the grid, its approaches, gates and fencing; works on a grid which are the responsibility of the highway authority.

Officers should apply strictly the Agricultural Justification tests at paragraphs 2.11 to claims for stock grids. If the installation of a grid is the most realistic way of serving the agricultural purpose, it may be eligible for grant.

2.17 Shelter belts, hedges and windbreaks (also para 2.16.1)

2.17.1

Eligible items include the establishment of an effective shelter belt or the improvement of an existing belt for livestock or crops; essential ancillaries such as protective fencing and ditching; and windbreaks for horticultural business.

2.17.2

Ineligible items – commercial forestry and amenity planting.

2.17.3

Other factors affecting eligibility – shelter belts must be designed to fulfil the required agricultural purpose and should not normally be less than five metres wide.

2.17.4

Risk from deer – where the establishment of shelter belts may be at risk from the level of deer populations in the area, grant assistance must be conditional on adequate deer protection measures being in place. If there is doubt as to the risk from deer, claimants should be advised to contact the Deer Commission.

Before approving claims, staff will need to check that they are justified on agricultural and cost benefit criteria taking into account the cost of any necessary deer protection measures.

All schemes where deer may be a problem should be submitted to the Deer Commission for comment and advice. The justification for shelter belts must stand on its own.

2.18 Provision or improvement of water supplies

2.18.1

General – this paragraph includes all permanent works for supplying and storing water for the purposes of an agricultural business. Grant may be paid on both new water supplies and extensions to existing supplies, namely to fields and agricultural buildings.

2.18.2

Works eligible for assistance – include the provision of a new supply, connection to existing water mains; the supply of drinking troughs to fields and the laying of necessary pipe connections thereto.

2.18.3

Meters – meters installed to comply with the local water authority requirements, or for other reasons, are eligible for grant.

2.18.4

Payment to water authorities – charges by water authorities for tapping the mains to supply eligible agricultural businesses are eligible.

2.18.5

Private supplies – agricultural water supply systems relying on private sources are eligible for grant provided that the purity and volume is consistent with its intended purpose. In cases where the private source will provide a supply to domestic or dairy premises, the claimant will require a certificate from the local environmental health officer to the effect that he is satisfied with the quality of water from the private source for the purposes of the proposed supply.

To enable the issue of such a certificate, the claimant will require to obtain reports of a bacteriological examination and a chemical analysis of the water. The cost of these may qualify for grant aid provided that a scheme using that private source is considered eligible for grant.

To avoid work which may prove to be ineffective, claimants are advised in the scheme literature to consult their local environmental health department before carrying out work other than establishing the source of the water.

2.18.6

Works ineligible for assistance – include capital contributions towards expenditure incurred by water authorities in laying main supply pipes; normal maintenance and cleaning of reservoirs and ponds; repair to tanks, pipework and fittings; water supplies to croft houses.

2.19 Provision or improvement of a mains electricity connection, or the supply and installation of an electricity generator

2.19.1

General – care should be exercised where supply of electricity is being provided to units where currently no house or electricity supply currently exists this is particular issue where new crofts are being created and existing ones sub-divided.

An agricultural justification must be carried out to make sure expenditure for the capital grant is justified. The capital grant is not for the provision of a domestic electricity supply to the unit.

For electricity installations for crofting use purposes. Except where the work has been carried out by a utility company, the applicant must provide a certificate, to the effect that the installation complies with the IEE Regulations.

2.19.2

Electricity – expenditure which may be eligible includes:

- any payment made to an utility company for a connection to mains electricity
 - the supply and installation of a new generator
 - reconditioned generators are eligible where the generator has been substantially rebuilt by specialist manufacturers and certified by them as being in satisfactory working order
 - a standby generator is eligible for grant under this paragraph
 - provision of a three phase supply in place of a single phase supply
- To be eligible all generators required to provide a permanent electricity supply must be fixed in position, however see paragraph 2.22.2 (final item) regarding portable generators

2.19.3

Payment to utility company – contributions by the applicant towards the cost of providing mains electricity may be in one or a combination of the following forms:

(a) a lump sum payment

(b) a limited number of periodic payments (usually spread over from five to 10 years)

(c) a perpetual fixed charge each quarter

(d) a guarantee by the consumer that if for any of a fixed number of years (usually five-seven) after connection he fails to consume a predetermined amount of current he will make up the difference to the utility company (the guarantee is normally expressed in money terms and is usually referred to as a minimum revenue guarantee)

Only (a) and (b) are eligible for consideration for assistance under the scheme.

On (b), it should be suggested to the claimant that he should assign grant to the utility company. This will enable grant to be paid immediately and in full to the utility company on the equivalent lump sum contribution which the utility company will state on the bill for the down payment which they submit to the claimant. If the claimant elects not to assign grant in this way, grant should not be paid until the claimant has paid instalments at least equal to the amount of grant payable on the total contribution.

2.19.4

Wiring of buildings – grant is payable on the fixed components of the installation within a building under paragraphs 2.12.1 and 2.12.4.3. The installation of tungsten halogen lamps within a building is not recommended by the manufacturers. An applicant who proposes to install them should be advised of the potential fire hazard and, unless the proposed unit has a toughened front glass he should be encouraged to use another type of fitting within the building.

Items which are not part of the permanent installation but are plugged into or attached to the installation will not be eligible under this item but see paragraph 2.22.2. The renewal of lamps or tubes is not eligible.

Grant will not be paid on the cost of providing buried systems of electrical heating such as underfloor heating, although these may be integral parts of buildings. Rewiring of buildings is only eligible as an item in its own right where the whole wiring system is being replaced.

If a building has been scaled back in size due to crofting need then the wiring and electrical fittings require to be scaled back to those items required as a result of agricultural justification.

2.20 Provision or improvement of a gas supply

2.20.1

Eligible expenditure includes:

- any charge made by British Gas for the capital cost of bringing a supply to the premises of an agricultural business;
- the charge made by British Gas for the capital cost of bringing a gas supply to a business is normally a lump sum payment. British Gas is responsible for connecting to the main supply including excavation and restoration of ground disturbed. In some cases they bear the cost of a specified length of supply pipe and the consumer pays for the remainder. For schemes involving large sums for services, British Gas may allow payment of costs by instalments. In such cases grant should not be paid until the claimant has paid instalments, at least equal to the amount of grant payable on the total cost;
- the cost of a gas supply for use in any building which would itself be eligible
- the cost of the underground supply from the British Gas main up to the consumer's meter (control point) and all subsequent pipes, branches and fittings bringing up to and connecting to water heating appliances except in dwelling houses. Bulk liquefied petroleum gas tanks (only those sited above ground) and associated pipework and fittings, also the fixed parts of installations designed to use gas in cylinders and bottles, are eligible. Tanks and associated equipment and siting should comply with Guidance Note CS5 'The Storage of LPG at Fixed Installations' from the Health and Safety Executive and the applicant must satisfy the Department that this is the case before grant can be paid.

2.20.2

Ineligible expenditure:

- the cost of gas consumed, the hire of cylinders or containers which provide a supply of gas, and all similar equipment

2.20.3

Applications for a new gas connections for domestic purpose may be considered a house Improvement under the 'Croft Housing Grant Scheme'.

2.21 Provision of electrical equipment

2.21.1

General – this item covers the provision of electrical equipment which is designed for a specific agricultural purpose and is required to promote or complete the production stage of a commodity. Generators should normally be considered under paragraph 2.20, but see paragraph 2.22.3.2 – final item.

2.21.2

Eligible items include:

- fans for grain and hay drying
- electrically powered augers, bruisers, mixers, etc
- sheep shearing equipment, including clipper heads
- mobile generators required to power eligible equipment

2.21.3

Ineligible items include:

- second hand equipment
- ventilation fans, space heating etc (but see paragraph 2.13.4.3)
- replacement blades and sharpening equipment for sheep shearers
- equipment not installed in accordance with IEE Regulations
- electrical hand tools
- compressor and accessories for maintaining equipment

An electrical certificate must be submitted with any claim for grant aid on an electrical installation.

2.22 Provision or improvement of roads, bridges, culverts

2.22.1

General - from 15 December 2014 Permitted Development Rights will no longer apply to agricultural and forestry tracks in Scotland. All developments to form or alter agricultural and forestry tracks must be notified to the planning authority before any works begin – but maintenance of existing tracks will not be affected.

No works should be started until the planning authority has advised that prior approval of the works is not required; 28 days has passed since submission of notification, without the planning authority advising that prior approval is required; or the planning authority has advised prior approval is required, and this approval has been obtained.

No fee is applicable when submitted a prior notification application. In cases where construction is below the high water mark, it is the applicant's responsibility to make sure that all necessary licences and permissions have been obtained. Most land below high-tide mark is owned by the Crown and therefore consent from Crown Commissioners will be required in these cases.

2.22.2

Eligible items include:

- the construction of a new road or bridge where none existed before. Making roads from the native soil or sub soil without the addition of other materials may be eligible where site conditions are considered to be satisfactory. Where conditions are less than satisfactory the use of geo-textile to stabilise the sub-base may be necessary
- the reconstruction of an existing road, which must include the addition of new materials to a suitable depth over the whole surface
- grouting and coating with bituminous emulsion and chippings where this is part of making up a new road or improving an existing road
- work on an existing road designed to improve drainage by altering the level of the surface, providing grips, or strengthening steep slopes with more suitable materials, e.g. coated macadam or concrete. Care should be taken that such work is approved only in those places where it is really necessary

- widening roads and reconstructing bridges and culverts
- where there is a danger or hazard to persons or stock as a result of works being done under this paragraph, safety and protective fences or walls of a permanent kind can be provided as part of the works and be eligible for grant under this paragraph, as are consequential works such as the re-erection of fences and walls

2.22.3

Public roads – work on any other road over which the public has a right of way with vehicles may be considered for grant if the cost to be grant-aided is the cost falling on the eligible occupier.

2.22.4

Bridges etc – bridges or other types of crossings serving a similar purpose (e.g. substantial culverts or fords) may qualify for assistance, but for the purpose of assessing the amount of grant, the minimum specification which would meet the needs of the holding should be adopted. Grant for an access incorporating such a crossing to any new or replacement building or area of land will be assisted only to the extent of the cost of the most economical road/crossing combination leading to the site.

2.22.5

Sheep creeps and other similar crossings – sheep creeps and other similar crossings are eligible for grant. In some cases a local authority may be prepared to make provision of a creep at the request of a occupier in return for a contribution from him towards the cost and in such cases the contribution may qualify for grant. In each case the fact that the work is being carried out on behalf of the business will require to be established.

2.22.6

Ineligible items include: -

- spraying and chipping of macadamised roads as an isolated maintenance operation
- patching and filling pot-holes
- work on a road or bridge which is the responsibility of a highway authority

2.22.7

Roads serving both agricultural sheds and houses Where new domestic properties are to be erected on newly created units road are often constructed with a primary function of serving the domestic property and secondly to meet access needs of an agricultural shed. The house may be erected in a certain position on the unit beyond agricultural consideration.

Factors that should be taken into account in considering the siting of an agricultural shed are as follows:

- (i) planning considerations – may force the siting of a shed in a particular area
- (ii) limiting unnecessary length – we should not be providing grant on more length than is absolutely necessary In some cases the primary function of the road may be to provide access to the new house and the shed is being proposed in a location to maximise capital grant support to the construction of track benefiting domestic use

Where a road is being applied to provide access to a proposed shed, and this also provides access to a proposed residential accommodation the following two items must be met in consideration of proposals:

- (i) there must be a financially justified agricultural justification to provide grant on its full cost
- (ii) a length of track should not be approved greater than the minimum length required to meet the agricultural needs of the unit. i.e. the shed to be placed in a feasible position on the unit requiring the shortest construction of track and therefore excluding domestic housing considerations (for example, excluding view)

2.22.9

Acceptable standards – the standard of construction should only be that demanded by the frequency and kind of use which can reasonably be expected in the particular circumstances of each case. A higher specification may be justified when required by the terrain, ground conditions or volume and type of traffic.