

Retention of landscape features (GAEC 7)

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Updates to last version

- definitions of 'pond' and 'trees' added

The aim of these rules is to protect landscape features.

You must not:

1. remove or destroy* drystone or flagstone dykes, turf and stone-faced banks, walls, hedges*, ponds*, watercourses or trees* (in line, in a group or isolated) without the prior written consent of the Scottish Ministers and / or other statutory bodies. Consent is not required to:

- widen field entrances to enable access for livestock or farm machinery
- fell trees that are dead, diseased, damaged or insecurely rooted and are likely to cause a danger by falling over

2. trim hedges or lop branches off trees during the bird nesting and rearing season starting on 1 March and ending on 31 August except for road safety reasons. Hedgelaying* can be carried out up to and including 31 March

3. cultivate or apply fertilisers or pesticides to land within two metres of the centre line of a hedge. Spot application of pesticides can be used to control injurious weeds*, invasive species* and, after prior written consent of the Scottish Ministers and / or other statutory bodies, certain other weed species

Flexibility for 2015

During the transition period covering 2014/2015 cultivations, there is some flexibility to allow limited cultivations within two metres of the centre line of a hedge if you want to establish a green cover to stabilise soil and minimise potential weed problems.

For 2015 only, the following will apply to these scenarios:

- **land within two metres of the centre line of a hedge which was ploughed prior to 1 January, 2015 and has been sown with a crop.** The crop can remain in the ground until it is harvested. After harvest, although natural regeneration will deliver the greatest conservation benefit, you will be allowed to cultivate within two metres of the centre line of a hedge in order to establish a green cover where one doesn't already exist. A green cover excludes crops that are grown for a commercial purpose, for example, arable crops including crops that are under sown with grass
- **land within two metres of the centre line of a hedge which was ploughed prior to 1 January, 2015 but the crop has still to be planted.** You will be allowed to cultivate within two metres of the centre line of a hedge in order to establish a green cover where one doesn't already exist. Again, a green cover excludes crops that are grown for a commercial purpose for example, arable crops including crops that are under sown with grass
- **land within two metres of the centre line of a hedge which has been harvested but has still to be cultivated.** Although natural regeneration will deliver the greatest conservation benefit, you will be allowed to cultivate land within two metres of the centre line of a hedge in order to establish a green cover where one doesn't already exist. Again, a green cover excludes crops that are grown for a commercial purpose for example, arable crops including crops that are under sown with grass

The same flexibility does not apply to the application of fertilisers and pesticides. If winter crops have been sown, fertilisers and pesticides are not allowed to be applied to any of the crop within two metres of the centre line of a hedge.

4. alter, damage or destroy a Scheduled Ancient Monument* without prior written consent of the Scottish Ministers (known as Scheduled Monument Consent (SMC))

[Further information](#)

Historic Scotland is responsible for safeguarding Scotland's historic environment and promoting its understanding and enjoyment.

To find out whether there are any Scheduled Ancient Monuments on your land, contact Historic Scotland or search their online register.

Tel: 0131 668 8600

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***Explanation of terms**

'Remove or destroy' does not include trimming a hedge or lopping branches off a tree.

'Hedges' means any hedge which has a length of at least 20 metres or a length of less than 20 metres where it meets another hedge at each end. Any gap of less than 20 metres is treated as being part of the hedge.

'Pond' means a small body of still water formed naturally or by artificial means. This excludes lochs, lochans, lakes or reservoirs.

'Trees' means trees with a crown diameter greater than four metres.

'Hedgelaying' means a traditional method of cultivating hedges where tall saplings are partly cut through near the base and then bent over so that they lie horizontally to make a thick barrier.

'Injurious weeds' are species specified in the Weeds Act 1959: Spear Thistle (*Cirsium vulgare* (Savi) Ten.), Creeping or Field thistle (*Cirsium arvense* (L.) Scop.), Curled dock (*Rumex crispus* L.), Broad-leaved dock (*Rumex obtusifolius* L.) and Common Ragwort (*Senecio jacobaea* L.).

'Invasive species' means giant hogweed (*Heracleum mantegazzianum*), Japanese Knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glandulifera*) and rhododendron (*Rhododendron ponticum*).

'Scheduled Ancient Monument' means a monument listed in the Schedule of monuments compiled and maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979(b).

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