



# Entry Level Stewardship

Environmental Stewardship Handbook

Fourth Edition – January 2013

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	Entry Level Stewardship (ELS) including Uplands ELS	Organic Entry Level Stewardship (OELS) including Uplands OELS	Higher Level Stewardship (HLS)
Level	The simplest level in Environmental Stewardship (ES)	The organic version of ELS	A more demanding level that asks a farmer to achieve more
Eligibility	Open to all farmers	Open to farmers with organic land, land entering conversion or farms that combine conventional and organic enterprises	Negotiated with farmers in target areas or, outside of those areas, using target themes
Duration	5 years	5 years	10 years, though some options can run for a longer period
Payment	Standard payment of £30 per ha per year (£8 per ha per year on land parcels of 15 ha or more above the Moorland Line). Uplands ELS has a standard payment rate of £62 per ha per year, and £23 per ha per year on land parcels of 15 ha or more above the Moorland Line.	Standard payment of £60 per ha per year Organic conversion aid payments are £175 per ha (improved land for the first two years) and £600 per ha (top fruit orchards for the first three years). Uplands OELS has a standard payment rate of £92 per ha per year.	Requires a greater input in management terms, and so attracts higher payments. The actual payment varies according to the management required under the specific agreement.
What's new in 2013	Section 2 - Environmental objectives highlighting ELS options of greatest environmental value. Section 3 – Option directory for ELS and Uplands ELS. Changes to options: <ul style="list-style-type: none"> <li>■ Five new options added to address specific environmental needs.</li> <li>■ Points value of 10 options adjusted to improve environmental benefit.</li> <li>■ Detailed option prescriptions of 11 options changed to clarify eligibility and encourage uptake.</li> <li>■ Titles of five options changed to spell out the environmental purpose of the options.</li> </ul> Section 4 – How to apply and Section 5 – Terms and conditions now cover both ELS and Uplands ELS.	Section 2 – Environmental objectives highlighting OELS options of greatest environmental value. Section 3 – Option directory for OELS and Uplands OELS. Changes to options: <ul style="list-style-type: none"> <li>■ Five new options added to address specific environmental needs.</li> <li>■ Points value of 10 options adjusted to improve environmental benefit.</li> <li>■ Detailed option prescriptions of 11 options changed to clarify eligibility and encourage uptake.</li> <li>■ Titles of five options changed to spell out the environmental purpose of the options.</li> </ul> Section 4 – How to apply and Section 5 – Terms and conditions now cover both OELS and Uplands OELS.	Section 3 – Option directory for HLS New option HF24 – Supplementary feeding in winter for farmland birds

Before you read about ES in more detail, you can see what farmers themselves have to say about the scheme in the *Look After Your Land with Environmental Stewardship* booklet available from Natural England. You will also find a summary of each element of the scheme and how it works.

# The ELS Handbook – A Quick Guide

This quick guide will help you find the answers to questions you may have about the scheme, the application process and the rules.

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## Section 1 – Introduction to Entry Level Stewardship

Covers the basics: what you can achieve with ELS; how long agreements last; how the application process works; what and when you will be paid; and an overview of the rules.

2

## Section 2 – Environmental objectives

Information to help you select the best options for your farm and provide the most benefits for the environment, including for uplands farms.

3

## Section 3 – Option directory for ELS and Uplands ELS

Contains the detailed management requirements for each ELS option, including options specifically for farms in the uplands, and new options for 2013. **You should make sure you have read and understood all the management requirements that apply to the ELS options you select** – when you sign your application form, you are confirming that you will comply fully with the management requirements for the duration of your agreement.

4

## Section 4 – How to apply for ELS and Uplands ELS

Explains what you need to do before you apply, and provides a step-by-step guide to completing your application form, including for farmers applying for Uplands ELS.

5

## Section 5 – Terms and conditions

The rules that you will need to comply with when you enter into an ELS agreement. **You should read them before you apply.**

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## Section 6 – Appendices

Includes a glossary of some of the main terms used in the handbook, our contact details, and a list of other useful sources of information.

### Information and advice to help you with your ELS application

**Before you apply:** You can receive a free advice visit from a Natural England representative to help you make the most of your ELS agreement. This help is available to all farmers and land managers. Call 0300 060 1695 or visit the Farm Events and Visits page on the Natural England website at [www.naturalengland.org.uk/](http://www.naturalengland.org.uk/).

**ELS Online:** The simplest and quickest way to complete an ELS application is to do it online by visiting [www.naturalengland.org.uk/ourwork/farming/funding/es/els/online/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/es/els/online/default.aspx).

**Completing your application form:** Call 0300 060 0011 if you need help completing your form.

**How long will it take?** It will take up to three months to process your application from receipt of a valid application. Call 0300 060 0011 if you wish to check the progress of your application.

**Scheme aftercare once your agreement is in place:** you can receive a free advice visit or join a 'best practice' event to help you manage your ELS options as well as possible. If you need to amend your agreement, or have any other concerns, call 0300 060 0011.

### Which edition of the ELS Handbook should you use?

This handbook will apply to all ELS agreements starting on or after 1 January 2013. If this applies to you, this handbook – including all the rules and requirements that it contains – will form a part of your legal agreement with Natural England and it must be retained for reference.

ELS agreements starting before 1 January 2013 will continue to be governed by previous handbook editions, until they are either replaced by a new agreement or reach the end of their term, as follows:

- 1st edition handbooks: Agreements starting August 2005 - September 2008.
- 2nd edition handbooks: Agreements starting October 2008 - January 2010.
- 3rd edition handbooks: Agreements starting February 2010 - December 2012.



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**Throughout this handbook, text in black is applicable to both ELS and Uplands ELS.**  
Text specific to Uplands ELS is highlighted purple.

**Throughout this handbook, all references to 'our', 'us' or 'we' refer to 'Natural England' and all references to 'you' or 'your' refer to 'the agreement holder'.**



# Section 1

## Introduction to Entry Level Stewardship

### 1.1 Introduction and general overview

#### 1.1.1 What is Entry Level Stewardship?

Entry Level Stewardship (ELS) is an agri-environment scheme that provides funding to farmers and other land managers in England in return for delivering environmental management on their land.

ELS is one of three elements of Environmental Stewardship (ES). The other two elements are Organic Entry Level Stewardship (OELS) and Higher Level Stewardship (HLS). Detailed information about OELS and HLS is provided in the separate OELS and HLS Handbooks.

Farmers and land managers can select from a range of environmental management options to create an agreement which fits with their farming practices and meets the environmental priorities for their farm. Our booklet *Look after your land with Environmental Stewardship* is available to download from the Natural England website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk) and provides examples of how farmers are using the scheme to benefit their farms.

There are options suited to all farm types, including a range of options specifically for upland farms. The Uplands ELS options offer a higher level of payment in return for environmental management of land within the Severely Disadvantaged Areas (SDAs).

#### 1.1.2 Benefits of ELS and Uplands ELS for farmers and land managers

ELS rewards farmers and land managers for the adoption of environmental land management practices on their land. The scheme makes two payments for each year of the agreement. It can complement your existing farm practices and help you to meet other requirements such as cross compliance.

You can make awkward corners, small fields and wet areas of your farm work better for you by entering them into ELS options. The least productive areas of a farm are often, with the correct management, the best for birds, wildlife and natural resource protection. You can protect the historic features on your farm, and help maintain the landscape character of your area.

ELS agreements can be beneficial to your wider farming practices. ELS can help you to protect vital assets such as soil and water, and provide habitats for beneficial wildlife that can help to control crop pests, through options such as the creation of beetle banks.

#### 1.1.3 ELS aims and objectives

The aims and objectives of ELS are to:

- conserve **wildlife** including **farmland birds** (biodiversity);
- maintain and enhance **landscape** quality and character by helping to maintain important features such as traditional field boundaries;
- protect the **historic environment**, including archaeological features and traditional farm buildings;
- protect natural resources by improving **water** quality and reducing **soil** erosion and surface run-off;
- respond to climate change by protecting existing soil carbon levels, increasing carbon sequestration and supporting the adaptation of the natural environment to climate change.

#### 1.1.4 Priority options and priority areas

The combination of the options you choose and the areas on your farm where you choose to locate them will have a big influence on what you deliver through your ELS agreement.

Section 2, entitled **Environmental objectives**, contains a selection of themed pages covering farmland birds, wildlife, landscape, the historic environment, resource protection and climate change. These pages explain why your farm is important for each objective and the priority areas that can be used. They also list

the best options to maximise the environmental benefits and describe how you can have a positive impact by implementing these options. Not all of the packages will be appropriate for your farm – the ELS Priority Area maps and your own knowledge of the features and wildlife in your locality will help you identify which objectives and options are most relevant in your area.

More detailed regional maps are available on the Natural England website at [www.naturalengland.org.uk/ourwork/farming/funding/es/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/es/default.aspx).

### 1.1.5 What the scheme has delivered to date

The 39,550 current ELS agreements (including combined ELS-HLS agreements) are delivering over 185,000 km of environmentally friendly hedgerow management (nearly 115,000 miles), more than 5,000 hectares of bird seed mix and protecting more than 180,000 in-field trees. Monitoring shows that this management is achieving real benefits for wildlife.

### 1.1.6 Further help: free farm visits and events

Natural England can provide a free ELS farm visit from a farming and environmental specialist. Whether you are applying for ELS for the first time, renewing an existing agri-environment agreement, or looking for guidance on how to manage your existing agreement more effectively, the support provided can include:

- a discussion on the options most suited to your farm to benefit farmland birds, wildlife, water, soil, the historic environment, landscape and climate change;
- practical suggestions on option location and management, such as tips on establishing wild bird and nectar flower mixes, guidance on buffer strip weed control and how to get a good sward structure;
- information on new and updated options;
- an explanation of the financial benefits and how ELS options can complement your existing farming practices; and
- information and support on applying for ELS by paper or online.

Natural England also runs a programme of farm events to deal with the above topics from a local perspective. To arrange a **FREE** farm visit or to book a place on a farm event please contact our events team on **0300 060 1695** or visit the Farm Events and Visits page on the Natural England website at [www.naturalengland.org.uk/](http://www.naturalengland.org.uk/).

## 1.2 Key information

This section answers some basic questions about the operation of the scheme. The full **Terms and Conditions** are set out in Section 5. You should read these carefully before you apply.

### 1.2.1 Who can apply?

ELS is open to all farmers and land managers who are freehold owners, tenants, contractual licensees or common land rights holders. You must have management control of the land for the entire five years of your agreement. **If not, you will need to make a countersigned application with your landlord, who undertakes to carry on your agreement if your management control of the land ceases** (see Section 5.3 for details). If another farmer claims for another scheme – for example, the Rural Payment Agency's (RPA's) Single Payment Scheme (SPS) – on all or part of your land, you will need to keep a record of how you manage the land between the parties (see Section 5.4.14 for details).

### 1.2.2 How do you apply?

Applications can be made online or by post. Details of how to apply online are available from [els.online@naturalengland.org.uk](mailto:els.online@naturalengland.org.uk). Full details of how to apply by post are given in Section 4, **How to apply for ELS and Uplands ELS**.

### 1.2.3 What land is eligible?

Land to be entered into the scheme must be registered on the RPA's Rural Land Register (RLR), and must be part of the farmed environment. The 'farmed environment' includes both your farmed land, all of which must be entered, and other non-farmed land, which you can choose to enter if you wish (see Section 5.4 for details).

### 1.2.4 What are you agreeing to do?

In signing your application form, you are agreeing to:

- **retain your Farm Environment Record (FER) features** for the duration of the agreement;
- **choose sufficient options** so that together with your compulsory requirements (ie the FER and Upland ELS options UX1 – UX3) you meet your points target for your agreement land;
- **manage the land parcels shown on your ELS options map(s)**, in accordance with your choice of management options, as set out in the ELS/Uplands ELS option descriptions, for the duration of the agreement;
- (Uplands ELS only) **carry out the Uplands ELS compulsory requirements on your SDA land** as set out in the Uplands ELS compulsory requirements descriptions; and
- **follow the scheme Terms and Conditions contained in this handbook**, including meeting cross compliance rules across all of your land, and complying with the other additional requirements listed (see Section 5 for details).

### 1.2.5 What environmental management must you undertake and how much will you be paid?

Acceptance into ELS is determined by a simple 'points per hectares' calculation across your eligible land that sets your 'points target'. In order to join the scheme, you need to choose sufficient options to meet, or exceed, your points target. The number of points per hectare you need varies, depending on the type of land you are entering into the scheme, as shown in Table 1. You will then be paid at the rate shown in the table.

You earn points for environmental management options you agree to provide over the course of the agreement – the points value of each of the options is set out in Table 3 at the start of Section 3, **Option directory for ELS and Uplands ELS**.

In Uplands ELS, your single points target covers your SDA land plus any non-SDA land included in your application. In Uplands ELS, there are compulsory requirements that you must comply with on your SDA land. These compulsory requirements will earn you points towards your points target. To earn the rest of your points, you can use any combination of ELS and Uplands ELS options, provided you can meet the option eligibility conditions.

For Uplands ELS agreements, the Moorland commons and shared grazing (UX1) requirements must be located on all common land and shared grazing above the Moorland Line where there are two or more active graziers. This attracts an additional payment of £5/ha.

Subject to changes in European Union (EU) rules, these payment rates will remain the same for the five years of your agreement, even if the rates are reviewed during that time. New rates will apply only to new agreements.

For all the land you enter into ELS, you will receive the following rates of payment (£/ha/annum):

**Table 1 Rates of payment for ELS and Uplands ELS**

Land Parcel	ELS	
	ELS	Uplands ELS (SDA only)
Parcels below the Moorland Line	30	62
Parcels above the Moorland Line less than 15 ha	30	62
Parcels above the Moorland Line 15 ha or more	8	23

(Uplands ELS only) In addition, the UX1 (Moorland commons and shared grazing) requirements must be located on all common land and shared grazing above the Moorland Line where there are two or more active graziers. This attracts an additional payment of £5/ha.

### 1.2.6 When will your agreement start and how long will it last?

Agreements last for five years and they can start on the first day of any month. Our target is to provide you with an agreement within three months of receipt of a valid application. Your agreement will start on the first day of the next month after the application is processed, unless you tell us on the application form that you want a later start date. For example, if the RPA's Uplands Transitional Payment (UTP) is claimed on your land, you may wish to start your Uplands ELS agreement on the following 1 January to avoid the need to pay back part of your UTP for the current calendar year. You should note that your choice of start date will affect the timing of your payments, so choose a date carefully with that in mind. Agreement start dates cannot be backdated.

### 1.2.7 When will you be paid?

You will receive two payments for each year of your agreement, with each payment representing half of your total annual payment for that year. These payments will be made automatically and you will not have to complete a claim form. However, if there are any changes to your agreement then you must let us know, for instance, if you have amended your field boundaries.

We are required to operate a fixed annual cycle for payments:

- if your agreement starts up to and including 1 June in any calendar year, you should receive your first payment in that calendar year; or
- if your agreement has a start date of 1 July or later in the year, you will receive your first payment in the following calendar year.
- we will assume that on 15 May each year, you make a deemed claim for payments. If there are any reasons why you are no longer eligible to claim, or changes have occurred to your agreement land which we are unaware of, for instance, if you have amended your field boundaries, you must inform us immediately.

Further details including a tool to help you work out the timings of your payments are available at: [www.naturalengland.org.uk/ourwork/farming/funding/developments.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/developments.aspx). If you are overpaid in error, you may be asked to refund the overpayment.

### 1.2.8 Can an agent act on your behalf?

Yes. You can authorise an agent to submit an application and to act on your behalf on all matters relating to the maintenance of your agreement. Your payments can also be made to an agent.

You will need to complete, sign and return the agent authorisation form (NE-auth) with your application. You can obtain one from us or download one from our website at:

[www.naturalengland.org.uk/ourwork/farming/funding/es/forms/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/es/forms/default.aspx). Please note that any payment you make to an agent to help with your application will not be reimbursed by us.

An agent is anyone who is acting on your behalf, so if anyone other than you is to sign an application or claim or act on your behalf in respect of your ELS agreement, they will need to be authorised by you.

### 1.2.9 How will your information be stored and used?

Your information will be stored and processed in accordance with the Data Protection Act 1998. This Act gives you, as an individual, the right to know what data we hold on you, how we use it, with whom we share it and to ensure it is accurate.

We will respect personal privacy, whilst complying with access to information requests to the extent necessary to enable Natural England to comply with its statutory obligations under the Environmental Information Regulations 2004, and the Freedom of Information Act 2000 (see Section 5.2.6, for details).

### 1.2.10 Can you make changes to your agreement?

Continuity is important during your agreement if we are to achieve the environmental benefits sought. We will therefore only agree to changes that are absolutely necessary. Should the situation arise where you need to change the choice or location of your management options, for example, to include more priority options to increase the environmental benefits delivered then, subject to approval, we can amend your agreement. If you need to make a minor or temporary change to your management prescriptions, you can apply for a derogation. You must not make changes without our prior approval (see Section 5.6 for details).





Military orchid



## Section 2

# Environmental objectives



### 2.1 Managing arable habitats for farmland birds

#### Why your farm is important

Farmers across England are taking action to help turn round the fortunes of farmland birds by providing critical nesting and foraging habitats on their land. The birds on your farm are a good indicator of the overall health of biodiversity, as they sit high up the food chain. If bird populations are doing well then it indicates that the plants and insects on which they depend for food are thriving too.

Since the mid-1970s, there has been a steep decline in the country's farmland bird populations, with many species declining by over 50 per cent. Studies have shown that these declines have been caused by the loss of breeding and year-round foraging habitats, meaning that our farmland birds have fewer places to nest, raise fewer young and are less able to survive the winter.

ELS can be used to put in place simple management measures that will make a huge difference to farmland birds. Research and past experience of agri-environment schemes shows that farmland bird populations can respond positively and quickly when certain habitats are provided. These measures can work alongside existing farm practices and fit with the needs of your farming business.

#### Priority areas for farmland birds

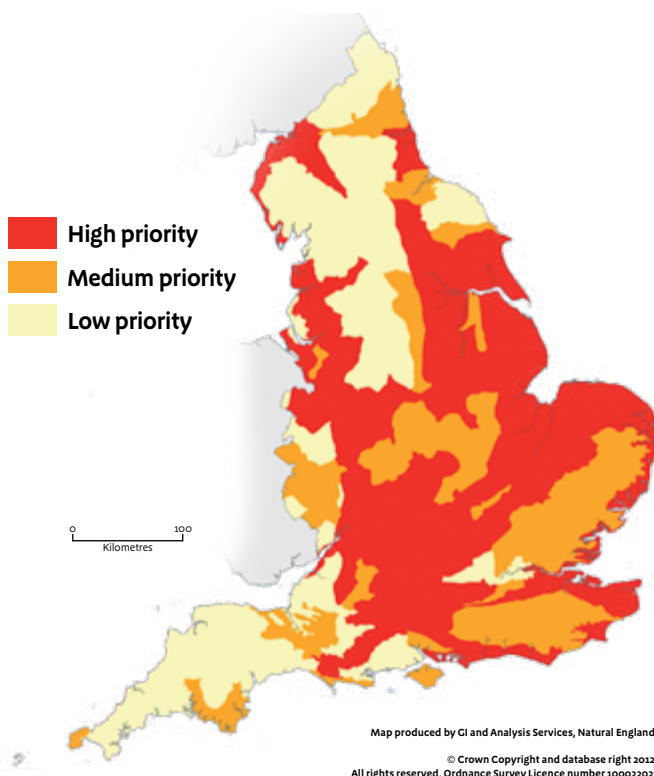
This map shows the priority areas within England for farmland birds. It is intended to help you establish whether the Farmland Bird Package (explained on the next page) is suitable for your farm.

If your farm is located in a high-priority or medium-priority area, by incorporating the Farmland Bird Package, you will be taking positive steps to help farmland birds thrive on your farm.

More detailed regional maps are available on the Natural England website at: [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

#### What you can do for farmland birds: the Farmland Bird Package

By adopting the Farmland Bird Package, you will provide the three main things needed by farmland birds to survive and thrive: (1) overwinter seed food, (2) nesting habitat and (3) food for chicks.



**The 10 most wanted farmland birds:** There are 10 species of birds associated with arable farmland which have declined greatly in recent decades and will benefit the most from these measures. These are:



Grey partridge



Lapwing



Turtle dove



Skylark



Yellow wagtail

To achieve results, **for every 100 ha of arable farmland, you should aim to do at least one of the following things from each of the categories below.** The stubble options may be beneficial for both food and nesting.

**In-field nesting habitat:** Some birds, eg skylarks and lapwings, require in-field nesting habitat. Lapwings, in particular, will benefit greatly from fallow plots.

*Choose either 20 skylark plots in winter cereals, 1 ha fallow plot or 1 ha of extended overwintered stubbles.*

Code	Option description	Page
EF8	Skylark plots	76
EF13	Uncropped cultivated areas for ground-nesting birds on arable land	79
EF22	Extended overwintered stubble	81

**Overwinter seed food:** Seed food during winter and early spring can be supplied by a wild bird seed mixture or weedy overwintered stubbles or ryegrass seed-set. Stubbles should not receive a pre-harvest desiccant or post-harvest herbicide.

*Include either 2 ha of wild bird seed mixture, 5–10 ha of weedy overwintered stubble/ryegrass seed-set, or a combination of the two (eg 1 ha of wild bird seed mix and 2.5 ha of stubble).*

Note: EF23 can only be selected when an agreement contains either EF2 (minimum 2 ha per 100 ha) or EF22 (minimum 5 ha per 100 ha). A minimum of 1 tonne supplementary feed mixture should be used per 1 ha wild bird seed mix or 5 ha stubbles in the agreement.

Code	Option description	Page
EF2	Wild bird seed mixture	72
EF6	Overwintered stubble	74
EF23	Supplementary feeding in winter for farmland birds	82
EG4	Cereals for whole-crop silage followed by overwintered stubble	83
EK20	Ryegrass seed-set as winter/spring food for birds	93

**Insect-rich foraging habitats:** Most farmland birds feed their young on insects and other invertebrates so require insect-rich foraging habitats for successful breeding. As most are territorial during the breeding season, it is vital to maintain a network of these insect-rich habitats across the farm.

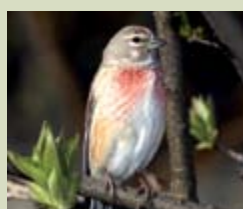
Aim for 1 ha of one or more of the options below.

Code	Option description	Page
EF4	Nectar flower mixture	73
EF9	Cereal headlands for birds	77
EF10	Unharvested cereal headlands for birds and rare arable plants	78
EF11	Uncropped cultivated margins for rare plants	78
EF15	Reduced-herbicide cereal crops followed by overwintered stubble	80
EG1	Undersown spring cereals	83
EK21	Legume- and herb-rich swards	93



© Natural England/Peter Roworth

Tree sparrow



© Shutterstock

Linnet



© Natural England/P N Watts

Yellowhammer



© Natural England/Michael Hammett

Reed bunting



© Natural England/P N Watts

Corn bunting



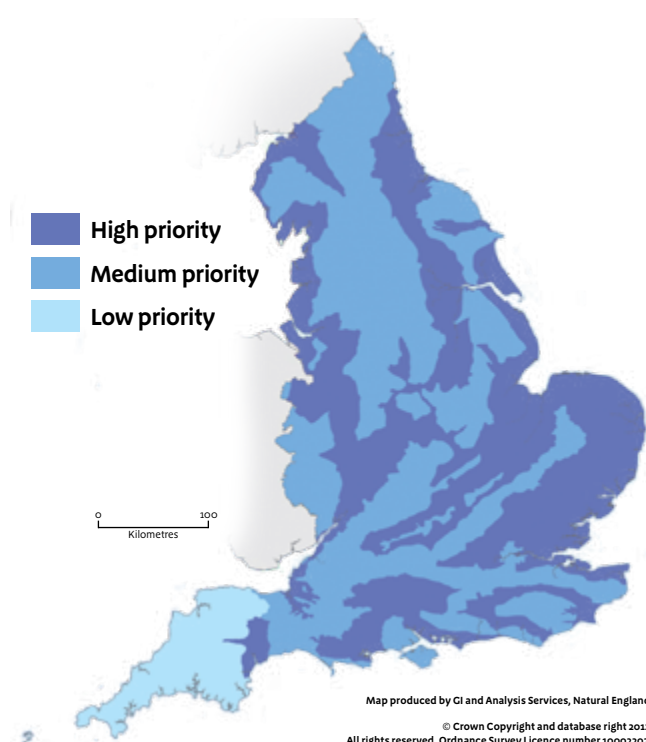
## 2.2 Managing habitats for water voles, dragonflies, newts and toads

### Why your farm is important

Water voles were widespread before World War II, but have declined incredibly rapidly in the last 30 years. Theirs has been one of the most serious declines of any British mammal during the 20th century (declining up to 94 per cent from areas where they had been recorded in the late 1990s). The spread of American mink has contributed to this rapid decline, although habitat loss, fragmentation and drainage schemes have also had an impact.

Dragonflies and other wetland invertebrates rely on ponds, rivers and ditches to complete their life cycles. Shallow ponds and ditches are important for many rare species which thrive on the muddy edges created as the water dries out in summer. Dragonflies and other invertebrates use pond edges, where the water is warm and shallow and there is plenty of vegetation. Water edges should not be completely shaded out by trees and scrub as these hamper the growth of vegetation and cool the water.

Loss of ponds has caused declines in native frog, newt and toad species, and has resulted in once common species becoming scarcer and some species being lost from parts of England.



### Priority areas for water voles, dragonflies, newts and toads

This map shows the priority areas for water voles, dragonflies, newts and toads. It is intended to help you establish whether the options below are suitable for your farm. More detailed regional maps are available on the Natural England website at: [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

If your farm is located in a high-priority or medium-priority area, by including the options into your agreement, you will be helping water voles, dragonflies, newts and toads to thrive on your farm.

### What you can do for water voles, dragonflies, newts and toads

By buffering and protecting any water on your farm, you will help protect and provide the habitat for newts, water voles and other small mammals to flourish.

Options which restore and create riparian habitats such as ponds, fens, reedbeds and ditches and buffering water courses, to prevent bankside

poaching from livestock will provide food and cover for many species. Dragonflies and other invertebrates will benefit from clean, fluctuating water levels with plenty of vegetation.

For more information on management of frogs and toads, see the leaflet *Selecting Environmental Stewardship Options to Benefit Reptiles* produced by Amphibian and Reptile Conservation ([www.arc-trust.org](http://www.arc-trust.org)).

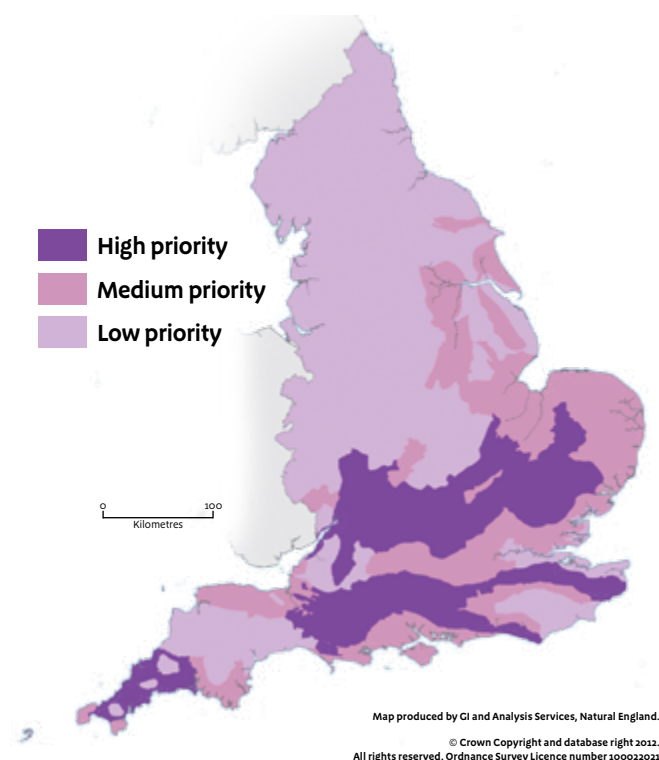
Code	Option description	Page
EB6	Ditch management	47
EB7	Half ditch management	48
EB10	Combined hedge and ditch management (incorporating EB3)	49
EE7	Buffering in-field ponds in improved permanent grassland	69
EE8	Buffering in-field ponds in arable land	69
EJ9	12 m buffer strips for watercourses on cultivated land	86
EJ11	Maintenance of watercourse fencing	88



## 2.3 Managing habitats for arable plants

### Why your farm is important

The wild plants associated with arable habitats include many species that used to be widespread across large swathes of lowland England, eg corn buttercup, corn marigold and prickly poppy, have severely declined since the mid-20th century. Improved seed-cleaning, increased use of broad-spectrum herbicides and the switch from autumn- to spring-sown cereal crops are amongst the factors which have had a major impact on arable plants. Many once-familiar species, including shepherd's-needle and spreading hedge-parsley, are now listed as priority species under the UK Biodiversity Action Plan.



### Priority areas for arable plants

This map shows the priority areas for arable plants. It is intended to help you establish whether the options below are suitable for your farm. More detailed regional maps are available on the Natural England website at: [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

If your farm lies in a high-priority or medium-priority area, it may already support one or more threatened species, or your fields might support a range of species that together comprise a particularly rich assemblage of arable plants.

Alternatively, other farms in your local area may hold important populations of arable plants, meaning that your own fields could have considerable potential, with suitable management, to support some or all of these species.

### What you can do for arable plants

If you have light free-draining soils then you can benefit arable plants by creating cultivated margins

or leaving conservation headlands. If you choose ELS uncropped cultivated margins, evidence shows you can produce habitat for up to five times as many arable plants than a conventional cereal crop.

Code	Option description	Page
EF9	Cereal headlands for birds	77
EF10	Unharvested cereal headlands for birds and rare arable plants	78
EF11	Uncropped cultivated margins for rare plants	78
EF13	Uncropped cultivated areas for ground-nesting birds on arable land	79
EF15	Reduced herbicide cereal crops followed by overwintered stubble	80



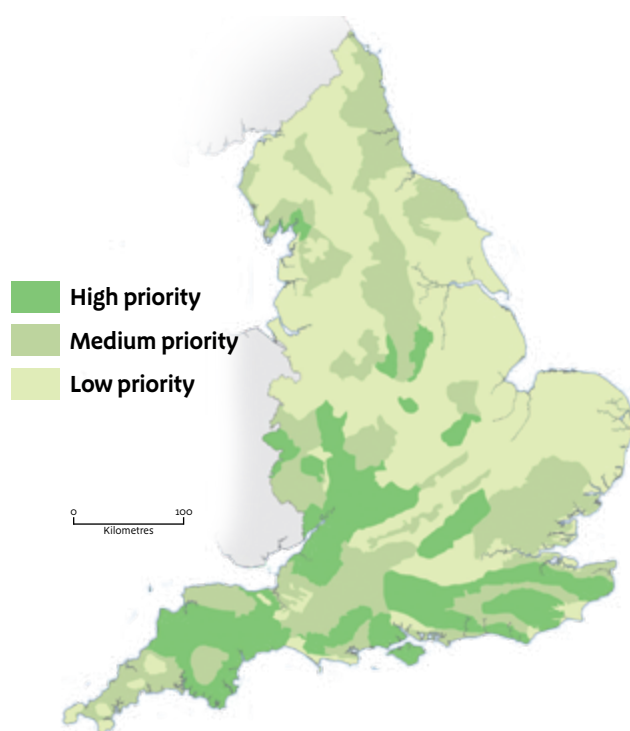


## 2.4 Managing habitats for bats and dormice

### Why your farm is important

There are 17 species of bat known to breed in England, the majority are adapted for feeding across a complex and diverse landscape mosaic comprised of woodland, waterbodies, grassland and heathland. Bats spend over half of their life roosting, using a variety of structures both man-made and natural. Since the mid-20th century, a number of bat species have suffered dramatic population declines. The main causes of declining bat populations are roost destruction and disturbance, and habitat loss, fragmentation and degradation. Hedgerows, woodland edges and streams are essential for providing commuting routes to and from roosts and feeding grounds.

Dormice are most frequently found in broad-leaved woodland with either a thick coppice structure or over-mature woodland with good ground cover. They can also be found in mixed conifer plantations, scrub and hedgerows. Dormice benefit from species-rich hedgerows with a plentiful supply of fruit and berries, sometimes linked to brambles. The dormouse has suffered historical decline in England and is now absent from a number of counties where it was recorded in the late 19th century. The decline is due to habitat fragmentation, degradation, loss or inappropriate management.



Map produced by GI and Analysis Services, Natural England.  
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### Priority areas for bats and dormice

This map shows the priority areas for bats and dormice. It is intended to help you establish whether the options below are suitable for your farm. More detailed regional maps are available on the Natural England website at: [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

If your farm is located in a high-priority or medium-priority area, then by including the options into your agreement, you will be helping bats and dormice to thrive on your farm.

### What you can do for bats and dormice

Hedgerows and woodland edges are incredibly important for bats as they tend to navigate to their roosts and feeding grounds along them. Maintaining good-quality hedgerows, including trees providing shelter, feeding perches and roosting opportunities, will greatly benefit bat species. Bats will also benefit from options which increase insect populations, eg permanent pasture with low/very low inputs and the maintenance of ponds and ditches.



Brown long-eared bats



Dormouse



Dormice will benefit from options which promote range expansion, for example, the maintenance of rides, glades to allow light to reach the woodland floor and promote the growth of the ground cover and woodland connections to allow the dormice to move through their habitat; and options which promote a diversity of food sources throughout the dormouse active period.

Code	Option description	Page
EB3	Hedgerow management for landscape and wildlife	46
EB10	Combined hedge and ditch management (incorporating EB3)	49
EB14	Hedgerow restoration	52
EC3	Maintenance of woodland fences	55
EC4	Management of woodland edges	55
EC23	Establishment of hedgerow trees by tagging	57
EC24	Hedgerow tree buffer strips on cultivated land	58
EC25	Hedgerow tree buffer strips on grassland	59



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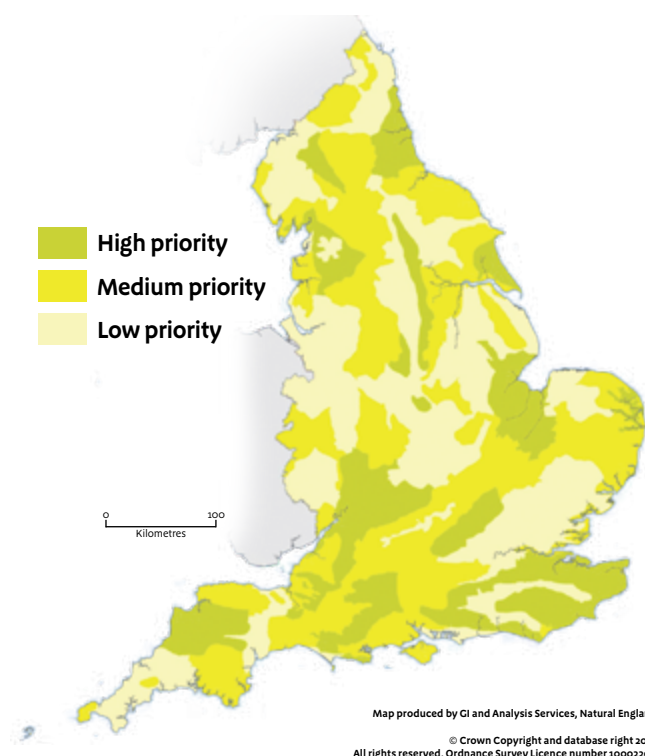
Planted up gaps in hedge



## 2.5 Managing habitats for butterflies, bees and vulnerable grassland

### Why your farm is important

The provision of pollen and nectar sources for butterflies, moths, bees, hoverflies and other insects is now more important than ever. Many species in the countryside struggle to find enough of the right sorts of pollen and nectar to sustain their populations due to loss of flower-rich habitats, especially grasslands. This threatens them (and their position in the food chain) and their availability as pollinators and pest controllers. To benefit pollinators, swards should contain a range of native flowering plants (clovers and flat-topped species, eg hogweed and cow parsley, are useful). These must provide flowers over many months and ensure there is no 'hungry gap'. Whilst seed mixes often contain grasses, the best swards for bees and butterflies tend to be grass-poor. These vulnerable grasslands contain a wide range of plant species which support a variety of invertebrates. Where a range of native plants are not present, pollen and nectar flower mixture can be sown as an alternative to flowers.



### Priority areas for butterflies, bees and vulnerable grassland

This map shows the priority areas for butterflies, bees and vulnerable grassland. It is intended to help you establish whether the options below are suitable for your farm. More detailed regional maps are available on the Natural England website at [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

If your farm is located in a high-priority or medium-priority area, then by including the options into your agreement, you will be helping butterflies, bees and vulnerable grassland to thrive on your farm.

### What you can do for butterflies, bees and vulnerable grassland

You can benefit bees, butterflies and other pollinators by establishing a network of flower-rich habitats across the farm. Scientific evidence shows that farmers who plant ELS nectar mixes instead of grass margins can attract up to 14 times as many bumblebees. Locating flower-rich mixes in sunny sheltered positions will make them more

attractive to pollinators. If you have a range of swards, treat some like a hay crop and cut and remove the cuttings, but ensure the whole resource is not removed in any one season as some species will over-winter in the standing stems. Also, by not cutting all the flowers off, you will ensure part of the forage resource is available throughout the season (March–September).

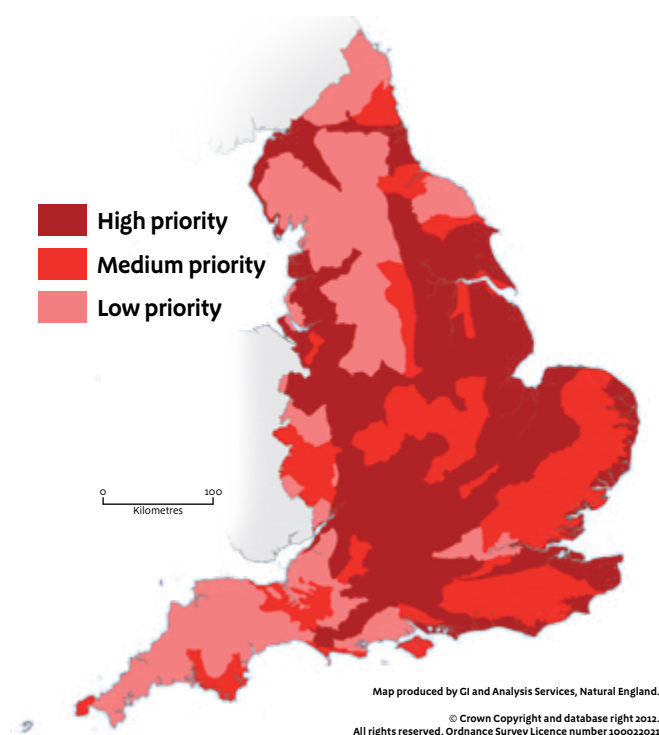
Code	Option description	Page
EB3	Hedgerow management for landscape and wildlife	46
EB10	Combined hedge and ditch management (incorporating EB3)	49
EC4	Management of woodland edges	55
EE12	Supplement to add wildflowers to field corners and buffer strips on cultivated land	70
EF1	Management of field corners	71
EF4	Nectar flower mixture	73
EK3	Permanent grassland with very low inputs	91
EK20	Ryegrass seed-set as winter/spring food for birds	93
EK21	Legume- and herb-rich swards	93



## 2.6 Managing habitats for brown hare

### Why your farm is important

The brown hare was once very common and widespread across the country; however, the population has declined substantially in recent decades. The brown hare is now most common in the open arable landscapes of eastern Britain. Changes in farming practices, post World War II, such as larger fields, less stubble and a simpler crop rotation, have all reduced the amount of food available for hares and have contributed towards their decline.



### Priority areas for brown hare

This map shows the priority areas for brown hare. It is intended to help you establish whether the options below are suitable for your farm. More detailed regional maps are available on the Natural England website at: [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

If your farm is located in a high-priority or medium-priority area, by including the options into your agreement, you will be helping brown hare thrive on your farm.

### What you can do for the brown hare

Hares require quiet, undisturbed cover to raise young and to hide from predators. Wild bird seed and grass mixes provide cover and a good source of food. Stubbles and game crops can also provide good cover for hares. Hares require continuous grazing throughout the year, so options which improve all year round grazing are beneficial for hare populations.

Code	Option description	Page
EC4	Management of woodland edges	55
EF2	Wild bird seed mixture	72
EF6	Overwintered stubble	74
EF7	Beetle banks	75
EF9	Cereal headlands for birds	77
EF10	Unharvested cereal headlands for birds and rare arable plants	78
EF13	Uncropped cultivated areas for ground-nesting birds on arable land	79
EF15	Reduced-herbicide cereal crops followed by overwintered stubble	80
EF22	Extended overwintered stubble	81
EG1	Undersown spring cereals	83
EG4	Cereals for whole-crop silage followed by overwintered stubble	83
EJ13	Winter cover crops	88





## 2.7 Managing habitats for uplands wildlife

### Why your farm is important

Many of England's most characteristic upland species have adapted to habitats maintained by agriculture and are dependent on continued farming. The farm management practices of generations have provided what these species need to thrive. Retaining this skill and knowledge is crucial to secure the future of our most cherished upland wildlife. Drumming snipe over rush pastures in spring, hay meadows rich in wild flowers, and purple moorland at the summer's end are all still familiar sights across the uplands of England.

However, studies over the last 60 years have shown that upland wildlife has declined. Reclamation, increased grazing and other moorland management resulted in the loss of 27 per cent of heather moorland between 1947 and 1980. Increased intensity of grassland management has led to the loss of 33 per cent of unimproved meadows in some areas since the 1980s. These factors have caused once common species to become scarcer and some species to be lost from parts of upland England.

Since the introduction of agri-environment schemes in 1987, these declines have slowed dramatically thanks to concerted action by upland farmers. Ensuring continuity and increasing the coverage of agri-environment management in the uplands is therefore crucial in reversing these long-term wildlife declines. Through ELS, simple management measures can be put in place that will make a huge difference to the wildlife across your farm.

### Priority areas for uplands wildlife

The wildlife focus for ELS in the uplands is to maintain the extent of semi-natural habitat and the mosaic of habitats present in moorland and the upland fringe, which support a number of species. Some of these species, including breeding waders such as curlew and redshank and butterfly species such as small pearl bordered fritillary, have not always been 'upland' specific but have persisted in these areas due to the habitats and mosaics that remain (whilst similar habitats have been fragmented or lost in the lowlands as a result of more intensive agriculture).

### What you can do to benefit wildlife in the uplands

The tables opposite show the four main habitat types in the uplands, with an explanation of their importance and the management practices and ELS options which can benefit wildlife.



© Natural England/Paul Lacey

Red Grouse, North Yorkshire

**Moorland** – Many species of upland bird use areas of heather moorland, tussocky grassland and wet flushes to breed throughout the summer.

- Protect habitats through minimising the impact of supplementary feeding and not undertaking any further drainage work, and by maintaining different ages and heights of heather.
- Follow the Heather and Grass Burning Code to minimise damage where conducted.
- Allow taller areas of vegetation to develop to provide insects and seeds and potential nesting habitat for wildlife.

Code	Option description	Page
EL6	Unenclosed moorland rough grazing	100
UL17	No supplementary feeding on moorland	113
UL18	Cattle grazing on upland grassland and moorland	113
UL22	Management of enclosed rough grazing for birds	115

**Moorland edges** – These areas are particularly important for breeding waders and black grouse (in the north), providing chick-rearing habitat through spring and summer months.

- Encourage a variety of sward heights for breeding waders and other wildlife.
- Allow taller areas of vegetation to develop to provide insects, seeds and potential nesting habitat for wildlife.
- Use stock to break up stands of bracken to provide open areas for fritillary butterflies.

Code	Option description	Page
EL6	Unenclosed moorland rough grazing	100
UL18	Cattle grazing on upland grassland and moorland	113
UL22	Management of enclosed rough grazing for birds	115

**Hay meadows and other in-bye grassland** – Hay meadows cut in late summer are often diverse in flowering plants. Tall uncut areas can provide useful habitat for butterflies and other invertebrates.

- Choose hay making to give plants a chance to flower and increase abundance of seeds for birds. Cut hay meadows in late summer, ideally follow with cattle grazing to increase diversity.
- Use no cutting strips to allow taller areas of vegetation to develop to provide insects, seeds and potential nesting habitat for wildlife.
- Reduce fertiliser inputs on meadows and pastures to increase numbers of flowers, bees and butterflies.

Code	Option description	Page
EL3	Permanent grassland with very low inputs in SDAs	97
UL20	Haymaking	114
UL21	No cutting strips within meadows	115
UL23	Management of upland grassland for birds	117

**Small native woodlands and scrub** – Areas of native gill woodland are important for spring flowers and woodland birds. Fritillary butterflies may often be found in open bracken glades.

- Increase numbers of woodland birds and flowers by fencing-off and excluding livestock in small native woodlands.
- Retain dead wood to enhance diversity.

Code	Option description	Page
EC3	Maintenance of woodland fences	55
EC4	Management of woodland edges	55
UC5	Sheep fencing around small woodlands	106
UC22	Woodland livestock exclusion	107





## 2.8 Managing your land to protect and enhance the landscape

### Why your farm is important

Patterns of field, wood, open moor, common and parkland reflect the long and complex story of our ancestors. The landscape character gives localities their recognisable sense of place and identity, which connects people to the area linking both the natural aspects and our past and current land use. Maintaining this character is usually very important to both local communities and to others who know, visit and experience the area.

Field boundaries, woods and trees are fundamental to the character of the countryside. As agriculture has intensified and farm machinery become more powerful, traditional field boundaries, field patterns, and a more diverse pattern of land use has often become less relevant to modern farming operations. Many distinctive features have been lost or neglected. Recent surveys have shown our upland landscape is particularly threatened. Careful management of important features and vegetation to conserve these can be integrated within a modern farm system to help reduce these impacts.

### Priority sites

All of England's landscapes are important and valued in some way by society. Some are nationally recognised and well known for their beauty and special qualities and are designated as National Parks and Areas of Outstanding Natural Beauty (AONBs), and others are equally special to the local communities living within or close to them.

To help decide how best to contribute to the stewardship of your area, consider how your farm fits into the surrounding countryside and identify the important landscape features on your farm. You may find it helpful to look at information on landscape character. National Character Areas descriptions are available at [www.naturalengland.org.uk/ourwork/landscape/default.aspx](http://www.naturalengland.org.uk/ourwork/landscape/default.aspx). If your farm is within a National Park or AONB, you may find a Landscape Character Assessment (LCA) on their website which will describe the local landscape character more fully. Some local authorities also have LCAs for their area.

### What you can do to protect and manage the landscape

By adopting the options appropriate to the local landscape character and features of your land you will be helping to protect our landscape heritage for the benefit and enjoyment of future generations. The tables below summarise some of the most significant actions you could take and the ELS options most suitable for those farming in the **lowlands** and those farming in the **uplands**. Other options for historic environment and habitat management, especially those for grassland, meadows and moorland, will also contribute significantly to enhancing and maintaining your landscape.



© Natural England/Peter Wakely

Reserve enhancement scheme, stone wall maintenance

### Traditional boundaries and historic stock enclosures

- Maintain and restore boundaries and stock enclosures, using traditional materials and styles, ensuring their landscape and historic significance is retained. This also ensures that the boundaries and enclosures retain their usefulness for stock management and wildlife.
- Local forms of gate, stone gateposts and stiles are important features contributing to landscape character.

Code	Option description	Page
EB3	Hedgerow management for landscape and wildlife	46
EB6	Ditch management	47
EB7	Half ditch management	48
EB10	Combined hedge and ditch management (incorporating EB3)	49
EB11	Stone wall protection and maintenance	50
EB14	Hedgerow restoration	52
UB4	Stone-faced hedgebank management on both sides on or above the Moorland Line	101
UB5	Stone-faced hedgebank management on one side on or above the Moorland Line	101
UB11	Stone wall protection and maintenance on or above the Moorland Line	102
UB12	Earth bank management on both sides on or above the Moorland Line	102
UB13	Earth bank management on one side on or above the Moorland Line	102
UB15	Stone-faced hedgebank restoration	103
UB16	Earth bank restoration	104
UB17	Stone wall restoration	105

### Woodland and trees

- Safeguard and maintain the open and expansive nature of upland landscapes and the more intimate diverse patterns of lowland landscapes. This can be achieved through careful use of appropriate management options for trees and woodland, grassland and moorland.

Code	Option description	Page
EC2	Protection of in-field trees on grassland	54
EC3	Maintenance of woodland fences	55
EC4	Management of woodland edges	55
EC23	Establishment of hedgerow trees by tagging	57
EC24	Hedgerow tree buffer strips on cultivated land	58
EC25	Hedgerow tree buffer strips on grassland	59
UC5	Sheep fencing around small woodlands	106
UC22	Woodland livestock exclusion	107



## 2.9 Managing your land for the historic environment

### Why your farm is important

Archaeological sites, traditional farm buildings and the landscape they sit in are the only evidence we have for much of human history. Historic features are fundamental to the diversity, fascination and attractiveness of the countryside. Archaeological sites, traditional buildings and other historic features are fragile and irreplaceable.

The uplands are particularly important sources of information about our past. Historic features in the uplands are often better preserved than their lowland counterparts as they have not suffered the same intensive activity, which is why the uplands contain almost one quarter of all Scheduled Monuments (SMs). Many traditional farm buildings are threatened by disuse and lack of maintenance. Building maintenance and careful vegetation and stock management can reduce these threats.

The intensification of agriculture and increased farm mechanisation has resulted in many historic sites and buildings being damaged over time. Many distinctive features have been lost or neglected. ELS provides the opportunity to maintain archaeological sites and traditional farm buildings and to conserve the character of your farm for future generations.

### Identifying historic features for management

All historic environment features on your holding are important and will benefit from options to encourage their best possible long-term management.

Within your application pack, the Environmental Information Map shows some of the historic features that can be managed using ELS options. Using the reference numbers provided, you can look up full descriptions of many of these on the **Selected Heritage Inventory for Natural England (SHINE) website** ([www.myshinedata.org.uk](http://www.myshinedata.org.uk)). You must also record any other historic features on your holding such as archaeological sites, ridge and furrow and traditional farm buildings, to complete your Farm Environment Record (FER).

You are particularly encouraged to manage archaeological sites at high risk of damage from arable cultivation, or where scrub is taking over. With English Heritage, we have produced lists of Scheduled Monuments at high risk due to arable or scrub, which can be viewed on the Natural England website at [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

**Note:** The lists are based on the *Heritage at Risk Register*, which is updated and published annually by English Heritage, so may not reflect recent changes to land management practices on particular monuments.



Minimum tillage soil cultivation

### What you can do for the historic environment and landscape

By adopting the options appropriate to the local landscape character and the historic features on your land you will be helping to protect our heritage for the benefit and enjoyment of future generations. The tables below summarise actions you could take and the ELS options available. The information has list options most suitable for those farming in the **lowlands** and those farming in the **uplands**.



### Archaeology under cultivation

- Continued arable cultivation gradually causes increasing damage. The most beneficial management option for sites under the plough is to completely remove them from cultivation, usually by sowing a productive grass sward.
- Where removal from cultivation is not feasible, creation of a 'buffer strip' prevents further encroachment by the plough and provides protection for buried features. Wide margins provide the greatest protection as well as benefit to wildlife and easier field operations.
- Sites surviving under arable cultivation can also be protected by reducing cultivation depth.

Code	Option description	Page
ED2	Take out of cultivation archaeological features currently on cultivated land	62
ED3	Reduced-depth, non-inversion cultivation on archaeological features (minimum till)	63

### Archaeological features under grass

- Maintain adequate grazing levels, which prevents scrub and vegetation growth from obscuring features. Over-grazing, poaching, inappropriately sited ring feeders, mineral licks or water troughs and rutted tracks can cause damage to features, so management requires a careful balance.
- Prevent damage by controlling activities such as feeding stock, harrowing and rolling, and the use of heavy vehicles.
- Keep archaeological features visible to help everyone to enjoy and understand them.

Code	Option description	Page
ED4	Management of scrub on archaeological features	64
ED5	Management of archaeological features on grassland	64
UD13	Maintaining visibility of archaeological features on moorland	110

### Traditional farm buildings

- Ensure that buildings are well maintained if their historic importance and economic potential is to be safeguarded for the future.
- Buildings appropriate for management under ELS are those built before 1940 using traditional materials such as brick, stone, tile, slate and timber.
- Regular effort to keep buildings watertight can reduce expensive repairs at a later date.

Code	Option description	Page
ED1	Maintenance of weatherproof traditional farm buildings	60
UD12	Maintenance of weatherproof traditional farm buildings in remote locations	108



Barn with lichens

© Natural England/Paul Clendell



## 2.10 Managing your land for cleaner water and healthier soil

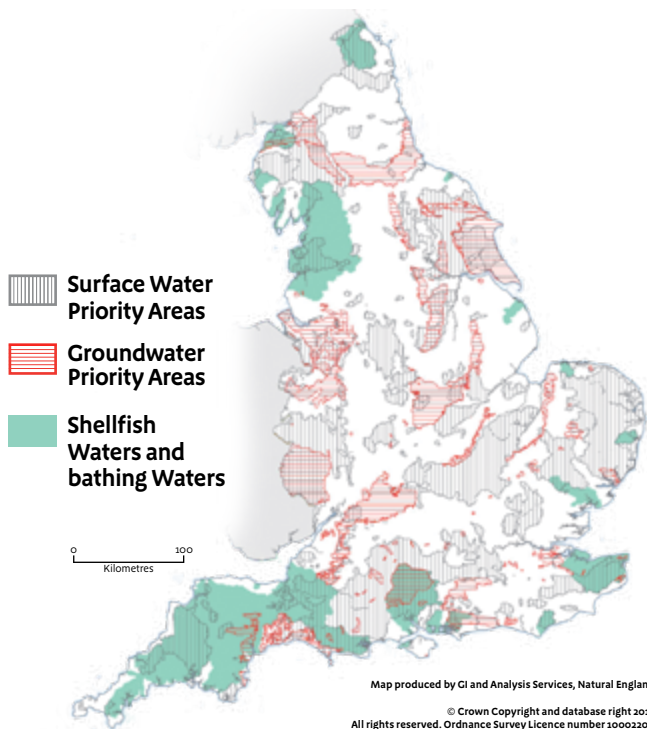
### Why your farm is important

Soil is your farm's most valuable resource as the foundation for production. The most productive components of your soil lie in the top three to six inches of the profile – the layer most vulnerable to erosion. Erosion and run-off can result in valuable nutrients and environmentally damaging sediments, pesticides and disease organisms reaching water.

Water flowing over/through your farm can be almost as significant as the food you produce:

- Clean water is valuable for irrigation of your crops and drinking water for you and your livestock. Private water supplies can be particularly at risk from farming practices.
- Agricultural pollution can cause harm to aquatic life including fish, water plants and invertebrates.
- Clean water and good-quality wildlife habitats attract people for outdoor activities such as fishing, boating and walking which are important for people and the rural economy.
- Rural industries rely on clean water to ensure quality products and adherence to high standards.
- Localised flooding can cause damage to roads, houses and farmland.

Good agronomic practices are essential, but sometimes more is needed to avoid soil erosion and run-off which transport sediment and other pollutants into water.



### Priority areas for soil and water protection

This Environment Agency map shows areas where the quality of water in watercourses, open water and coastal areas is most affected by pollution from agriculture. It is intended to help you establish whether the soil and water options (explained on the following pages) are a priority for your farm. Most of this priority land is covered by Catchment Sensitive Farming through which you can get free detailed advice and other grants to help you manage your farm to protect water quality. For more information see:

[www.naturalengland.org.uk/csf](http://www.naturalengland.org.uk/csf).

If your farm is located in a priority area, then it is important to include appropriate options in your agreement to address soil erosion and run-off risks to help support cleaner water and healthier soil on and around your farm.

**Note:** This map is correct at the time of print; however, the Environment Agency regularly monitors water quality, which will result in changes to this map. More

detailed regional maps (which are kept up to date with the latest Environment Agency data) are available on the Natural England website at [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es).

### What you can do to ensure cleaner water and healthier soil

Soil type, landscape and weather cannot be changed. However, land use and management can be adjusted and can make a big impact on reducing the amount of soil erosion and run-off from your farm.

Your Cross Compliance Soil Protection Review is a good starting-point for identifying potential problems. Measures you adopt as a result of this may go some way to preventing erosion and run-off, but you may also need to consider other options. You should always try to **tackle the source** of any problems. Where this is not possible you should aim to **slow the pathway**, and finally consider how to **protect the water body**.



## Actions and options in the lowlands

The tables below summarise actions you could take and the ELS options available. The information has been split into options most suitable for those farming in the **lowlands** and those farming in the **uplands**.

### Tackle the source of soil erosion and run-off

- Manage maize crops to reduce soil erosion by reducing the likelihood of compaction and establishing a winter cover crop to protect soils that would otherwise be left bare.
- Sow a winter cover crop to capture excess nitrogen, improve soil structure and reduce run-off. Cover crops can reduce nitrate leaching by 50 per cent, enabling you to reduce fertiliser application, increase organic matter and potentially save money.

Code	Option description	Page
EG1	Undersown spring cereals	83
EJ2	Management of maize crops to reduce soil erosion	85
EJ10	Enhanced management of maize crops to reduce soil erosion and run-off	87
EJ13	Winter cover crops	88

### Slow the pathways of soil erosion and run-off

- Grass field corners to slow down overland flow of water or where run-off collects and makes it difficult to farm.
- Grass natural drainage pathways (eg valley bottoms) to reduce the channelling of run-off water that can cause soil erosion and produce rills or gullies.

Code	Option description	Page
EB14	Hedgerow restoration	52
EF1	Management of field corners	71
EF7	Beetle banks	75
EJ5	In-field grass areas to prevent erosion and run-off	85
EK1	Take field corners out of management	89
EK2	Permanent grass with low inputs	90
EK3	Permanent grass with very low inputs	91
EK4	Management of rush pastures	92
EK21	Legume- and herb-rich swards	93

### Protect the water body

- Fence watercourses to prevent livestock from contaminating and eroding river banks.
- Create buffer strips to slow, filter and trap pollutants before they enter ditches/watercourses.

Code	Option description	Page
EE9	6 m buffer strips on cultivated land next to a watercourse	67
EE10	6 m buffer strips on intensive grassland next to a watercourse	68
EJ9	12 m buffer strips for watercourses on cultivated land	86
EJ11	Maintenance of watercourse fencing	88

## Actions and options in the uplands

Peat soils in the uplands, besides supporting agriculture, are valuable stores of water and carbon but they are particularly susceptible to erosion. This can lead to greenhouse gas emissions and water colouration. The latter is a problem that needs costly treatment to make the water suitable for public consumption.

### Tackle the source of soil erosion and run-off

- Place supplementary feeding away from vulnerable parts of moorland and rough grazing, such as steep slopes and areas near to watercourses, to avoid problems from soil erosion.
- Regularly move supplementary feeding sites to control poaching and compaction and to help reduce soil erosion.
- Fence livestock out of woodland on steep valley sides to allow the woodland to flourish. This helps to stabilise the soil and prevents erosion.

Code	Option description	Page
EL5	Enclosed rough grazing	99
EL6	Unenclosed moorland rough grazing	100
UC22	Woodland livestock exclusion	107
UL17	No supplementary feeding on moorland	113
UL22	Management of enclosed rough grazing for birds	115
UL23	Management of upland grassland for birds	117

### Slow the pathways of soil erosion and run-off

- Field boundaries can be very effective in slowing down overland flow of water. Placing a buffer strip, a strip of uncut grass or taller vegetation, against the boundary will enhance its effect.
- Ensure there is a good continuous grass cover on natural drainage pathways, eg valley bottoms, to reduce the channelling of run-off water that can produce rills and gullies.

Code	Option description	Page
EB14	Hedgerow restoration	52
EE6	6 m buffer strips on intensive grassland	68
EF1	Management of field corners	71
EJ5	In-field grass areas to prevent erosion and run-off	85
EL1	Take field corners out of management in SDAs	96

### Protect the water body

- Fence watercourses to prevent livestock from contaminating and eroding river banks.
- Create buffer strips to slow, filter and trap pollutants before they enter ditches/watercourses.
- Manage waterside land with very low inputs and remove stock in winter to reduce the amount of nutrients and sediment likely to get into watercourses.

Code	Option description	Page
EE9	6 m buffer strips on cultivated land next to a watercourse	67
EE10	6 m buffer strips on intensive grassland next to a watercourse	68
EJ11	Maintenance of watercourse fencing	88
EL3	Permanent grassland with very low inputs in SDAs	97
EL4	Management of rush pastures in SDAs	98
UJ3	Post and wire fencing along watercourses	111
UJ12	Winter livestock removal next to streams, rivers and lakes	112



## 2.11 Managing your land to focus on climate change

### Why your farm is important

The climate is already changing: according to the Meteorological Office, temperatures in central England have increased by 1°C since the 1970s. The latest UK Climate Projections are for warmer, drier summers, wetter winters and more extreme weather events in the future. These changes are already affecting farming practices, for example, a greater risk of extreme events, such as drought and prolonged rainfall increases the need to protect soils and water from erosion.

**Mitigation:** Taking action to reduce the scale of climate change, by reducing Greenhouse Gas emissions and protecting carbon stored in soils and vegetation.

**Adaptation:** To enable the natural environment to adapt to climate change there must be space for wildlife: a variety of habitats will enable different species to find suitable conditions. Farmers are in an important position to help provide those conditions.

### How ELS can help you prepare for climate change

ELS can promote adaptation to climate change by:

- supporting farmers in adapting their land management practices to changing conditions, for example, by using the resource protection options to counteract the increasing risk of soil erosion from heavier rainfall events;
- providing the space and conditions in which the natural environment can adapt, for example, by buffering watercourses.

ELS can help you to mitigate climate change in two ways:

- some options help to reduce emissions without impacting on agricultural production;
- protecting the carbon currently stored in soils and vegetation, and helping to sequester more, through improved soil management, habitat restoration and increasing tree cover.

#### Investigate and reduce your emissions

Use the CALM-ES Calculator (Carbon Accounting for Land Managers – Environmental Stewardship), to estimate the emissions from your farm and consider how to reduce them. CALM-ES is an entirely voluntary tool that does not earn you ELS points, but will help you make the right choices in tackling climate change. So far, more than 7,000 farmers have chosen it to assess their Greenhouse Gas emissions. (see [www.calm.cla.org.uk](http://www.calm.cla.org.uk)).

Within ELS, options such as winter cover crops can help to reduce Greenhouse Gas emissions without removing land from production. Our Technical Information Note (TIN107) *ES and climate change mitigation*, which you can download from the Natural England website, details in Appendix 2, contains further information on how you can use ES options to help mitigate climate change.

#### Protect soil and water

Tackling soil erosion and increasing soil organic matter levels will protect soil and improve water quality. It will also protect soil carbon. Soils that are protected in this way will be more resilient to climate change. The Centre for Ecology and Hydrology estimates that over 95 percent of the UK land carbon stock is located in soils.

Within ELS, resource protection options and low input management on permanent grassland will be especially valuable.

#### Increase tree cover

During their growth phase, trees absorb carbon dioxide from the atmosphere. Mature trees store the carbon and provide additional shade and shelter for livestock in the anticipated warmer, drier summers.

Within ELS, options to protect trees, hedgerows and establish new hedgerow trees will make a contribution.



**Protect wildlife**

Buffering hedges, ponds and woodlands, creating habitat patches in field corners, all help to provide the space and variety of conditions that wildlife will need if it is to adapt to climate change.

See the Farm Wildlife pages 14 to 23 for further information.

Code	Option description	Page
EB3	Hedgerow management for landscape and wildlife	46
EB10	Combined hedge and ditch management (incorporating EB3)	49
EB14	Hedgerow restoration	52
EC4	Management of woodland edges	55
EC23	Establishment of hedgerow trees by tagging	57
EC24	Hedgerow tree buffer strips on cultivated land	58
EC25	Hedgerow tree buffer strips on grassland	59
ED2	Take out of cultivation archaeological features currently on cultivated land	62
ED3	Reduced-depth non-inversion cultivation on archaeological features (minimum till)	63
EE7	Buffering in-field ponds in improved permanent grassland	69
EE8	Buffering in-field ponds in arable land	69
EE9	6 m buffer strips on cultivated land next to a watercourse	67
EE10	6 m buffer strips on intensive grassland next to a watercourse	68
EF1	Management of field corners	71
EF4	Nectar flower mixture	73
EF7	Beetle banks	75
EG1	Undersown spring cereals	83
EJ2	Management of maize crops to reduce soil erosion	85
EJ5	In-field grass areas to prevent erosion and run-off	85
EJ9	12 m buffer strips for watercourses on cultivated land	86
EJ10	Enhanced management of maize crops to reduce soil erosion and run-off	87
EJ13	Winter cover crops	88
EK1	Take field corners out of management	89
EK3	Permanent grassland with very low inputs	91
EK4	Management of rush pastures	92
EK21	Legume- and herb-rich swards	93
EL1	Take field corners out of management in SDAs	96
EL3	Permanent grassland with very low inputs in SDAs	97
EL4	Management of rush pastures in SDAs	98
UC5	Sheep fencing around small woodlands	106





# Section 3

## Option directory for ELS and Uplands ELS

All new text, including new options and changes to existing options, is highlighted in blue.

### 3.1 Introduction to compulsory requirements and options

To join ELS you must make a commitment to carry out certain environmental management options, on your eligible land, which you can choose from a wide-ranging menu. Each option is worth a certain number of points per unit of area (eg buffer strip options), length (eg hedge management options) or number (eg in-field tree options). If you agree to deliver enough ELS points on your ELS-eligible land to meet (or exceed) your points target, you will be guaranteed entry into the scheme.

Table 3 below is a list of all the ELS and Uplands ELS compulsory requirements and management options with their corresponding points allocations. This table includes icons which indicate which objective each option is a priority for (see below). Details about each requirement and option can be found in Sections 3.2 to 3.4 after the summary table.

Each requirement and option has a unique code. All the ELS codes start with an E (Uplands ELS options start with a U); the second letter denotes the land management type that the option belongs to, eg options for trees and woodland are given the letters EC (or UC).

Table 3 shows which options are a priority for the different ELS objectives (see Section 2 for more details) using a series of icons. The icons represent the objectives as follows:

**Table 2 Priority, objectives and icons**

	Climate change adaptation		Birds
	Climate change mitigation		Biodiversity (wildlife and upland birds)
	Historic environment		Water quality
	Landscape		Soil quality





Some options can only be applied on or across a limited area of land. This is known as an 'Area Constraint'. If you fail to keep to the stated limits, you are liable to be penalised if you are inspected. The options that have Area Constraints are identified in Section 3.3, and you should read and understand all of the detailed management requirements for each option you select.



The Uplands ELS options are only available within the Severely Disadvantaged Area (SDA) as part of an Uplands ELS application. You may also use ELS options within the SDA where the relevant eligibility conditions are met. You must have either UX2 or UX3 on each land parcel within the SDA. You must also include UX1 where appropriate.





























There are several new options in 2013. They have been added as part of the programme, *Making Environmental Stewardship More Effective*. They are highlighted in the table. Some of the existing options have also been amended as part of the programme.







Table 3 Summary table of ELS and Uplands ELS compulsory requirements, options and points














Code	Option	Unit	Points	Priority option for...	Page
<b>Compulsory requirements for ELS</b>					
EA1	Farm Environment Record <b>UPDATED in 2013</b>	ha	1		41
<b>Compulsory requirements for SDA land in Uplands ELS</b>					
UX1	Moorland commons and shared grazing requirements	ha	5 (£ per ha)		41
UX2	Upland grassland and arable requirements	ha	11		42
UX3	Moorland requirements	ha	15		43
<b>Options for ELS</b>					
<b>B Options for boundary features</b>					
EB1	Hedgerow management for landscape (on both sides of a hedge) <b>UPDATED in 2013</b>	100 m	16		45
EB2	Hedgerow management for landscape (on one side of a hedge) <b>UPDATED in 2013</b>	100 m	8		45
EB3	Hedgerow management for landscape and wildlife <b>UPDATED in 2013</b>	100 m	42		46
EB4	Stone-faced hedgebank management on both sides	100 m	16		47
EB5	Stone-faced hedgebank management on one side	100 m	8		47
EB6	Ditch management	100 m	24		47
EB7	Half ditch management	100 m	8		48
EB8	Combined hedge and ditch management (incorporating EB1 Hedgerow management for landscape) <b>UPDATED in 2013</b>	100 m	38		49
EB9	Combined hedge and ditch management (incorporating EB2 Hedgerow management for landscape)	100 m	26		49
EB10	Combined hedge and ditch management (incorporating EB3 Hedgerow management for landscape and wildlife) <b>UPDATED in 2013</b>	100 m	56		49























Code	Option	Unit	Points	Priority option for...	Page
EB11	Stone wall protection and maintenance <b>UPDATED in 2013</b>	100 m	15		50
EB12	Earth bank management on both sides <b>UPDATED in 2013</b>	100 m	14		51
EB13	Earth bank management on one side <b>UPDATED in 2013</b>	100 m	7		51
EB14	Hedgerow restoration <b>NEW in 2013</b> <i>Please note this option is subject to approval by the European Commission</i>	m	10	    	52
<b>C Options for trees and woodland</b>					
EC1	Protection of in-field trees on arable land <b>UPDATED in 2013</b>	tree	16		54
EC2	Protection of in-field trees on grassland <b>UPDATED in 2013</b>	tree	11		54
EC3	Maintenance of woodland fences	100 m	4	 	55
EC4	Management of woodland edges <b>UPDATED in 2013</b>	ha	380	   	55
EC23	Establishment of hedgerow trees by tagging <b>UPDATED in 2013</b>	tree	1	   	57
EC24	Hedgerow tree buffer strips on cultivated land	ha	400	   	58
EC25	Hedgerow tree buffer strips on grassland	ha	400	   	59
<b>D Options for historic and landscape features</b>					
ED1	Maintenance of weatherproof traditional farm buildings <b>UPDATED in 2013</b>	m <sup>2</sup>	2		60
ED2	Take out of cultivation archaeological features currently on cultivated land	ha	460	 	62
ED3	Reduced-depth, non-inversion cultivation on archaeological features (minimum till)	ha	60	 	63
ED4	Management of scrub on archaeological features	ha	120		64
ED5	Management of archaeological features on grassland	ha	16		64

Code	Option	Unit	Points	Priority option for...	Page
<b>E Options for buffer strips</b>					
EE1	2 m buffer strips on cultivated land <b>UPDATED in 2013</b>	ha	255		67
EE2	4 m buffer strips on cultivated land <b>UPDATED in 2013</b>	ha	340		67
EE3	6 m buffer strips on cultivated land <b>UPDATED in 2013</b>	ha	340		67
EE4	2 m buffer strips on intensive grassland <b>UPDATED in 2013</b>	ha	255		68
EE5	4 m buffer strips on intensive grassland <b>UPDATED in 2013</b>	ha	340		68
EE6	6 m buffer strips on intensive grassland <b>UPDATED in 2013</b>	ha	340		68
EE7	Buffering in-field ponds in improved permanent grassland	ha	400	  	69
EE8	Buffering in-field ponds in arable land	ha	400	  	69
EE9	6 m buffer strips on cultivated land next to a watercourse <b>UPDATED in 2013</b>	ha	400	    	67
EE10	6 m buffer strips on intensive grassland next to a watercourse <b>UPDATED in 2013</b>	ha	400	   	68
EE12	Supplement to add wildflowers to field corners and buffer strips on cultivated land <b>NEW in 2013</b> <i>Please note this option is subject to approval by the European Commission</i>	ha	63		70
<b>F Options for arable land</b>					
EF1	Management of field corners <b>UPDATED in 2013</b>	ha	400	   	71
EF2	Wild bird seed mixture <b>UPDATED in 2013</b>	ha	450	 	72
EF4	Nectar flower mixture <b>UPDATED in 2013</b>	ha	450	  	73
EF6	Overwintered stubble <b>UPDATED in 2013</b>	ha	120	 	74












Code	Option	Unit	Points	Priority option for...	Page
EF7	Beetle banks	ha	580		75
EF8	Skylark plots	plot	5		76
EF9	Cereal headlands for birds <b>UPDATED in 2013</b>	ha	100		77
EF10	Unharvested cereal headlands for birds and rare arable plants <b>UPDATED in 2013</b>	ha	330		78
EF11	Uncropped cultivated margins for rare plants	ha	400		78
EF13	Uncropped cultivated areas for ground-nesting birds on arable land	ha	360		79
EF15	Reduced-herbicide cereal crops followed by overwintered stubble <b>UPDATED in 2013</b>	ha	195		80
EF22	Extended overwintered stubble	ha	410		81
EF23	Supplementary feeding in winter for farmland birds <b>NEW in 2013</b> <i>Please note this option is subject to approval by the European Commission</i>	tonne	630		82
<b>G Options to encourage a range of crop types</b>					
EG1	Undersown spring cereals	ha	200		83
EG4	Cereals for whole-crop silage followed by overwintered stubble <b>UPDATED in 2013</b>	ha	230		83
<b>J Options to protect soil and water</b>					
EJ2	Management of maize crops to reduce soil erosion	ha	18		85
EJ5	In-field grass areas to prevent erosion and run-off <b>UPDATED in 2013</b>	ha	454		85
EJ9	12 m buffer strips for watercourses on cultivated land <b>UPDATED in 2013</b>	ha	400		86
EJ10	Enhanced management of maize crops to reduce soil erosion and run-off	ha	94		87
EJ11	Maintenance of watercourse fencing	100 m	4		88

Code	Option	Unit	Points	Priority option for...	Page
EJ13	Winter cover crops	ha	65		88
<b>K Options for grassland outside the Severely Disadvantaged Areas (SDAs)</b>					
EK1	Take field corners out of management	ha	400		89
EK2	Permanent grassland with low inputs	ha	85		90
EK3	Permanent grassland with very low inputs	ha	150		91
EK4	Management of rush pastures	ha	150		92
EK20	Ryegrass seed-set as winter/spring food for birds <b>NEW in 2013</b> <i>Please note this option is subject to approval by the European Commission</i>	ha	80		93
EK21	Legume- and herb-rich swards <b>NEW in 2013</b> <i>Please note this option is subject to approval by the European Commission</i>	ha	200		93
<b>Option for mixed stocking on grassland</b>					
EK5	Mixed stocking	ha	9		94
<b>L Options for grassland and moorland inside Severely Disadvantaged Areas (SDAs)</b>					
EL1	Take field corners out of management in SDAs	ha	100		96
EL2	Permanent grassland with low inputs in SDAs	ha	35		96
EL3	Permanent grassland with very low inputs in SDAs	ha	60		97
EL4	Management of rush pastures in SDAs	ha	60		98
EL5	Enclosed rough grazing	ha	35		99
EL6	Unenclosed moorland rough grazing	ha	5		100
<b>Options for Uplands ELS</b>					
<b>UB Options for boundary features in the uplands</b>					
UB4	Stone-faced hedgebank management on both sides on or above the Moorland Line	100 m	24		101

Code	Option	Unit	Points	Priority option for...	Page
UB5	Stone-faced hedgebank management on one side on or above the Moorland Line	100 m	12		101
UB11	Stone wall protection and maintenance on or above the Moorland Line <b>UPDATED in 2013</b>	100 m	32		102
UB12	Earth bank management on both sides on or above the Moorland Line <b>UPDATED in 2013</b>	100 m	18		102
UB13	Earth bank management on one side on or above the Moorland Line	100 m	9		102
UB15	Stone-faced hedgebank restoration	m	55		103
UB16	Earth bank restoration	m	12.5		104
UB17	Stone wall restoration	m	30		105
<b>UC Options for trees and woodlands in the uplands</b>					
UC5	Sheep fencing around small woodlands	100 m	50	   	106
UC22	Woodland livestock exclusion <b>UPDATED in 2013</b>	ha	75	   	107
<b>UD Options for historic and landscape features in the uplands</b>					
UD12	Maintenance of weatherproof traditional farm buildings in remote locations <b>UPDATED in 2013</b>	m <sup>2</sup>	4		108
UD13	Maintaining visibility of archaeological features on moorland <b>UPDATED in 2013</b>	feature	53		110
<b>UJ Options to protect soils and water in the uplands</b>					
UJ3	Post and wire fencing along watercourses <b>UPDATED in 2013</b>	100 m	50		111
UJ12	Winter livestock removal next to streams, rivers and lakes <b>UPDATED in 2013</b>	ha	35	 	112
<b>UL Options for upland grassland and moorland</b>					
UL17	No supplementary feeding on moorland <b>UPDATED in 2013</b>	ha	4	  	113



Code	Option	Unit	Points	Priority option for...	Page
UL18	Cattle grazing on upland grassland and moorland <b>UPDATED in 2013</b>	ha	30		113
UL20	Haymaking <b>UPDATED in 2013</b>	ha	60		114
UL21	No cutting strip within meadows <b>UPDATED in 2013</b>	ha	250		115
UL22	Management of enclosed rough grazing for birds <b>UPDATED in 2013</b>	ha	35	  	115
UL23	Management of upland grassland for birds <b>UPDATED in 2013</b>	ha	37	  	117

## 3.2 Compulsory requirements for ELS and upland management

**UPDATED in 2013**

### EA1 Farm Environment Record

1 point per ha

As part of your application, you must identify and map the features listed and described on the FER Map key that are present on your land. Follow the instructions in Section 4.3.2, Step 2, to do so. The completed map(s) must be submitted with your application form. As long as the markings you make are clear and understandable, we will be able to accept your map(s).

You must retain all features marked on your FER Map for the duration of your agreement.

### Compulsory requirements for SDA land in Uplands ELS

The management requirements UX1–UX3 are compulsory. Depending on the category of land, either UX2 or UX3 must be located on each SDA land parcel. UX1 must be located on all moorland parcels where there are two or more active graziers.

Fenced and ungrazed woodland in the SDA is not eligible for UX1, UX2 or UX3.

### UX1 Moorland commons and shared grazing requirements

£5 per ha **supplementary payment**

This requirement must be located on all SDA parcels of common and shared grazing land above the Moorland Line where there are two or more active graziers. It can only be used on whole-fields. The supplementary payment contributes towards the costs of facilitating communal agreements and collaborative management of grazing livestock.

You must comply with the following:

- All sheep must comprise hefted self-maintained flocks. Exceptionally, where self-maintained herds/flocks are not retained, the livestock need only be acclimatised to the conditions of the moor eg where the area of common is relatively small and there is no sheep tick. Wethers are permitted provided that they are sourced from an area of similar physical conditions and disease challenge.

Hefting (otherwise known as 'learing' or 'heafing') consists of retaining a self-maintained herd/ flock that is acclimatised to the conditions of the grazing. The herd/flock replacements are homebred, selected from within the resident herd/flock so that the animals are familiar with the physical conditions and have some resistance to prevailing diseases.

- Establish and maintain a commoners' association/group supported by an internal agreement. This Uplands ELS agreement must indicate the type of stock and system of management for the purpose of the agreement.
- Maintain an ongoing record of active graziers and the numbers and type of stock for the period of the agreement and produce these records on inspection or when requested by Natural England.

### UX2 Upland grassland and arable requirements

11 points per ha

This requirement must be located on all SDA parcels below the Moorland Line. It can only be used on whole-fields. Please note that ELS buffer strip options EE1–10 and EJ9 cannot be located next to watercourses on land in UX2.

You must comply with the following:

- Do not supplementary feed within 6 m of the top of a bank of a watercourse (as defined in the Glossary). This requirement must not overlap with the cross compliance requirement (within 1 m of the top of the bank of a watercourse).
- Do not apply any fertiliser, or boom spray herbicides, within 6 m of the top of a bank of a watercourse. Selective control of weeds is permitted using weed wipers and/or spot treatment. This requirement must not overlap with the cross compliance requirement (within 1 m of the top of the bank of a watercourse) and, within Nitrate Vulnerable Zones (NVZs), any NVZ requirements. The spreading of organic manures within 10 m of surface water is already restricted within the NVZ Action Programme and the Code of Good Agricultural Practice, see Appendix 2 for details.
- Retain any traditional features such as stiles, sheep creeps and stone gateposts when any maintenance or restoration of dry-stone walls is undertaken, following the style characteristic of the local landscape and using appropriately shaped and sized local natural stone. Stone should not be taken from archaeological/historical features such as lime kilns, historic industrial sites, walls, hedgerows, ruins or buildings. Where it is impractical to retain stone gateposts, wooden posts should be installed.
- Any maintenance, restoration and repair of hedgerows must be carried out in the traditional materials used in the original construction, including appropriately shaped and sized local natural stone, following the style characteristic to the local landscape.
- Any management of hedgerows must be carried out in the style traditional to the local landscape.
- Do not supplementary feed in native woodland except when shelter is required during periods of extreme weather, where access to forage is severely restricted and the welfare of livestock might otherwise be compromised. Extreme weather is defined as more than two consecutive days of snow cover or continuous hard frost, prolonged drought or prolonged heavy rainfall. Native woodland, for the purpose of this requirement, is defined as a group of trees with overlapping canopies covering at least 0.1 ha (1,000 m<sup>2</sup>), at least half of which are native species.
- Retain existing areas of native scrub (except on archaeological features) by:
  - no supplementary feeding within or adjoining these areas;
  - no application of fertilisers or manures within these areas; and
  - no application of herbicides and pesticides except for the spot treatment of weeds as indicated under cross compliance (GAEC 11).

Scrub is defined, for the purpose of this requirement, as areas greater than 100 m<sup>2</sup> dominated by native shrubs and tree saplings, usually less than 5 m tall, occasionally with a few scattered trees. It includes juniper, willow, birch, elder, hazel, spindle, thorn and other native woody shrubs but excludes common gorse, broom and invasive non-native species including rhododendron and snowberry.

The encroachment of scrub can be controlled beyond the existing areas by cutting and/or by spot treatment using approved herbicides in accordance with manufacturer's instructions.

Where scrub covers archaeological features, ELS option ED4 Management of scrub on archaeological features can be used.

- Do not remove any boulders and rock outcrops. Boulders are often remnants of historic features and should be left undisturbed. Rock outcrops, including disused quarries, may also be historic features and often support valued plants and wildlife.
- Prevent the spread of bracken on land that allows the use of a conventional tractor with mower.

You should regularly review the extent of bracken. It can be controlled by cutting, rolling and/or the application of an approved herbicide in accordance with manufacturer's instructions. In some circumstances, bracken areas do provide valuable wildlife habitats. However, the spread of bracken can reduce biodiversity, damage archaeological features and change the character of the landscape.

- Collect all plastic waste associated with farming activities from the banks of watercourses, including that which has arrived on the farm from elsewhere (eg from another farm in a storm).

### UX3 Moorland requirements

15 points per ha

This requirement must be located on all SDA parcels above the Moorland Line. It can only be used on whole-fields.

- Avoid overgrazing and undergrazing and, in any case, maintain a minimum stocking rate of 0.05 livestock units (LUs) per hectare for a period of 4 months between 1 June and 30 September. Grazing livestock can include cattle, sheep and ponies but all stock must be acclimatised to the conditions of the moor. Sheep must consist of hardy native breeds and/or their crosses.

The minimum level of grazing as specified above equates with 0.5 ewe/ha plus lambs at foot based on LU conversion factors shown in Appendix 4. The list of recognised hardy native breeds of sheep is shown in Appendix 5.

The minimum level of grazing must be maintained throughout the period 1 June to 30 September except when stock are removed for routine husbandry operations such as lambing, calving, dipping and clipping.

Where the moorland consists of a number of parcels, not necessarily grazed at the same time, calculate the number of LUs based on the number of animals that will graze all of the parcels.

The Environmental Information Map for your farm will indicate any areas of deep peat (defined as 50 cm or more) or blanket bog and areas that lie above 600 m. A level of stocking at or above 0.05 LU per hectare on this ground could be damaging. Therefore, moorland grazing units that are dominated (more than 75 per cent by area) by blanket bog and/or mountain grazing above 600 m are likely to benefit from more refined grazing management and are a high priority for Higher Level Stewardship – please contact your Natural England adviser in these circumstances.

- Maintain wetlands including peat bogs, other mires and hillside flushes. Where you have the legal right to control land drainage, do not install any new land drainage or modify any existing drainage that would increase run-off. The maintenance of existing working field drains is permitted, except on areas of deep peat (> 0.5 m), provided that its capacity is not increased beyond the initial installation.

Where there are areas of deep peat, do not maintain existing grips/drains except along tracks or boundaries. Allow drain blocking (that might, for example, be undertaken by the landowner). If, as a result, increasingly wet ground conditions develop, additional shepherding may be required to prevent animal welfare concerns.

- Manage any supplementary feeding sensitively to avoid damaging habitats such as blanket bog, heather, bilberry and other heath, species-rich grassland and mires. Move all feeding sites regularly to minimise damage to vegetation and soils. Do not supplementary feed using silage but the feeding of haylage (as defined in Appendix 6) is permitted, provided that the plastic is removed from the feeding sites. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses. The practice of supplementary feeding may be restricted under the terms of a statutory designation eg Sites of Special Scientific Interest (SSSI). It may also be restricted on common land by the landowner or by custom as declared by a Commoners Association/group.
- Where you have the legal right to carry out burning, and intend to do so, you must follow the Defra Heather and Grass Burning Code. You may obtain a copy of *The Heather and Grass Burning Code* (Defra, 2007) from your Natural England office or download it from the Natural England website, details in Appendix 2.
- Do not apply fertilisers or manures.
- Do not plough, cultivate, re-seed or harrow.
- Retain and protect native woodland. Do not supplementary feed in native woodland except during periods of extreme weather, where access to forage is severely restricted and the welfare of livestock might otherwise be compromised. Extreme weather is defined as more than two consecutive days of snow cover or continuous hard frost, prolonged drought or prolonged heavy rainfall. Native woodland, for the purpose of this requirement, is defined as a group of trees with overlapping canopies covering at least 0.1 ha (1,000 m<sup>2</sup>), at least half of which are native species.

## 3.3 Detailed management prescriptions

### B Options for boundary features

#### Boundary management options

Field boundaries are important elements of the countryside as landscape and historic features; for wildlife habitat, and for stock management and shelter. Hedges across long, steep slopes may reduce soil erosion as they intercept and slow surface run-off water before it builds into damaging flow, particularly where there is a margin or buffer strip alongside.

#### Which hedges are eligible for these options?

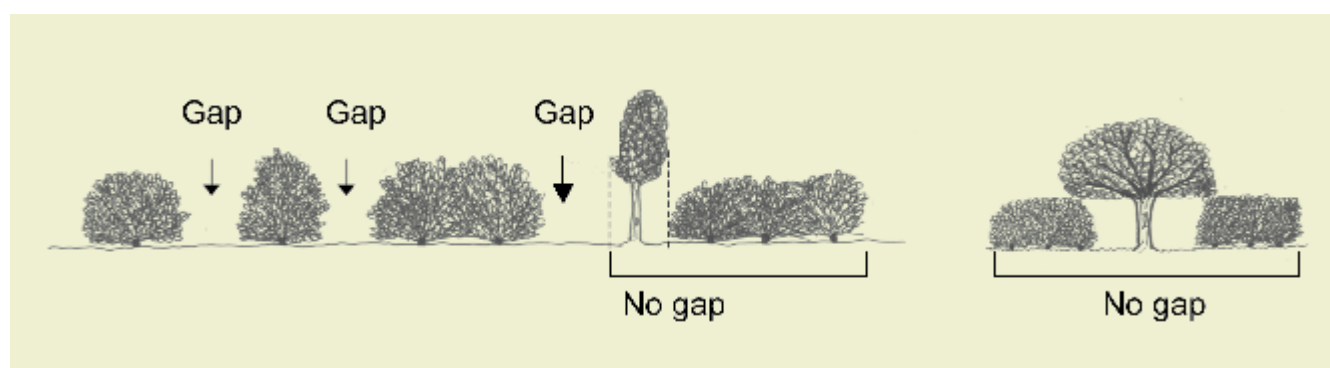
Hedgerow management options may be applied to any boundary line of shrubs (a woody plant where the distance between the ground and the base of the leafy layer is less than 2 m) which is **over 20 m long and less than 5 m wide between major woody stems at the base**. Features which are tall trees over most of their length with no shrub layer are not eligible for these options.

In addition, eligible hedgerows must:

- be under your management control. For management options that apply to both sides of the hedge, you must have management control of both sides of the hedge and of the land adjacent to the hedge. If you do not have management control of both sides of the hedge and the land adjacent, you must use the one-sided management options;
- be in management by regular trimming or on a traditional hedge-laying or coppicing cycle; and
- be predominantly composed of native shrubs (at least 80 per cent).

Where the hedgerow includes gaps or gates, these may be included in the length entered into an option, providing they comprise less than 10 per cent of the total length of the particular hedge. Gaps above this 10 per cent threshold should be deducted from the length included **unless you intend to plant up the gaps in the first two years of your agreement to achieve a hedge with no more than 10 per cent gaps**.

A gap is a complete break in the canopy. Where a tree canopy overlaps the hedgerow canopy, this is not counted as a gap (see **Figure 1** below).



© Natural England/ Catherine Burgess

**Figure 1 – Defining gaps in a hedgerow**

You may use these options on newly planted, laid or coppiced hedgerows or hedgerows that are below the minimum heights required at the start of the agreement. However, the hedges must meet the required height by the end of the agreement. **The minimum height requirement does not apply to sections of hedge which are laid, coppiced or gapped up during the term of the agreement; however, all other prescriptions should be followed.**

Although maximum trimming frequencies are stated (once every two years, or once in every three years), there is no requirement to trim at all during the agreement term. Instead, hedgerows can be left to grow unchecked then managed in a long-term coppicing or laying rotation. To achieve the best range of hedgerow habitats on your farm, you should aim to have a mixture of hedges of different heights and widths, all with thick, bushy bases.

Road and trackside hedgerows that require annual or more frequent trimming for public safety are not eligible for options EB1 (two-sided management) or EB3 (hedgerow management for landscape and wildlife). However, the non-road side of the hedge may be entered into option EB2 (one-sided management).



Where a hedge is directly adjacent to a woodland edge, only EB2 (one-sided management) can be included.

Where a ditch runs alongside the hedge and you wish to manage both features, use options EB8, EB9 and EB10, rather than the separate hedge and ditch options EB1, EB2, EB3 and EB6.

Hedges, or lengths of hedges managed under options EB1, EB2, EB3, EB8, EB9 and EB10 can also be entered into EB14 or be eligible for Higher Level Stewardship (HLS) capital item payments if you make an HLS application. With the exception of EB14, you cannot use more than one hedgerow management option on the same length of hedgerow.

Where there is woody growth on top of an earth bank or stone-faced bank which meets the necessary criteria for options EB4, EB5, EB12 or EB13, you may also apply for one of the hedgerow options EB1, EB2, EB3 or EB14. The specified height of the hedgerow is measured from the top of the bank.

For more information on hedgerow cutting, refer to the Natural England pamphlet NE36, entitled *Hedge Cutting: answers to 18 common questions*. A copy of this can be downloaded from the Natural England website, details in Appendix 2.

Further information about hedge laying and coppicing can be found in the Hedgelink pamphlet *The Hedgerow Management Cycle and Scale*, details in Appendix 2.

### Combining ELS hedgerow management with cross compliance requirements

Cross compliance conditions include a requirement to maintain 'protection zones' by not cultivating or applying fertilisers, manures or pesticides to land within 2 m of the centre of a hedgerow or watercourse. This requirement also applies to all land within 1 m of the top of the bank of a watercourse.

Hedge and ditch options have been designed to be compatible with this cross compliance requirement. The 'protection zone' requirement for cross compliance is incorporated within the option rules.

### UPDATED in 2013

**EB1 Hedgerow management for landscape (on both sides of a hedge)**

16 points per 100 m

**EB2 Hedgerow management for landscape (on one side of a hedge)**

8 points per 100 m



© Defra/Nicola Stone

For these options, you must comply with the following:

- Maintain hedgerows to a height of no less than 1.5 m (except when laid or coppiced as part of a regular management cycle).
- Do not cultivate or apply fertilisers, manures or pesticides to land within 2 m of the centre of the hedge.
- Maintain hedgebanks in a style that is customary to the area. Where a bank is present, measure the height of the hedgerow from the top of the bank.
- Cut each hedgerow no more than once every two calendar years. Do not cut all hedgerows managed under this option in the same year.
- Do not cut hedgerows during the bird-breeding season (1 March to 31 August).
- Where already present, you may leave saplings to grow into hedgerow trees at intervals, for example four trees randomly spaced over 200 m, where this fits in with the local landscape character.
- Where a length of hedge managed under the option has more than 10 per cent gaps, in the first two years of the agreement plant up gaps with locally native shrubs typical of the hedge to achieve a hedge which has no more than 10 per cent gaps.
- Take care to minimise poaching by livestock and any channelling of surface run-off along the side of the hedgerow.
- Hedge laying and coppicing are permitted in a style customary to the local landscape, but should be completed before 1 March. However, in exceptional circumstances, work may continue up to 1 April, provided you conduct a survey to ensure that there are no nesting birds present.

**UPDATED in 2013**

**EB3 Hedgerow management for landscape and wildlife**

42 points per 100 m



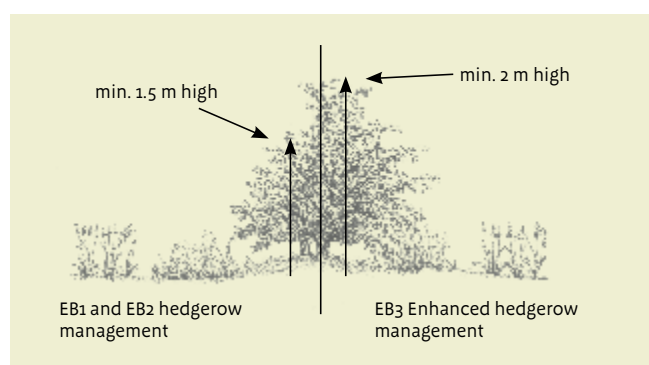
© NHLS/Nigel Adams

This option is only available where you have control of the management of both sides of the hedge and of the land adjacent. The option is designed to introduce a cutting regime which promotes increased blossom availability for invertebrates and allows fruits and berries to ripen and provide a vital source of food for over-wintering birds.



In addition to the conditions for EB1 and EB2 (see above), you must also comply with the following:

- Maintain hedgerows to a height of no less than 2 m (except when laid or coppiced as part of a regular management cycle).
- Cut each hedgerow no more than once every three calendar years, cutting no more than a third of your hedgerows each year **or**, cut each hedgerow no more than once every two calendar years between 1 January and 28 February only, cutting no more than a half of your hedgerows each year.



© Natural England/Charlotte Lemmon

**Figure 2 – Enhanced hedgerow management, shown on the right, results in a taller and bushier hedge.**

#### **EB4 Stone-faced hedgebank management on both sides**

16 points per 100 m

#### **EB5 Stone-faced hedgebank management on one side**

8 points per 100 m

Where there is hedge growth on top of the bank, you may also apply for options EB1, EB2, EB3 and EB14 where they meet the necessary criteria.

For these options, you must comply with the following:

- Protect stone-faced banks from deterioration and repair gaps where these occur during the course of the agreement.
- Prevent damage to stone-faced gateways and to banks by machinery or by stock climbing. Where stock have damaged such features, prevent further damage by making the features stock-proof.
- Do not remove any in situ stone from banks.
- All repair and maintenance work must be carried out in the traditional materials used in the original hedgebank construction, following the style characteristic to the local landscape.
- Do not cast up ditch dredging or spoil over stone-faced banks.



© Natural England/Kerry Smith

**As well as supporting a range of wildlife, stone-faced hedgebanks are important landscape features**

#### **EB6 Ditch management**

24 points per 100 m



This option is intended for ditches forming field boundaries in their own right and aims to establish both a varied bank-side and aquatic vegetation, and an undisturbed wildlife habitat adjacent to the ditch. Eligible ditches must regularly contain standing or flowing water. They must contain vegetation typical of wet ditches, for example common reed, yellow flag, reed canary grass, water mint, fools watercress and marsh-marigold. You must be responsible for the management of both sides of the ditch. Ditches managed by third parties, such as internal drainage boards, are not eligible. Streams that are unmanaged (or occasionally managed) natural features are not eligible. Moorland grips are not eligible. Where the ditch runs alongside a hedge and you intend to apply ELS options to both, you must use option EB8, EB9 or EB10 (see below).

For this option, you must comply with the following:

- You must not cultivate or apply fertilisers or pesticides to land within 2 m of the centre of the ditch. This rule also applies to all land within 1 m of the top of the ditch bank.
- You may only cut the vegetation on your ditch banks in the period between 15 September and 28 February. In each such period, you may only cut the vegetation on up to half your length of ditch bank.
- Where you are cutting vegetation growing on ditch banks, cut it in rotation so that the vegetation is not cut more than once every two years.
- Where necessary to prevent flooding, up to 50 per cent of the vegetation in the bottom of the ditch may be cut every year between 15 September and 28 February.
- You must clean ditches no more than once during your agreement. You must do so only in the period between 15 September and 31 January, and in any such period you must clean only up to half your length of ditches.
- Only use mechanical means (including hand tools) to clean your ditches or trim vegetation on the ditch bank.
- Any dredgings or spoil must be spread evenly across the adjacent field, at least 2 m from the centre of the ditch and 1 m from the top of the bank (to comply with cross compliance rules) and the bank-side vegetation re-established by natural regeneration. Wherever practicable, avoid disposing of dredgings or spoil on areas managed under Environmental Stewardship. If it is spread on land managed under an Environmental Stewardship option, you must make sure the management requirements for the option are still met.
- Do not move or re-profile or increase the width or depth of the ditch.



© Natural England/James LePage

Leaving one ditch bank uncut provides essential cover for species such as water voles

### EB7 Half ditch management

8 points per 100 m



This option is available for ditches as described above for option EB6 where you only have control over the management of one side of the ditch.

For this option, you must comply with the following:

- You may only cut the vegetation on your ditch banks in the period between 15 September and 28 February.
- In each such period, you may only cut the vegetation on no more than half the length of ditch bank.
- You must not cultivate or apply fertilisers or pesticides to land within 2 m of the centre of the ditch. This rule also applies to all land within 1 m of the top of your ditch bank.
- Only use mechanical means (including hand tools) to clean your ditches or trim the vegetation on the ditch bank.



- Any dredgings or spoil must be spread evenly across the adjacent field, at least 2 m from the centre of the ditch and 1 m from the top of the bank (to comply with cross compliance rules) and the bank-side vegetation re-established by natural regeneration. Wherever practicable, avoid disposing of dredgings or spoil on areas managed under Environmental Stewardship. If it is spread on land managed under an Environmental Stewardship option, you must make sure the management requirements for the option are still met.

### Combined hedge and ditch management options

<b>EB8 (incorporating EB1 hedgerow management for landscape)</b>	38 points per 100 m
<b>EB9 (incorporating EB2 hedgerow management for landscape)</b>	26 points per 100 m
<b>EB10 (incorporating EB3 Enhanced hedgerow management for landscape and wildlife)</b>	56 points per 100 m

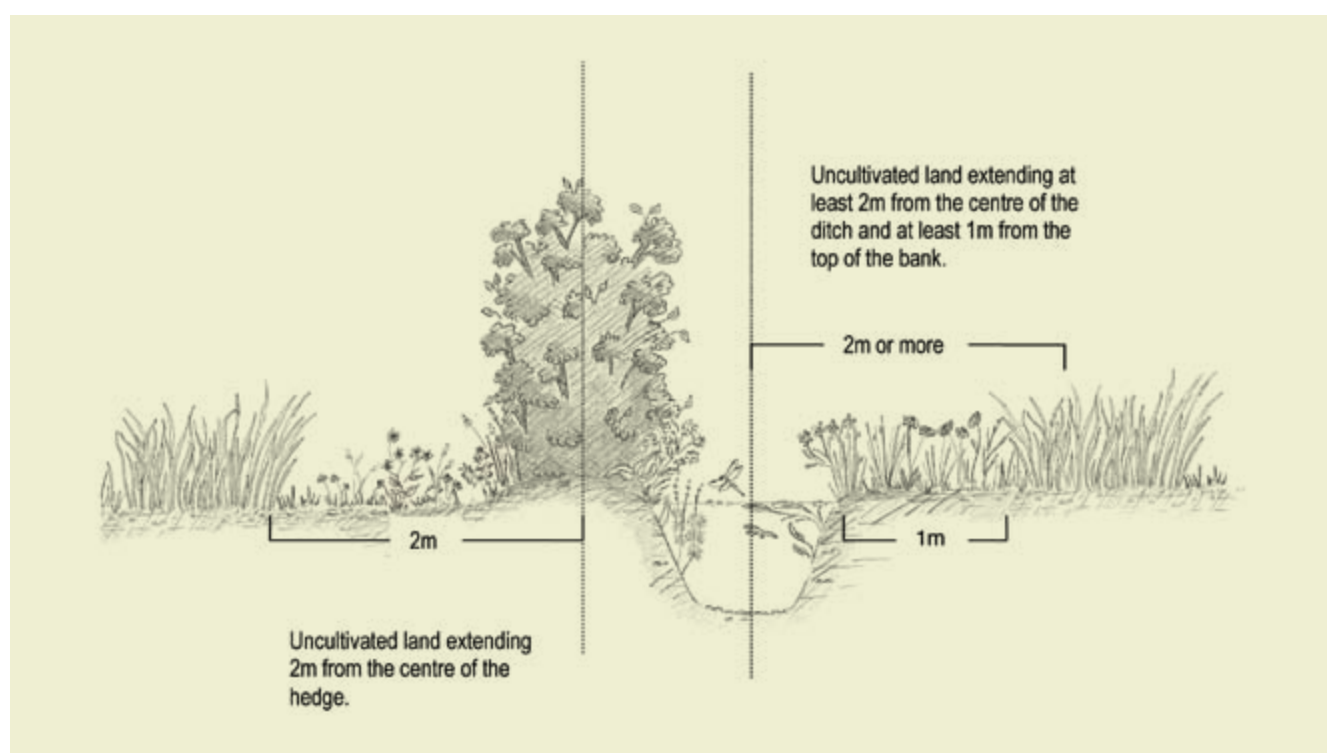


Figure 3 – Combined hedge and ditch management

These options are available for hedgerows with a ditch that meets the eligibility criteria of EB6 or EB7 immediately alongside. For EB8 and EB10, you must have control over the management of adjacent land on both sides of the hedge and ditch. If you have control of the land adjacent to only one side of the hedge and ditch, you must use EB9. The aim is to establish a diverse hedgerow, bank side and aquatic vegetation.

You must apply for these options (EB8, EB9 and EB10) where you have a hedge alongside a ditch and you wish to manage both under the scheme (ie you cannot combine individual hedge or ditch options).

For these options, you must follow the conditions for:

- EB1, EB2 or EB3, depending on whether you are managing one side of your hedge or both sides, and EB6.

In addition, you must comply with the following:

- On the non-hedgerow side of the ditch, you must not cultivate or apply fertilisers or pesticides to the land within 2 m of the centre of the ditch. This rule also applies to all land within 1 m of the top of the ditch bank.

- If you are managing both sides of the hedgerow, you must leave uncultivated land extending 2 m from the centre of the hedgerow on the non-ditch side of the hedgerow. You must not apply fertilisers, manures or pesticides to this land.
- Take care to minimise hedge trimmings entering the ditch. Ensure that all hedge trimmings that would otherwise restrict flow are removed.

**UPDATED in 2013**

### EB11 Stone wall protection and maintenance

15 points per 100 m



© Natural England/Dave Key

**Stone walls are important features in many parts of the country**

You must have control over the management of both sides of the wall. Stone walls of all types are important for stock management and as landscape and historic features. They are also potentially important habitats for lichens, mosses and ferns, invertebrates, reptiles, birds and small mammals.

This option can only be applied to complete walls in good condition. A wall in good condition is at its original height to below the top stones with at least 75 per cent of top stones in place (where they formed part of the original construction) and no gaps along the entire length. A wall is measured between two end points. An end point includes connections between two or more walls, or connections to other features, for example, fences, gateways, buildings, roads, ditches, and hedgerows, or the point at which there is a change in management/ownership. This option can also be applied to livestock enclosures such as sheep folds and walls which end mid-field.

Stone walls must be built of natural materials and must be of traditional dry-stone wall construction. Mortar may be used when it is the traditional method of stone walling.

For this option, you must comply with the following:

- Protect stone walls from deterioration. Undertake a visual inspection of the walls to check their condition and identify any sections that need repair at least once a year. Keep a record (written or photographic) of the problems identified and the repair work undertaken.
- Where gaps occur during the course of the agreement carry out the necessary repairs.



- Carry out all repair and maintenance work in the traditional materials used in the original wall construction, following the style characteristic of the local landscape and using appropriately shaped and sized local natural stone. Any existing features such as sheep creeps and stone gate posts must be retained.
- Do not remove any in situ stone from walls.

**UPDATED in 2013****EB12 Earth bank management on both sides**

14 points per 100 m

**EB13 Earth bank management on one side**

7 points per 100 m



© Natural England/Pete Johnstone

**Earthbanks provide a valuable wildlife habitat as well as being important historic and landscape features**

These options aim to maintain and protect earth and turf-faced banks. These banks are important landscape and historic features, often containing valuable below-ground archaeological deposits. They also provide potentially important habitats for invertebrates, reptiles, birds and small mammals.

These options only apply to complete sections of earth and turf-faced banks that are at least 1 m in height. For EB12, you must have control over the management of both sides of the bank. If you have control of the land adjacent to only one side of the bank, you must use EB13. Flood banks and warp banks are not eligible for these options.

Where there is hedge growth on top of the bank, you may also apply for options EB1, EB2, EB3 or EB14 where they meet the necessary criteria.

For these options, you must comply with the following:

- Protect earth banks from deterioration. Repair gaps where these occur during the course of the agreement.
- Do not repair gaps using earth from an existing boundary or any other archaeological feature.
- Prevent damage to gateways and banks by machinery or stock. Where stock have damaged such features, prevent further damage by making the features stock-proof.
- All repair and maintenance work must be carried out in the traditional style characteristic of the local area and used in the original earth bank construction.



Please note this option is subject to approval by the European Commission.

The aim of this option is to rejuvenate hedgerows on the farm to encourage the development of thick, dense, continuous hedges, which link other hedges and habitats, such as ponds and woodlands to benefit wildlife and improve the historic landscape character.

### **Hedges that are a priority for restoration**

- Short, overtrimmed and gappy hedges, or tall, thin and gappy hedges.
- Hedges connected to woods or adjacent to ponds, or other watercourses, to link habitats.
- Hedges adjacent to other management options such as buffer strips, field corners and nectar mixes, as this will add value to the habitat.
- Hedges alongside public rights of way or in conspicuous parts of the farm where landscape and access improvements can be best appreciated.
- Hedges of particular historic interest such as parish boundaries.

You must have management control over both sides of the hedge and of the land adjacent to the hedge, and the hedge must fit the eligibility criteria for all hedge options (see page 44).

### **How can a hedge be restored?**

There are two methods of restoration available under this option:

- Hedge laying. This involves the complete rejuvenation of the hedge by partially cutting through the woody stems close to ground level and laying them over to create a dense barrier, from which re-growth should shoot. Hedges or sections of hedge suitable for laying are those comprising shrubs at least 3 m in height with frequent stems up to 25 cm in diameter. There must be sufficient suitable stems to make a laid hedge of living pleachers (the laid stems).
- Hedge gapping up. This involves establishing new plants into gaps in an existing hedge. It can also be combined with laying to ensure the development of a continuous hedge. To be eligible for gapping up at least one-quarter of the hedge must still consist of shrubs and/or trees.

You can enter up to 40 m on your application form. This represents the annual commitment. Hence, if you enter 40 m on your application form, you will be required to complete 200 m over the full 5 years of your agreement (or 400 m if you have a 10-year ELS/HLS agreement).

You can complete the work ahead of schedule but you must have completed at least as much as the annual commitment for each agreement year completed. Points earned will be based on the annual commitment, not the actual amount of work completed in any single year.

#### **For example, where the annual commitment is 40 m**

End of agreement year	1	2	3	4	5
Minimum total length restored	40	80	120	160	200
Maximum total length restored	200	200	200	200	200
Points earned	400	400	400	400	400

Hedges, or lengths of hedges, in this option can also be entered into the hedge management options (EB1, EB2, EB3, EB8, EB9 and EB10).



### Management requirements

For this option, you must comply with the following:

- Obtain current, dated photographs of the hedge to be restored as evidence of its condition when you joined the scheme, retain these photographs and submit a copy with your application.
- At the end of the agreement at least 90 per cent of the restored hedge must be continuous with no gap (other than gateways) more than 1 m wide. If sections, more than 1 m wide, of laid hedge die after restoration then these gaps should be planted with new hedge plants, following the gapping up prescriptions.
- Following restoration, prevent damage by livestock and other animals such as rabbits.
- Any fences must be sited at least 1.2 m from the centre of the hedge.
- Retain all historic boundary features eg stone gate posts.
- Retain any existing hedgerow trees where they are a characteristic feature of the local landscape. They must not be damaged by fencing wire or used as fence posts.
- Only apply herbicide to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).

In addition, for hedge laying, you must comply with the following:

- Before work starts, all old fencing must be removed and disposed of appropriately. Also, cut and pull out bramble and other scrambling plants where these will hinder laying the cut stems.
- Lay when the hedge is dormant, between 1 November and 1 March, in the style customary to the local landscape. However, in exceptional circumstances, work may continue up to 1 April provided you conduct a survey to ensure that there are no nesting birds present.
- Twiggy material may be placed over the cut stems to provide some protection to the re-growth from grazing animals. Wood may be stacked to provide valuable dead wood habitat for wildlife.
- Cut material may be chipped and used as a mulch to control weeds.
- Site any fires to minimise environmental damage. Material should either be burnt immediately or left until the end of the bird breeding season (ie September) as piles of brash are attractive nesting sites for birds. Bonfire sites must not be sited on low-intensity grassland, other wildlife-rich areas or areas of historic or archaeological interest.

In addition, for gapping-up you must comply with the following:

- Thoroughly clear gaps of existing vegetation.
- Plant dormant two-year-old bare rooted stock (45 cm–60 cm) between 1 November and 1 March, avoiding periods when the ground is frozen or waterlogged. Plant a minimum of six plants per metre in a double staggered row with at least 30 cm between rows.
- Plant in line with the existing hedgerow. Plant species to match those in the existing hedge. Single species planting can be used eg to restore hawthorn enclosure hedges. Plants should be of British native origin.
- Any newly planted hedge plants that die must be replaced in the following planting season.
- You may control injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive alien species (eg Himalayan balsam, rhododendron or Japanese knotweed) by use of a mulch.

## C Options for trees and woodland

**UPDATED in 2013****EC1 Protection of in-field trees on arable land**

16 points per tree

**EC2 Protection of in-field trees on grassland**

11 points per tree

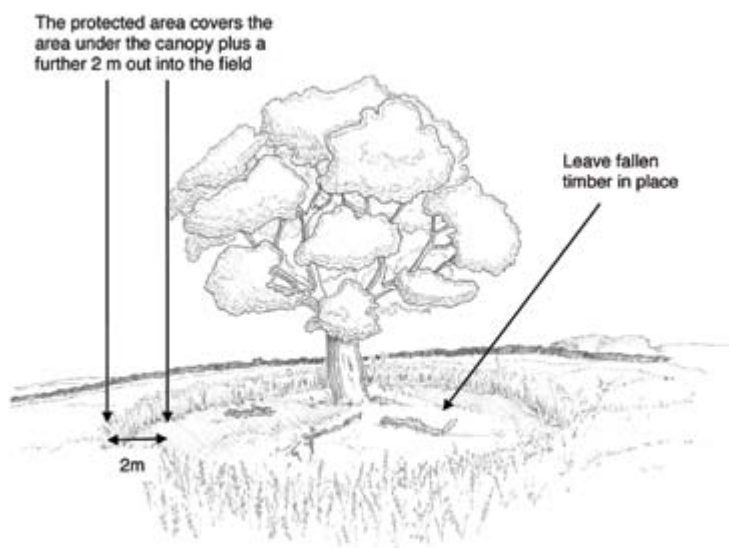


Trees are of historic and landscape significance in both arable and grassland situations. They also provide habitat for many invertebrates and birds. To be eligible for these options, trees must have a trunk diameter of over 30 cm at breast height and the trunk must be entirely within the field and not part of a field boundary. A tree in a remnant boundary is eligible, provided that it is not attached to a current boundary feature.

Trees that form a group or line of more than four trees whose canopies overlap are not eligible for these options, but one of the 6 m buffer strips or field corner options can be used to protect them. If the canopies do not overlap at the start of the agreement, each individual tree

can earn the specified number of points. Dead trees are eligible for these options with the requirement that a '10 m radius from the base of the tree' must be used as a minimum where the prescription refers to the 'tree canopy'. Trees that die or fall during the course of the agreement must remain in position and the prescriptions must continue to be followed.

Where you have another management option in the same field, this must not overlap with an area managed under EC1 or EC2. The area of the other in-field option must be reduced by the area covered by EC1 or EC2, ie the area of the tree canopy plus 2 m. This is to prevent double payments. The exception to this is EK5, which can be co-located (overlapped) with EC1 and EC2.



**Figure 4 – Illustration of the protected area around an in-field tree**

© Natural England/Paul Lacey



© Natural England/Pete Johnstone

**Fallen dead wood is an important habitat for invertebrates**

For these options, you must comply with the following:

- Do not carry out any cultivations, supplementary feeding of stock, storage of materials or machinery, or weed control (apart from spot treatment) under the canopy of the tree and the area extending 2 m beyond the edge of the canopy.
- Leave fallen timber in situ within the protected area.
- Do not spread lime, fertilisers or manures beneath the tree canopy and the area extending 2 m beyond the edge of the canopy.

### EC3 Maintenance of woodland fences

4 points per 100 m



The aim of this option is to protect woodland flora and to encourage natural regeneration. Woodlands are features of historic interest and make significant contributions to the local landscape character. The option should only be placed adjacent to predominantly native woodlands, in particular ancient woodlands, and where animals are likely to graze.

Only woodlands on your land are eligible for this option. The option may not be used for woodlands that border, but do not form part of, the farm.

For this option, you must comply with the following:

- Maintain fences in a stock-proof condition to ensure exclusion of livestock without damaging woodland boundary banks.
- Exclude stock from the woodland.

**UPDATED in 2013**

### EC4 Management of woodland edges

380 points per ha



The option is for the management of the strip of land adjacent to the woodland and not the woodland itself. The development of scrub along the edges of woodland provides important habitats for a range of wildlife, including invertebrates, birds and small mammals. This option is designed to encourage the woodland edge to grow out into the field and requires 6 m to be left uncultivated from the edge of the wood. A scrub and grass mosaic should be allowed to develop. The option should only be placed adjacent to predominantly native woodlands, particularly ancient woodlands. The woodlands can be under active or passive management. It may be used to enhance woodlands on your land, as well as those that border the farm but do not form part of the farm.

This option must be located on agricultural land adjacent to woodland, to allow development of the woodland edge. Therefore, where woodland covers an entire land parcel, this option should be located in the adjoining field.

The option is also eligible adjacent to woodlands where a ditch runs between the woodland and the field. However, it may not be practical to use this option if the ditch requires ongoing management or maintenance. This option may be located immediately adjacent to woodland receiving Forestry Commission funding, but there must be no overlap.

Buffer strip options may be located adjacent to these woodland-edge areas.





© Natural England/Peter Wakely

### Woodland fringe habitat

For this option, you must comply with the following:

- Do not cultivate within 6 m of the woodland edge. Allow the woodland edge to grow out for up to 6 m.
- Cover of scrub growth must not exceed 50 per cent of the area.
- Cutting is only permitted to maintain the scrub and grass mosaic and for the control of the weeds listed below.
- Trim no more than a third of the shrubby growth in any one calendar year. Do not cut during the bird breeding season (1 March to 31 August).
- Do not supplementary feed or locate water troughs and mineral licks in such a way as to cause poaching on the woodland edge.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- Do not apply fertilisers or manures.

Please note that any areas containing scrub may become ineligible for Single Payment Scheme (SPS) payments and would have to be removed from your SPS claim form. Please refer to the SPS Handbook and any supplements for more information, details in Appendix 2. Scrub areas are still eligible for ELS points. Please see Appendix 6 for a definition of scrub for SPS purposes.

### Options for hedgerow trees

Hedgerow trees are distinctive historic and landscape features in many areas. They are also particularly important for wildlife, providing several habitats in one location for a broad range of wildlife, in particular birds and invertebrates.

Many hedgerow trees have been lost over the latter half of the 20th century partly because of the intensification of agriculture alongside outbreaks of diseases such as Dutch elm disease. Currently we have an ageing hedgerow tree population and need to take action to establish new trees and conserve young trees already growing in hedgerows. However, the establishment of new hedgerow trees may not be suitable in areas that provide habitat for breeding waders, for example lapwing, which prefer wide open landscapes.





© Natural England/Paul Clendell

View of the edge of Exmoor, showing the importance of hedgerow trees in the landscape

For detailed guidance on the creation of hedgerow trees and their management, please refer to the Natural England publication NE69, entitled *Hedgerow Trees: answers to 18 common questions*. A copy of this can be obtained from the Natural England website, details in Appendix 2.

### UPDATED in 2013

#### EC23 Establishment of hedgerow trees by tagging

1 point per tree



To be eligible for this option:

- Hedgerow trees must already be a feature on the holding or in the immediate landscape.
- A maximum number of **three** trees per 100 m of hedge can be established under this option. Each tree established will earn the specified number of points.
- Hedges that are subject to this option must also be managed under one of the ELS hedgerow management options: EB1, EB2, EB3, EB8, EB9, EB10 or EB14.

For this option, you must comply with the following:

- Within the first 12 months of your agreement, select a sapling with a single straight stem, ideally when the hedge has been left uncut for at least a year. Select only locally native tree species that are already successful in the hedge or immediate landscape, with the exception of elm due to the risk of Dutch elm disease.
- Alternatively, if you cannot identify any suitable saplings, plant a sapling into an existing gap in the hedgerow. The sapling must be at least 2 m tall. Follow the species guidance detailed above.
- Saplings should be far enough apart (at least 20 m) to allow them to develop full crowns without competing with one another. Keep trees at an irregular spacing.
- Do not select or plant saplings beneath or within 20 m of overhead power lines, other overhead or underground services.
- Tag each new hedgerow tree using a brightly coloured, durable material. If a tree is difficult to reach, put a tagged stick near it – in the ground or hedge. Alternatively, consider putting a permanent clearly visible stake in the hedge next to the tree.
- Make a record of the tagged trees and show the person cutting the hedge where the trees are to ensure they are not cut or damaged for the length of the agreement.
- Revisit the trees annually to check tags are in place, replacing the tags as necessary.
- At the end of the agreement, there must be a living undamaged tree for each tree established under this option.

### Options for hedgerow tree buffer strips

These options are only available adjacent to hedgerows entered into an ELS hedgerow management option (EB1, EB2, EB3, EB8, EB9, EB10 or EB14), which also have on average at least one eligible tree per 100 m. For example, a hedgerow of 400 m would need to have at least four eligible trees along its length. Eligible trees are those that are native species, standing within 1 m of a hedgerow and over 30 cm diameter at breast height. These buffer strips must not overlap with the cross compliance requirement not to cultivate land within 2 m of the centre of a hedgerow or watercourse (and within 1 m of the top of the bank of a watercourse).

It is desirable that eligible hedgerows have buffer strips on both sides, using either the hedgerow tree buffer strip on arable land or the hedgerow tree buffer strip on grassland option as appropriate. Hedgerows alongside roads or ownership boundaries, where it is not possible to protect both sides, are also eligible for these options

### EC24 Hedgerow tree buffer strips on cultivated land

400 points per ha



© Natural England/Charlotte Lemmon

Fallen timber must be retained but can be stacked to allow management of the margin

For this option, you must comply with the following:

- Establish or maintain a 6 m-wide grassy strip during the first 12 months of your agreement, either by sowing or, ideally, by natural regeneration. Remove any compaction in the topsoil if you need to prepare a seedbed, except on archaeological features. Regular cutting in the first 12–24 months may be needed to control annual weeds and encourage grasses to tiller. Avoid cutting when the soil is moist to prevent further compaction.
- After the first 12–24 months of your agreement, cut the 3 m next to the crop edge annually after mid-July. Only cut the other 3 m to control woody growth, and no more than once every 2 years.
- Do not use buffer strips for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.
- Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broadleaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).

- Do not remove tree limbs, including the lower limbs, other than for health and safety reasons where adjacent to a public highway or right of way.
- Leave fallen timber beneath the canopy. Stack if necessary to allow management of the buffer strip.

## EC25 Hedgerow tree buffer strips on grassland

400 points per ha



This option is only available on permanent grassland.

For this option, you must comply with the following:

- On fields that will be mown, leave an uncut 6 m buffer strip around the edge. Graze this buffer strip along with the aftermath, following the final cut.
- Do not allow livestock to poach or overgraze the buffer strip.
- Do not use buffer strips for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.
- Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broadleaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- After the first 12 months of the agreement, cut buffer strips only to control woody growth, and no more than once every 2 years.
- Do not remove tree limbs, including the lower limbs, other than for health and safety reasons where adjacent to a public highway or right of way.
- Leave fallen timber beneath the canopy. Stack if necessary to allow management of the buffer strip.
- Do not allow stock to damage the trunks of any hedgerow trees adjacent to the buffer strip.

## D Options for historic and landscape features

Archaeological features, traditional buildings and designed landscapes, such as parkland, give the countryside its local character and interest, as well as providing a record of human activity over centuries. Changes in agriculture have damaged or destroyed many of these features or resulted in their dereliction. Beneficial management can protect these important sites and help to retain and enhance the distinctive and varied character of the local landscape and wider countryside for generations to come.

Before considering these options, please look carefully at your Environmental Information Map, supplied as part of your application pack. This may show some of the historic features on your farm. If you are aware of additional features, you must also mark these on your FER Map. You can obtain information about historic features on your land from the Historic Environment Record (HER) at [www.heritagegateway.org.uk](http://www.heritagegateway.org.uk) (see Appendix 2 for the full web address).

Further information and guidance is available in a leaflet entitled *Farming the Historic Landscape: Entry Level Stewardship*, available from [www.helm.org.uk](http://www.helm.org.uk) or Natural England (see Appendix 1 for contact details and Appendix 2 for a link).

### Protection of archaeological features

Archaeological features – from individual sites, such as barrows, settlement sites or hill forts, to more extensive landscape features, such as ridge and furrow and ancient field systems – are often our only record of past human activity. They cannot be replaced, and once destroyed, they are gone forever.

Cultivation can be particularly destructive. Taking these features out of cultivation is an essential step in conserving them for present and future generations to see and understand.



If you have historic features (including archaeological features and traditional farm buildings) on your farm, it is a requirement of joining ELS that you mark them on your FER and retain and protect them. This includes meeting the relevant scheme conditions detailed at Sections 5.5.4 and 5.5.5 of this handbook.

If you wish to carry out works (other than those specified in the measures below) that affect Scheduled Monuments, you must consult English Heritage.

### UPDATED in 2013

#### ED1 Maintenance of weatherproof traditional farm building

2 points per m<sup>2</sup> of ground floor area



© Natural England/James LePage

**Weatherproof traditional farm building**

Please be aware that the cash equivalent of points gained through use of this option are classified as non-agricultural de minimis State Aid. See Section 5.5.11 for more information about State Aid payments.

A traditional farm building is a building or part of a building constructed before 1940 for a use associated with agriculture, and built using traditional methods and materials such as timber, brick, stone, tile and slate. Their construction, layout and function provide information about the rural economy and past farming practices. While many traditional farm buildings (TFBs) are not suited to modern agriculture, they are often valued features in the landscape and make a major contribution to local character. The annual active maintenance of weatherproof TFBs prevents the onset of serious structural problems that might otherwise need expensive restoration in the future.

'Maintenance' refers to the routine work that is necessary to protect the fabric of a building and to keep it weatherproof. It does not include any work to put right significant defects or decay, or anything required to bring a building in poor repair back to good condition. This sort of restoration work may be funded under HLS. Some maintenance works will be required annually. Others, such as clearing of gutters and vegetation, may need to be undertaken several times per year.

Typical maintenance work includes:

- undertaking a regular inspection of the building to check its condition and identify any problems that need attention;



- ensuring that all services are working properly, such as making sure that gutters are free of debris;
- undertaking minor repairs to the external fabric of the building, such as replacing slipped or broken roofing slates and tiles to prevent rainwater penetration, renewing cast iron gutters and drainpipes, painting woodwork and metalwork, replacing broken glass, pointing walls, clearing vegetation; and
- inspecting the building regularly to identify areas needing maintenance work, such as checking downpipes and gutters for leaves in the autumn, noting slipped slates, and checking the condition of paintwork and other areas requiring rectification.

Eligible buildings include TFBs that:

- are in a sound and weatherproof condition;
- were built for a purpose associated with agriculture, such as housing machinery or animals, or storing or processing crops and food; and
- are still used for an agricultural purpose, whether or not it was the original one (for example, a barn built to house animals which is now being used for storage of feedstuffs or equipment).

TFBs that meet the above conditions but which are currently unused or empty are also eligible. It is not a requirement for buildings to be on land registered on the Rural Land Register (RLR) (see Section 5.4.1), but you must record them on the FER.

Ineligible buildings include:

- metal-framed Dutch barns;
- farmhouses, residential or domestic buildings;
- buildings already converted to a non-agricultural use, ie to a residential or non-agricultural business use;
- TFBs already in receipt of funding from another scheme, such as the England Rural Development Programme (ERDP) or Rural Development Programme for England (RDPE);
- TFBs that you intend to convert to a non-agricultural use during the life of your agreement; and
- TFBs that will not be in your ownership or control for the life of your agreement.

For this option, you must comply with the following:

- Continue to protect and maintain in weatherproof condition the specified TFB(s) (including fixtures and fittings and adjacent associated features, such as mounting blocks or stack/stook bases).
- Carry out maintenance works and minor repairs on a 'like for like' basis, using traditional materials and methods, to retain the character of the building in its local setting.
- Where a non-traditional material has previously been used to repair or re-clad the building (such as corrugated iron sheeting to cover roofs), this may be retained and should be maintained appropriately.
- Obtain current photographs of all elevations of the building as evidence of its condition when you joined the scheme. This should include photographs of any areas where non-traditional materials have previously been used to repair or re-clad the building. Retain these photographs and submit a copy of them with your application.
- Keep a record of work done, and carry out and record a brief visual inspection at least once a year.
- Retain the building in your ownership or control for the life of your agreement.
- Ensure that the building is not converted to a non-agricultural use during the life of your agreement.



© Bob Middleton

**A barrow showing as a crop mark**

© English Heritage, NMR 21405-24

**A prehistoric enclosure overlain by medieval ridge and furrow**

This option is available on cultivated land and on temporary grass leys that are re-sown at least once every five years. Land that is being managed under this option in an existing ELS agreement may stay in this option in a renewed agreement, provided that there has been continuity of management and that there has been no cultivation.

For this option, you must comply with the following:

- Take archaeological features out of cultivation.
- Choose a boundary that encompasses the feature and provides a sensible and practical field division where necessary. This may be on the whole or part of the field where the archaeological feature is located, depending on what is practical on your farm.
- The area can be sown or left to regenerate and you must then carry out the following management:
  - Do not plough or cultivate. Re-seeding is only allowed by slot-seeding into the sward (without destruction of the existing sward).
  - Manage the area as permanent grassland, by grazing or mowing.
  - Maintain a continuous grass sward and do not allow bare patches of soil to develop (for example, by considering carefully the regular routing and rotation of stock movements, and gathering points such as water troughs).
  - Do not supplementary feed, or site water troughs, on or next to the archaeological feature.
  - Prevent scrub development.
  - Minimise the use of heavy vehicles on the feature, particularly in wet weather, to prevent damage caused by wheel rutting and compaction.
  - Do not tip or dump any material on the feature.
  - Avoid obvious earthworks, if you are harrowing or rolling.

**ED3 Reduced-depth, non-inversion cultivation on archaeological features (minimum till)**

60 points per ha



Where removal of archaeological features from cultivation is not practicable, reducing cultivation depth is a 'next-best' option. Shallow cultivation reduces the risk of damage to archaeological features on farmland. This option may be applied to the whole, or part, of the field where the archaeological feature is located, depending on what is practical on your farm. The reduction in cultivation depth must be achieved by using non-inversion (minimum tillage) machinery – not standard inversion ploughing equipment.

For this option, you must comply with the following:

- Avoid deep soil disturbance by using shallow, non-inversion cultivations to a maximum depth of 10 cm (4 inches) or by using no-till practices.
- Do not sub-soil or mole-plough.
- Do not use machinery under conditions likely to cause rutting or compaction.
- Do not grow maize, root and tuber crops (excluding non-harvestable root crops such as grazed fodder beet and forage turnips), short rotation coppice or miscanthus.
- If sowing a spring crop, maintain the previous overwintered stubble until 14 February.
- Do not use the area as farm access.



© Neil Harris

**This Roman mosaic was discovered a few inches under cultivated land**



© English Heritage

**An example of a site that would benefit from scrub clearance**



**ED4 Management of scrub on archaeological features**

120 points per ha



Trees and shrubs can be very damaging to archaeological features, particularly buried deposits, as a result of disturbance by root penetration, by wind throw or by attracting burrowing animals or sheltering stock. This option helps to prevent expansion of scrub.

For this option, you must comply with the following:

- Where scrub is present on an archaeological feature, prevent its further encroachment by grazing and/or mowing.
- To avoid disturbance to nesting birds, do not remove scrub between 1 March and 31 August.
- Prevent the spread of weeds, shrubs, saplings or scrub, to avoid damage by roots.
- Avoid using heavy machinery and ensure that works do not disturb the ground.
- If you are carrying out scrub clearance, do not grub out stumps and roots, but cut (or grind down) stumps level with the land surface. Prevent vegetation regrowth.
- Remove cuttings or brash from the feature.
- Do not tip, dump or burn any material on the feature.
- Do not plough or re-seed.

**ED5 Management of archaeological features on grassland**

16 points per ha



© Catherine Burgess

**Maintaining land as permanent pasture preserves archaeology**

Well-managed permanent grassland is the best agricultural management option for archaeological features and pastoral landscapes, such as ridge and furrow, to conserve them for present and future generations. This option may be claimed on the whole field even where the archaeological feature covers only a part of the field. This option is not available on land parcels larger than 15 ha above the Moorland Line.



For this option, you must comply with the following:

- Maintain a continuous grass sward and do not allow bare patches of soil to develop (for example, by considering carefully the regular routing and rotation of stock movements and gathering points such as water troughs).
- Do not supplementary feed on, or next to, the archaeological feature.
- Control weed growth and prevent scrub development.
- Minimise the use of heavy vehicles on the feature, particularly in wet weather, to prevent damage caused by wheel rutting and compaction.
- Do not tip or dump any material on the feature.
- Do not harrow or roll earthworks (including ridge and furrow).
- Do not locate water troughs, mineral licks etc, in such a way as to cause poaching on, or next to, the archaeological feature.
- Do not plough or re-seed.

### E Options for buffer strips

Buffer strips, managed as low-intensity grassland, can be used for a wide variety of purposes such as creating new habitats and protecting existing ones, protecting archaeological features and capturing surface water run-off. Although normally sited around the edges of fields, they can also be used within fields, for example to protect a group of in-field trees.

You can use whichever width of buffer strip best suits your field shape, farm machinery and purpose. However, the strip must always be at least the minimum width specified for the particular option. They may exceed the width but any additional area will not be included in the payment area. Generally speaking, wider buffer strips will provide greater protection and improved wildlife habitat.

The options in this section are designed to be used adjacent to existing features on the margins of fields. There are other options available that can serve similar purposes within fields or are designed to protect particular features:

- EC4 Management of woodland edges
- EC24 Hedgerow tree buffer strips on cultivated land
- EC25 Hedgerow tree buffer strips on grassland
- ED2 Take out of cultivation archaeological features currently on cultivated land
- EJ5 In-field grass areas to prevent erosion and run-off
- EJ9 12m buffer strips for watercourses on cultivated land.

See also options for arable land in Section EF for options for cultivated field margins

#### **Where to locate buffer strips**

**To protect watercourses:** When placed next to a watercourse a buffer strip can help to intercept potential pollutants such as sediment and nutrients transported in surface water run-off. However, take care to minimise any channelling of water along the edge of the buffer strip. On long, steep slopes, buffer strips can be placed across the slope (using option EJ5 In-field grass areas to prevent erosion and run-off) to intercept and slow run-off before it builds to damaging flow.

**To benefit wildlife:** Buffer strips offer particular benefit to wildlife, if placed adjacent to watercourses, hedgerows (particularly those hedges containing mature hedgerow trees), stone walls, remnant boundary tree lines, groups of in-field trees and woodland edge strips. They may also be used to create habitat and to form links between areas of wildlife habitat. On intensive grassland, buffer strips managed as uncut margins in meadows are likely to provide the greatest benefits for wildlife as the longer vegetation that develops provides habitat for insects and small mammals.

**To protect archaeological features:** Buffer strips can be used to protect above-ground archaeology and other historic features, such as historic buildings, and metal parkland fencing. Below-ground archaeological features can be protected using the option ED2 Take out of cultivation archaeological features currently on cultivated land. Consider the impact on the local landscape character when deciding on the width, extent and location of buffer strips.

### **Other considerations**

Buffer strip options in ELS must not overlap with:

- the cross compliance requirement not to cultivate land within 2 m of the centre of a hedgerow or watercourse (and within 1 m of the top of the bank of a watercourse);
- any other buffer strips or uncultivated strips required under other ELS options, such as ELS options for field boundaries, trees and woodland;
- public rights of way (eg footpaths or bridleways) along field edges; or
- a 6 m strip adjacent to any watercourse on land covered by the Uplands ELS compulsory requirement UX2. (This is because UX2 prohibits the application of fertilisers and herbicides adjacent to watercourses.)

You must start your ELS buffer strip options where your other uncultivated land ends (ie 2 m from the centre of a hedge or ditch, and at least 1 m from the top of a ditch bank).

If you are locating your ELS buffer strip next to a hedge that extends further than 2 m from the centreline of the hedge, it is acceptable for part of your ELS buffer strip to be covered by the hedge, provided the land would otherwise be eligible as a buffer strip. You may establish 2 m or 4 m ELS buffer strips alongside 2 m Countryside Stewardship Scheme (CSS) grass margins, but you must not establish any ELS buffer strip options alongside 6 m CSS grass margins.

Buffer strips that have already been established are eligible if their management is not being paid for under another scheme. However, a buffer strip must be located on land that could, in practice, be cultivated (so for example very steeply banked strips alongside boundaries are not eligible). Buffer strips established under a previous ELS agreement can continue to be managed within ELS under a renewed agreement.

For land that is part of an arable/grass ley rotation, you must manage land in buffer strip options EE1–EE3 or EE9 according to the prescriptions of options EE4–EE6 or EE10 during the years when the buffer strips are adjacent to a temporary grass ley.

### **How to record buffer strip measurements**

On your application form, you must enter the amount of each buffer strip option as an area measurement in ha for each field. This will give you a figure, which you will need in order to complete your SPS return. It will also help you to work out the remaining field area available for other uses, for example cropping or other ELS options.

### **How to calculate the area of buffer strip options**

You may find it helpful to use the following worksheet to record how you have calculated the area of each buffer strip option in each of your fields. This can also be used for options EC4 Management of woodland edges; EC24 and EC25 Hedgerow tree buffer strips on cultivated land or grassland and EJ9 12 m buffer strips for watercourses on cultivated land.

For each buffer strip, measure the length of the option in metres, and convert this to ha (to the nearest 0.01 ha (100 m<sup>2</sup>)).

Table 4 How to calculate the area of buffer strip options

1	2	3	4	5	6	7	8
RLR field no	Option code	Option description	Width (m)	Length (m)	Area in m <sup>2</sup> (width x length)	Area in ha (divide area in m <sup>2</sup> by 10,000)	Area in ha to the nearest 0.01 ha
XY23456789	EE3	6 m buffer strips on cultivated land	6	238	(6 x 238) 1428	0.1428	0.14

**UPDATED in 2013****EE1 2 m buffer strips on cultivated land**

255 points per ha

**EE2 4 m buffer strips on cultivated land**

340 points per ha

For these options, you must comply with the following:

- Establish or maintain a grassy strip during the first 12 months of your agreement, either by sowing or, ideally, by natural regeneration. Remove any compaction in the topsoil if you need to prepare a seedbed, except on archaeological features. Regular cutting in the first 12–24 months may be needed to control annual weeds and encourage grasses to tiller. Avoid cutting when the soil is moist, to prevent further compaction. Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- After the first 12–24 months of your agreement, cut buffer strips only to control woody growth, and no more than once in every 2 years.
- Do not use buffer strips for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.



2m margin to buffer the hedge

© Natural England/Charlotte Lemmon

**UPDATED in 2013****EE3 6 m buffer strips on cultivated land**

340 points per ha

**EE9 6m buffer strips on cultivated land next to a watercourse**

400 points per ha



EE9 should always be used when a 6m buffer on cultivated land is placed alongside a watercourse.

EE9 can also be placed adjacent to farm trackways or roads that channel run-off water and sediment directly into a watercourse.



6 m margin against a watercourse buffers this river from arable operations

© Natural England/Charlotte Lemmon



For these options, you must follow the management for options EE1/EE2 and in addition comply with the following:

- After the first 12–24 months of your agreement, cut the 3 m next to the crop edge annually after mid-July. Only cut the other 3 m to control woody growth, and no more than once every 2 years.

### UPDATED in 2013

**EE4 2 m buffer strips on intensive grassland**

255 points per ha

**EE5 4 m buffer strips on intensive grassland**

340 points per ha

**EE6 6 m buffer strips on intensive grassland**

340 points per ha



### UPDATED in 2013

**EE10 6 m buffer strips on intensive grassland next to a watercourse**

400 points per ha



EE10 should always be used when a 6 m buffer on intensive grassland is placed alongside a watercourse.

Option EE10 can also be placed adjacent to farm trackways or roads that channel run-off water and sediment directly into a watercourse.

These options are only available on improved grassland receiving more than 100 kg/ha of nitrogen per year in fertilisers or manures.

For these options, you must comply with the following:

- On fields that will be mown, leave an uncut 2 m/4 m/6 m buffer strip around the edge. Graze this buffer strip along with the aftermath, following the final cut.
- Do not allow livestock to poach or overgraze the buffer strip.
- Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broadleaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- It is not a requirement to fence these buffer strips.
- After the first 12 months of your agreement, cut buffer strips only to control woody growth, and no more than once every 2 years.
- Do not use buffer strips for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.



4 m margin between access track and hedge

© Natural England/Emily Ledger



6 m grass margin on intensive grassland provides valuable small mammal habitat

© Natural England/Charlotte Lemmon

**EE7 Buffering in-field ponds in improved permanent grassland**

400 points per ha

**EE8 Buffering in-field ponds in arable land**

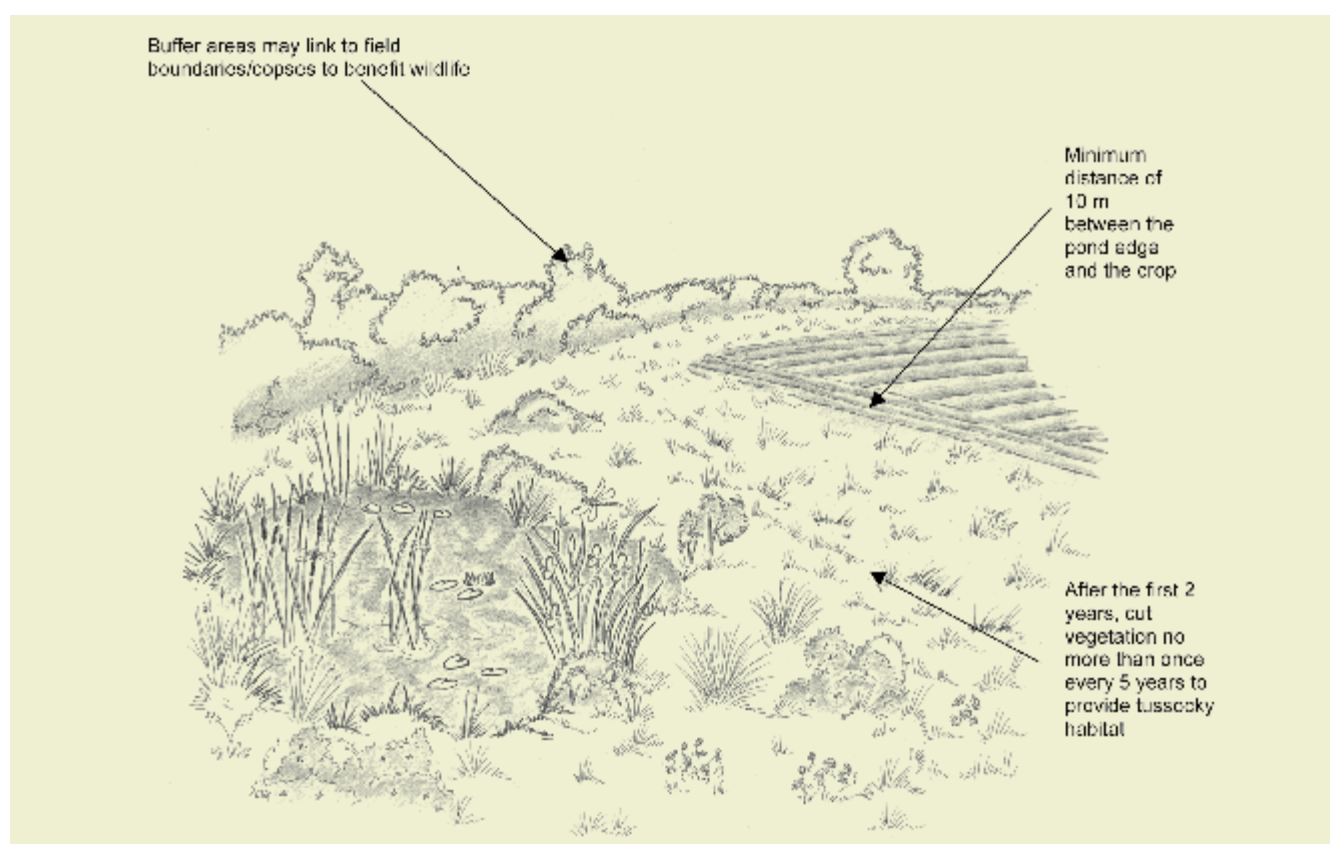
400 points per ha



Area Constraints apply to these options.

To maintain their value to wildlife, the water quality of ponds needs to be protected. In areas of improved grassland management and on arable land, the creation of unfertilised grass buffers around in-field ponds will help to protect them from nutrient leaching and run-off and will provide additional habitat for pond wildlife. Buffers will be less effective where field drains discharge directly into the pond. The buffer areas may be designed to link two nearby ponds or to link ponds to copses or other boundary features.

These options are only available on grassland that is currently receiving over 50 kg/nitrogen per ha (EE7) or on arable land (EE8).



© Catherine Burgess

**Figure 5 – Buffering in-field ponds**

For these options, you must comply with the following:

- Buffer areas should be no more than 0.5 ha, although areas can be linked where there are several ponds in a field.
- Buffer areas must extend at least 10 m between the pond edge and the intensively managed part of the field within which it lies.
- On arable or rotational land, establish buffer areas during the first 12 months of your agreement, either by sowing or, ideally, by natural regeneration. Remove any compaction in the topsoil if you need to prepare a seedbed, except on archaeological features. Regular cutting in the first 12–24 months may be needed to control annual weeds and encourage grasses to tiller. Avoid cutting when the soil is moist to prevent further compaction.
- After establishment, cut no more than once every 5 years to allow the development of tussocky grass and low scrub. Do not cut between 1 March and 31 August. Do not allow scrub to develop on archaeological features.

- You may allow some scrub to develop, but this must be around less than half of the pond margin.
- Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- Where the field is grazed, limit livestock access so that less than half of the pond edge is poached.
- Do not use buffer areas for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.

Please note that any areas containing scrub may become ineligible for SPS payments, and would have to be removed from your SPS claim form. Please refer to the *SPS Handbook* and any supplements for more information, details in Appendix 2. Scrub areas are still eligible for ELS points. Please see Appendix 6 for a definition of scrub for SPS purposes.

### NEW in 2013

#### EE12 Supplement to add wildflowers to field corners and buffer strips on cultivated land

63 points per ha



**Please note this option is subject to approval by the European Commission.**

The aim of this supplement is to create flower-rich areas on cultivated land that will provide valuable sources of food for invertebrates and birds, and a greater diversity and structure of vegetation compared to grass only areas.

This supplement can only be used with options EC24, EE1-EE3, EE9, EF1, EJ5 and EJ9. It must not be used to sow wild flowers into established buffer strips, field corners and in-field grass areas unless the areas are present at the start of the agreement and will be managed to ensure successful flower establishment in the first year.

You must follow the management for the base option except the sowing and cutting requirements and in addition comply with the following:

- By the end of the first 12 months of the agreement, establish a mix or maintain existing areas containing fine-leaved grasses (such as crested dog's tail, chewings fescue, slender red fescue, smooth-stalked meadow grass and common bent) and flowers (such as knapweed, bird's-foot trefoil, self-heal, oxeye daisy, yarrow, wild red clover and wild carrot).
- Where sown, the flower component must be included at a minimum seed rate of 1.0 kg/ha.
- Do not sow tussock-forming grasses such as cocksfoot, meadow foxtail and meadow fescue, as these can swamp the wild flowers.
- By the beginning of year three, there must be at least five flower species (excluding injurious weeds) and three fine-leaved grass species present frequently across the flower-rich area. Maintain this floristic area for the duration of your agreement.
- Regular cutting and removal of cuttings in the first 12 months after sowing may be needed to ensure successful establishment of sown species.
- After establishment, cut the whole area to 10 cm between 1 August and 30 September, removing cuttings to avoid patches of dead material developing. If excess vegetation threatens to suppress the flowers, cut again the following March or April providing no birds are nesting in the flower-rich area.



## F Options for arable land

These options are only available for arable land (see Appendix 6 for definition).

**UPDATED in 2013**

### EF1 Management of field corners

400 points per ha



Area constraints apply to this option.

The provision of a grassy area will greatly increase the wildlife interest of an arable field. These areas are often awkward to reach with machinery and are less productive. However, the provision of a natural grassy corner, containing some grassland flowering plants and scrub, will benefit wildlife, including invertebrates, birds, reptiles and amphibians (if located near a water feature). This option must not be located on archaeological features.

Although this option is designed for field corners, if you have small areas within the field that would be beneficial to take out of production, you may do so. Strategic placement of this option may help to reduce the movement of sediment, nutrients and pesticides by wind and water erosion within fields and from field to field. This option could also help to buffer sensitive habitats at risk from soil erosion and from the direct impact of agricultural activities.

Addition of the EE12 Supplement for wildflowers will greatly increase the value of field corners/areas for farmland biodiversity.

You can apply option EF1 to a whole field provided it is no greater than 2 ha in size. This is important in landscapes where fields have often been left uncropped (eg as set-aside or Campaign for the Farmed Environment (CFE) voluntary measures) and continue to deliver valuable wildlife areas in a production landscape.



© Natural England/Peter Wakely

For this option, you must comply with the following:

- Establish or maintain a field corner during the first 12 months of your agreement, either by sowing or, ideally, by natural regeneration. Remove any compaction in the topsoil if you need to prepare a seedbed. Regular cutting in the first 12–24 months may be needed to control annual weeds and encourage grasses to tiller. Avoid cutting when the soil is moist to prevent further compaction.

- Patch size must be no more than 2 ha and there must be a maximum of 1 paid patch per 20 ha of arable land to ensure that patches are well distributed across the land.
- After establishment, cut no more than once every 5 years to allow the development of tussocky grass and low scrub. Do not cut between 1 March and 31 August. Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- After controlling weeds you may surface seed patches with a tussocky grass mix.
- Do not use field corners for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.

Please note that any areas containing scrub may become ineligible for SPS payments, and would have to be removed from your SPS claim form. Please see the *SPS Handbook* and any supplements for more information, details in Appendix 2. Scrub areas are still eligible for ELS points. Please see Appendix 6 for a definition of scrub for SPS purposes.

**UPDATED in 2013**

**EF2 Wild bird seed mixture**

450 points per ha



© Natural England/ Miranda Gardner

**Wild bird seed mixture placed against woodland**

Area constraints apply to this option.

This option is available on arable land or temporary grassland (sown to grass for less than five years).

This option will provide important food resources for farmland birds, especially in winter and early spring, on arable and mixed farms. The aim is to maximise the production of small seeds suitable as bird food in either annual or annual/biennial mixtures, while also providing a source of invertebrates for birds.



This option is a 'rotational option'. This means that it can move around the farm within the normal rotation, but the same total hectareage must be maintained each year. Relocating these blocks or strips will help to avoid the build-up of weeds or soil-borne disease. Rotating them with EF4 Nectar flower mixtures makes use of any residual fertility from that option.

For this option, you must comply with the following:

- Sow a balanced combination of at least three small-seed bearing crops chosen from barley, triticale, kale, quinoa, linseed, millet, mustard, fodder radish and sunflower. No single species should make up more than 70 per cent by weight of the mix and the combination must cover a range of crop groups to minimise any pest and disease impacts. Large-seeded crops (maize) and game covers (giant sorghum or sweet clover) are not allowed.
- Sow in blocks and/or strips at least 6 m wide at the edges of fields. Both should be between 0.4 ha and 3 ha in size. Ensure that the strips or blocks are well distributed across your farm and that food is always available for seed-eating birds.
- In the first year, sow at the optimum time for the chosen species mixture, which may be autumn or spring, ensuring that any areas of soil compaction are removed prior to establishment, except on archaeological features. Avoid sowing too early in the spring, when seedbeds may be dry, cold and of poor quality.
- To help with weed and pest management, the seed can be sown in separate drill widths or blocks within the option area.
- On sandy soils, strips must be sown along contours.
- Retain the crop mixture until at least 1 March before re-establishment in spring, which could be annually or every other year (biennial crops), to maintain sufficient seed production to feed birds during the late autumn/early winter.
- Fertilisers or manures (but not within 10 m of watercourses) and seed treatments may also be used to aid establishment and ensure sufficient seed production during that period.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- Non-residual, non-selective herbicides may be used prior to sowing to help re-establishment.
- Apply environmentally sympathetic insecticides during establishment where there is a strong risk of crop failure due to severe pest attack (identified through monitoring and use of thresholds). Advice must be taken from a British Agrochemical Standards Inspection Scheme (BASIS) professional before any insecticides are used.
- Do not use the area for access, turning or storage.
- Do not graze.

#### UPDATED in 2013

#### EF4 Nectar flower mixture

450 points per ha



This option is available on arable land or temporary grassland (sown to grass for less than five years).

Sowing an area of flowering plants into the farmed landscape will boost the availability of essential food sources for a range of nectar-feeding insects, including butterflies and bumblebees. This option provides valuable benefits to wildlife at a landscape scale and is ideally suited to larger blocks and small fields.



© Natural England/ Rebecca Pitt

Nectar flower mixtures increase numbers of beneficial insects, such as bees



This option is a 'rotational option'. This means that it can move around the farm within the normal rotation, but the same total hectareage must be maintained each year. Relocating these blocks or strips will help to avoid the build up of weeds or soil borne disease and can be rotated with EF2 Wild bird seed mixture to utilise any residual fertility left behind.

For this option, you must comply with the following:

- Remove any compaction in the topsoil if you need to prepare a seedbed, except on archaeological features.
- Sow a mixture of at least four nectar-rich plants (eg red clover, alsike clover, bird's-foot-trefoil, sainfoin, musk mallow, common knapweed), with no single species making up more than 50 per cent of the mix by weight.
- Sow in blocks and/or strips at least 6 m wide in early spring or late summer.
- Re-establish the mix as necessary, to maintain a sustained nectar supply (this is typically after three years).
- Regular cutting and removal of cuttings in the first 12 months after sowing may be needed to ensure successful establishment of sown species.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (Himalayan balsam, rhododendron or Japanese knotweed). Non-residual, non-selective herbicides may be applied prior to sowing, to help re-establishment.
- Do not apply any other pesticides, fertilisers, manures or lime.
- To stimulate valuable late flowering to meet the peak demand from bees, cut half the area to 20 cm between mid-June and the end of the first week of July. Do not cut if ground-nesting birds are present.
- Cut the whole area to 10 cm between 15 September and 31 October, removing or shredding cuttings to avoid patches of dead material developing.
- Do not graze in the spring or summer. Late autumn/early winter grazing of areas is allowed and will benefit legumes, but take care to avoid poaching damage and compaction, particularly when conditions are wet.
- Do not use the area for access, turning or storage.

**UPDATED in 2013**

**EF6 Overwintered stubble**

120 points per ha



Overwintered stubble provides an important winter food source for seed-eating birds, which feed on spilt grain and the seeds of broad-leaved weeds. They are also a habitat for brown hare, and the spring-grown crops that follow can provide breeding sites for ground-nesting birds, such as lapwing and skylark. This option manages stubble following the harvest of combinable crops, such as oilseed rape, linseed, cereals or field beans (but not maize), until 14 February in the following year. It should not be located where there is a high risk of soil erosion or run-off (ie land identified in your FER is at risk of soil erosion and where rills are regularly seen in wet weather).

This is a 'rotational option'. This means that it can move around the farm within the normal rotation, but the same total hectareage must be maintained each year.



Overwintered stubble

© Natural England/Charlotte Lemmon

For this option, you must comply with the following:

- Bale (or chop and spread) straw after harvest.
- Where the stubble is predominantly clean after harvest, a light surface cultivation can be made before the end of September or within the first month following harvest if later, to encourage establishment of green cover through natural regeneration and loosen any surface compaction or capping. If the stubble is already weedy, do not cultivate.
- Beneficial seed and nectar-producing plants such as mustard, fodder radish or oilseed rape can be broadcast or sown on small areas (no more than 0.5 ha per 10 ha stubble) in the autumn to enhance feeding and foraging value. Do not cultivate areas at high risk of soil erosion and run-off as identified on your FER.
- In sloping fields the tramlines, headlands and other areas of severe compaction should always be sub-soiled following harvest (except where there are archaeological features or when conditions are wet), to reduce the risk of run-off and erosion.
- Do not apply any pesticides, fertilisers, manures (including manure heaps) or lime to the stubble.
- Do not top or graze.
- Do not apply pre-harvest desiccants or post-harvest herbicides.
- From 15 February, the stubble can be returned to the farm rotation.

## EF7 Beetle banks

580 points per ha

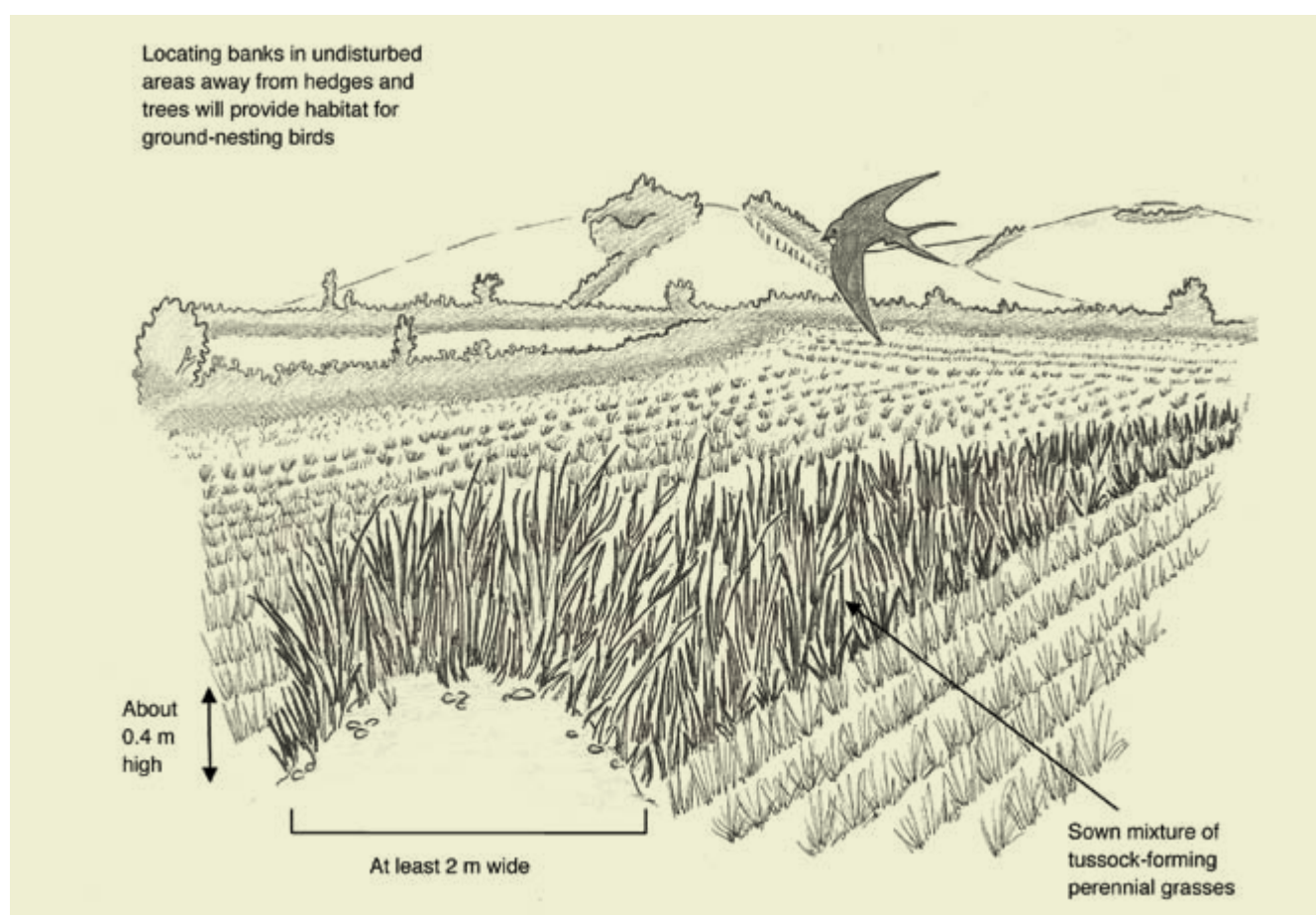


Figure 6 – Beetle bank

Beetle banks are tussocky grass ridges, generally about 2 m wide, which run from one side of a field to the other, while still allowing the field to be farmed. They provide habitat for ground-nesting birds, small mammals and insects (including those that feed on crop pests).

When carefully placed across the slope, such banks can help reduce run-off and erosion. However, you must ensure that they do not channel water instead and make existing problems worse. Do not locate beetle banks where their creation would cause damage to an archaeological feature.

For this option, you must comply with the following:

- Create or maintain an earth ridge between 2 m and 4 m wide and about 0.4 m high. This can be created by careful two-directional ploughing. Alternatively, bed-forming equipment can be used, if available (except on archaeological features).
- You may leave working gaps at each end of not more than 25 m, to allow machinery access.
- Sow with a mixture of perennial grasses, including some tussock-forming varieties, such as cocksfoot or timothy.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- You may need to cut the grass several times during the first summer to help establishment. Thereafter, only cut as necessary to prevent the encroachment of woody and suckering species. To avoid causing soil compaction, do not cut when wet.
- Do not apply any other pesticides, fertilisers or manures.

## EF8 Skylark plots

5 points per plot



Area constraints apply to this option.



**Figure 7 – Creating low, open vegetation provides access to foraging and nesting habitats**

The number of breeding skylarks has halved since the mid-1970s, due largely to the switch from spring to autumn sowing of cereals and the intensification of grassland management. Arable fields support more breeding skylarks than any other habitat. Large, open fields are preferred, where the birds nest on the ground in vegetation less than 50 cm high, so winter cereals soon become unsuitable for breeding. Up to three nesting attempts are made in a long breeding season that extends from April to August.



This option will provide suitable habitat for skylarks in winter cereal crops throughout the breeding season.

This is a 'rotational option'. This means that the plots can move around the farm within the normal arable rotation, but the same total number of plots must be maintained each year.

For this option, you must comply with the following:

- Select a field that is more than 5 ha in area, has an open aspect and will be drilled with winter cereals. A good guide is the presence of skylarks singing over the field in previous years.
- Avoid fields bounded by tree lines or adjacent to woods, unless the field is greater than 10 ha.
- Create the plots either by turning off the drill during sowing to leave an unsown plot, or by sowing the crop as normal and spraying out the plots by 31 December with an appropriate herbicide.
- The plots should be at least 3 m wide and have a minimum area of 16 m<sup>2</sup> (eg 3 m x 6 m or 4 m x 4 m).
- Locate the plots away from tramlines (a middle spot between two sets of tramlines is best) and field boundaries/margins (at least 50 m into the field), to minimise nest predation.
- Space skylark plots across the field at a minimum density of two plots per ha.
- After drilling, there is no requirement to manage plots differently to the remainder of the field (they can be oversprayed and can be fertilised).
- You are not required to keep the plots weed-free.
- There must be no mechanical weeding of plots.

**UPDATED in 2013**

#### **EF9 Cereal headlands for birds**

100 points per ha



This option provides an important food supply for birds, and habitat for arable plants and insects, within any arable field during the cropping year. It will deliver most benefit when sited next to a buffer strip, stubble or area planted for wild bird seed or nectar flower mixtures.

Unfertilised cereal headlands can be difficult to manage where grass weeds are a problem, particularly where herbicide resistance is present. If an unexpected weed infestation occurs and becomes unmanageable, select a less weedy location in following years.

This is a 'rotational option'. This means that the headlands can move around the farm within the normal arable rotation, but the same total hectareage must be maintained each year. The headlands can also remain in the same place in the field. This will be especially beneficial where scarce arable plants are present.

For this option, you must comply with the following:

- Do not apply fertilisers or manures to the headland between harvest of the previous crop and resuming normal management.
- Sow and manage a 3 m–24 m wide cereal headland along the edge of an arable crop.
- Do not apply insecticides between 15 March and the following harvest.
- Only the following herbicides can be applied to control problem grass and broad-leaved weeds:
  - for broad-leaved weeds, only use amidosulfuron, and only between 1 February and 31 March; and
  - for grass weeds, use the following active ingredients only – tri-allate, fenoxaprop-P-ethyl, tralkoxydim, clodinafop-propargyl or pinoxaden.
- Where weed growth threatens harvest, you may use a pre-harvest desiccant, unless you plan to use this area as overwintered stubble (see Options EF22 or EF6).



This option provides a year-round food supply for birds, and habitat for arable plants and insects, within any arable field over two cropping years. It will deliver most benefit when sited next to a buffer strip, stubble or area managed for wild bird seed or nectar flower mixtures.

Unharvested cereal headlands can be difficult to manage where grass weeds are a problem, particularly where herbicide resistance is present. If an unexpected weed infestation occurs and becomes unmanageable, select a less weedy location in following years.

This is a 'rotational option'. This means that the headlands can move around the farm within the normal arable rotation, but the same total hectareage must be maintained each year. The headlands can also remain in the same place in the field. This will be especially beneficial where scarce arable plants are present.



© Natural England/James LePage

**This open and herb-rich headland will provide feeding habitat through the summer and winter**

For this option, you must comply with the following:

- Do not apply fertilisers or manures to the headland between harvest of the previous crop and resuming normal management.
- You can sow the headland in either autumn or spring (do not leave as bare ground over the winter) and leave it unharvested until the following spring (1 March), before resuming normal management.
- Sow and manage a 3 m–24 m wide cereal headland along the edge of any arable crop, ensuring that any areas of soil compaction are removed prior to establishment, except on archaeological features.
- Sow a cereal or cereal mixture at a reduced seed rate, to encourage a more open headland structure. On more difficult or weedy sites, conventional seed rates can be used.
- Do not apply insecticides between 15 March and the following harvest.
- Only the following herbicides can be applied to control problem grass and broad-leaved weeds:
  - for broad-leaved weeds, only use amidosulfuron, and only between 1 February and 31 March; and
  - for grass weeds, use the following active ingredients only – tri-allate, fenoxaprop-P-ethyl, tralkoxydim, clodinafop-propargyl or pinoxaden.

### EF11 Uncropped cultivated margins for rare plants

400 points per ha



These margins will provide beneficial management for rare arable plants, insects and foraging sites for seed-eating birds. It is better to avoid locating these margins where you have a grass weed problem. Where run-off is a problem, a grass buffer should be considered. The option will provide greatest benefits on sandy, shallow, chalky or stony soils.

For this option, you must comply with the following:

- Cultivate an arable field margin annually in either spring or autumn to a depth of about 15 cm (6 inches).
- Varying the depth and time of cultivation may help prevent the build-up of undesirable weeds, but should always be managed according to the requirements of the target species.
- Margins should be 3 m–6 m wide. They can be relocated within the same field to avoid the build-up of pernicious weeds.

- Do not apply any fertilisers or manures.
- Where a severe pernicious weed burden has developed, targeted broad-spectrum herbicides can be used, once annual species have set seed (typically in September). Before then, only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam or Japanese knotweed).



© Natural England/Morwenna Christian

Uncropped cultivated margin, on the right of the picture, with an unfertilised headland in the edge of the crop

### EF13 Uncropped, cultivated areas for ground-nesting birds on arable land

360 points per ha



Area constraints apply to this option.

This option provides breeding sites for ground-nesting farmland birds such as lapwing. In addition, it can provide foraging habitats for other declining birds such as grey partridge, turtle dove, skylark, yellow wagtail, linnet, yellowhammer and corn bunting. Brown hare may also benefit from this option in predominantly arable areas. It will deliver most benefit when sited next to a buffer strip, stubble or area planted with wild bird seed or nectar flower mixtures. Although lapwings nest on cultivated land, they feed their chicks on extensively managed grassland so placing this option next to a suitable grass field should improve their breeding success. This option should be used in large arable fields, ideally in areas where these species have been known to nest. Fields should be chosen carefully, avoiding those with pernicious weeds and those that are prone to waterlogging. This option must not be located on parcels at risk of soil erosion or run-off (as identified on your FER) or where there are archaeological features.

This option can be used in a sequence with the overwintered stubble (EF6) to provide a continuity of habitat for species such as skylark and corn bunting.

This is a 'rotational option'. This means that it can move around the farm within the normal arable rotation or stay in a fixed location but the same total hectareage must be maintained each year.

For this option, you must comply with the following:



- The cultivated area must be located on level, or slightly sloping ground; in fields larger than 5 ha with an open aspect and at least 100 m away from woods, in-field and hedgerow trees, overhead power-lines and public rights of way in order to minimise nest disturbance and predation. Do not place in fields bounded by tree lines or adjacent to woods, unless the field is larger than 10 ha.
- The cultivated area must be at least 1 ha and no more than 2.5 ha in size and at least 100 m wide. It must be located so as not to generate erosion and provide run-off pathways for sediment.
- Create rough cultivated areas using tines or discs between 1 February and 20 March, to make sure they are in place for the first breeding attempts of the farmland birds. Avoid cultivating in wet conditions.
- If the regeneration is dense and exceeds 10 cm high in early spring, and no nesting birds are present, spray or re-cultivate to restore suitable nesting habitat.
- The cultivated areas must be retained until 31 July.
- Undesirable weed species such as blackgrass, sterile brome and wild oats must be controlled prior to creating the rough fallow, by spraying off these areas with a non-selective herbicide.
- The area must not be used for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.
- Do not apply any fertilisers or manures.

## UPDATED in 2013

### EF15 Reduced herbicide cereal crops followed by overwintered stubble

195 points per ha



This option provides a valuable food source for farmland birds, especially during the winter. The restricted herbicide programme will allow arable plants to flourish and set seed in the crop. Overwintering the stubble will provide winter food for farmland birds.

This option should not be located on sites at risk of soil erosion and run-off (as identified on your FER). Where possible, it should be located in areas where arable plants or farmland birds, such as corn bunting, ciril bunting, grey partridge, reed bunting, tree sparrow, turtle dove, yellowhammer or yellow wagtail are known to be present.

This is a 'rotational option'. This means that it can move around the farm within the normal arable rotation, but the same total hectareage must be maintained each year.

For this option, you must comply with the following:

- Sow a cereal (but not maize) crop in the autumn or spring.
- Do not apply insecticides between 15 March and the following harvest.
- Only the following herbicides can be applied to control problem grass and broad-leaved weeds:
  - for broad-leaved weeds, only use amidosulfuron, and only between 1 February and 31 March; and
  - for grass weeds, use the following active ingredients only – tri-allate, fenoxaprop-P-ethyl, tralkoxydim, clodinafop-propargyl or pinoxaden.
- Not all herbicides are suitable for all cereal crops or for undersown crops. Always read the product label.
- There are no restrictions on the use of fungicides or growth regulators.
- Do not apply pre-harvest desiccants or post-harvest herbicides.
- Bale (or chop and spread) straw after harvest.
- Where the stubble is predominantly clean after harvest, a light surface cultivation can be made before the end of September (or within the first month following harvest if later) to encourage weed germination and loosen any surface compaction or capping. If the stubble is already weedy, do not cultivate.
- Beneficial seed and nectar-producing plants such as mustard, fodder radish or oilseed rape can be broadcast or sown on small areas (no more than 0.5 ha per 10 ha stubble) in the autumn to enhance feeding and foraging value. Do not cultivate areas at high risk of soil erosion and run-off as identified on your FER.

- In sloping fields, the tramlines, headlands and other areas of severe compaction should always be sub-soiled following harvest (except on archaeological features or when conditions are wet), to reduce the risk of run-off and erosion.
- Do not apply any pesticides, fertilisers, manures (including manure heaps) or lime to the stubble.
- Do not top or graze the stubble.
- From 15 February, the stubble can be returned to the farm rotation.

## EF22 Extended overwintered stubble

410 points per ha



### Area constraints apply to this option.

This option covers the whole cropping year using overwintered stubble followed by natural regeneration to provide vital winter food sources for seed-eating birds and spring and summer foraging and nesting habitat for other farmland birds. It also provides valuable habitat for other farmland wildlife and can help to improve water quality through reduced erosion and run-off on vulnerable areas.

This option is targeted at whole or part fields that are left uncropped to produce naturally regenerated cover. This should provide suitable nesting conditions for skylark and other ground-nesting birds throughout the breeding season. The winter stubble is also a beneficial habitat for brown hare.

This option must follow a combinable crop, such as oilseed rape, linseed, cereals or field beans (but not maize). Care must be taken to avoid fields with a known weed or flooding problem. It should not be located where there is a high risk of soil erosion or run-off (ie land identified in your FER is at risk of soil erosion and where rills are regularly seen in wet weather).

This option is a 'rotational option', which means it can be moved around the farm within the normal arable rotation, but the same total hectareage must be maintained each year. It can be left in a fixed location for up to two years.

For this option, you must comply with the following:

- This option must be in arable fields of 2 ha or over. It can be part or whole-field, but if part-field, the area must be at least 2 ha in size.
- Do not apply pre-harvest desiccants or post-harvest herbicides.
- Bale (or chop and spread) straw after harvest.
- Where the stubble is predominately clean after harvest, a light surface cultivation can be made before the end of September (or within the first month of harvest if later), to encourage weed germination and loosen any surface compaction or capping. If the stubble is already weedy, do not cultivate.
- In sloping fields the tramlines, headlands and other areas of severe compaction should always be sub-soiled following harvest (except where there are archaeological features or when conditions are wet) to reduce the risk of run-off and erosion.
- Do not apply any pesticides, fertilisers, manures (including manure heaps), waste materials (including sewage sludge) or lime to the stubble, except to control blackgrass (see below for details).
- Beneficial seed and nectar-producing plants, such as mustard, fodder radish or oilseed rape can be broadcast or sown on small areas (no more than 0.5 ha per 10 ha stubble) in either autumn or spring, to enhance the feeding and foraging value.
- Do not top or graze.
- Undesirable weed species such as blackgrass, sterile brome and wild oats can be controlled by spraying the affected areas from 15 May.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks and common ragwort) or invasive alien species (eg Himalayan balsam or Japanese knotweed).

- The stubble and any subsequent natural regeneration must be left undisturbed until 31 July of the following year, except for the treatment of weed problems, as specified above.
- From 1 August, you may apply herbicides to destroy the green cover.
- From 15 August, the option area is returned to normal farm management.
- Do not use the area for regular vehicular access, turning or storage.

### NEW in 2013

#### EF23 Supplementary feeding in winter for farmland birds

630 pts/tonne



**Please note this option is subject to approval by the European Commission.**

Many farmland birds, including yellowhammer, grey partridge, tree sparrow, corn bunting, linnet and skylark, require seed food throughout the year. A decline in seed availability during the non-breeding season has been a major cause of decline in many seed-eating species. Overwinter stubbles and wild bird seed mixtures provide winter food for seed eaters, but this has typically run out by mid-winter, leaving these birds with a 'hungry gap' before natural food resources become available again in spring.

Providing cereal, oilseed and specialised grains will help farmland birds both survive through this hungry gap and also enter the breeding season in much improved condition.

This is a rotational option. This means it can move around the farmed area but the same total tonnage of feed must be maintained each year.

This option can only be used with options EF2 Wild bird seed mixture and/or EF22 Extended overwintered stubble. The maximum amount of this option that can be entered into the agreement is 0.5 tonnes per hectare of EF2 Wild bird seed mixture and/or 0.2 tonnes per hectare of EF22 Extended overwintered stubble.

Please note, where the option is located on areas ineligible for SPS (for example, an area of hard standing), the SPS eligibility rules will still apply and the feeding area cannot be claimed for SPS.

For this option, you must comply with the following:

- Select a feeding area/s **either** on firm free-draining farm tracks or hard standing areas close to existing areas of overwintered stubbles or wild bird seed mixtures **or** on overwintered stubbles or wild bird seed mixtures. Selecting areas next to hedges, bushes or trees (shelter belts) to provide a safe haven for the feeding birds would be beneficial.
- Spread the food on the ground at least once a week from 1 January until 31 March. Hoppers (feed distributors) may be used to support ground feeding but should not be the sole method of supplementary feeding. Move hoppers regularly and/or protect them by guards or cages to reduce the impact of vermin.
- The food must be a mixture of wheat and oilseed rape (75%), red millet, white millet and canary seed (25%). Tailings (small seeds removed from the harvested crop) are not permitted.
- Distribute enough food to match consumption, ensuring a fresh supply of food is maintained without leaving seed unconsumed. This is especially important where ground feeding is undertaken.
- A 'feeding diary' must be kept – to include details of:
  - mixture (weight of components and cost)
  - date of feeding
  - amount fed
  - location of feeding.

In addition, all receipts for the purchase of seed must be retained and made available on inspection.

### G Options to encourage a range of crop types

The decline of mixed farming is one of the causes of the falling number of farmland birds in England.



## EG1 Undersown spring cereals

200 points per ha



The addition of a grass/legume mix as an understorey to the cereal crop will reduce the need for agrochemical inputs, increase the diversity of habitat provided in the field and benefit farm wildlife.

This is a 'rotational option'. This means that it can move around the farm within the normal arable rotation, but the same total hectareage must be maintained each year.

For this option, you must comply with the following:

- Undersow a spring cereal crop (but not maize) with a grass ley, including at least 10 per cent legume by weight but no more than 30 per cent.
- Establish the cereal crop between 14 February and 20 April.
- Keep the undersown plant growth until the cereal crop is harvested. This must not be before 1 July or before the cereal crop is fully ripe.
- Do not destroy the grass ley before 15 July of the following year.

**UPDATED in 2013**

## EG4 Cereals for whole-crop silage followed by overwintered stubble

230 points per ha



The benefit of this option is the provision of a seed source in the winter stubble and from the unripe grain. This is a 'rotational option'. This means that it can move around the farm within the normal arable rotation, but the same total hectareage must be maintained each year.

For this option, you must comply with the following:

- Sow a cereal (but not maize) crop in the autumn or spring.
- Do not apply insecticides between 15 March and the following harvest.
- Only the following herbicides can be applied to control problem grass and broad-leaved weeds:
  - for broad-leaved weeds, only use amidosulfuron, and only between 1 February and 31 March; and
  - for grass weeds, use the following active ingredients only: tri-allate, fenoxaprop-P-ethyl, tralkoxydim, clodinafop-propargyl or pinoxaden. Not all herbicides are suitable for all cereal crops or for undersown crops. Always read the product label.
- There are no restrictions on the use of fungicides or growth regulators.
- Harvest as whole-crop silage.
- Where the stubble is predominantly clean after harvest, a light surface cultivation can be made before the end of September (or within the first month following harvest if later) to encourage weed germination and loosen any surface compaction or capping. If the stubble is already weedy, do not cultivate.
- In sloping fields, the tramlines, headlands and other areas of severe compaction should always be sub-soiled following harvest (except where there are archaeological features or when conditions are wet) to reduce the risk of run-off and erosion.
- Do not apply any pesticides, fertilisers, manures (including manure heaps) or lime to the stubble.
- Beneficial seed and nectar-producing plants, such as mustard, fodder radish or oilseed rape, can be broadcast or sown on small areas (no more than 0.5 ha per 10 ha stubble) in the autumn, to enhance feeding and foraging value. *Do not cultivate areas at high risk of soil erosion and run-off as identified on your FER.*
- Do not top or graze the stubble.
- Do not apply post-harvest herbicides.
- From 15 February, the stubble can be returned to the farm rotation.

## J Options to protect soil and water

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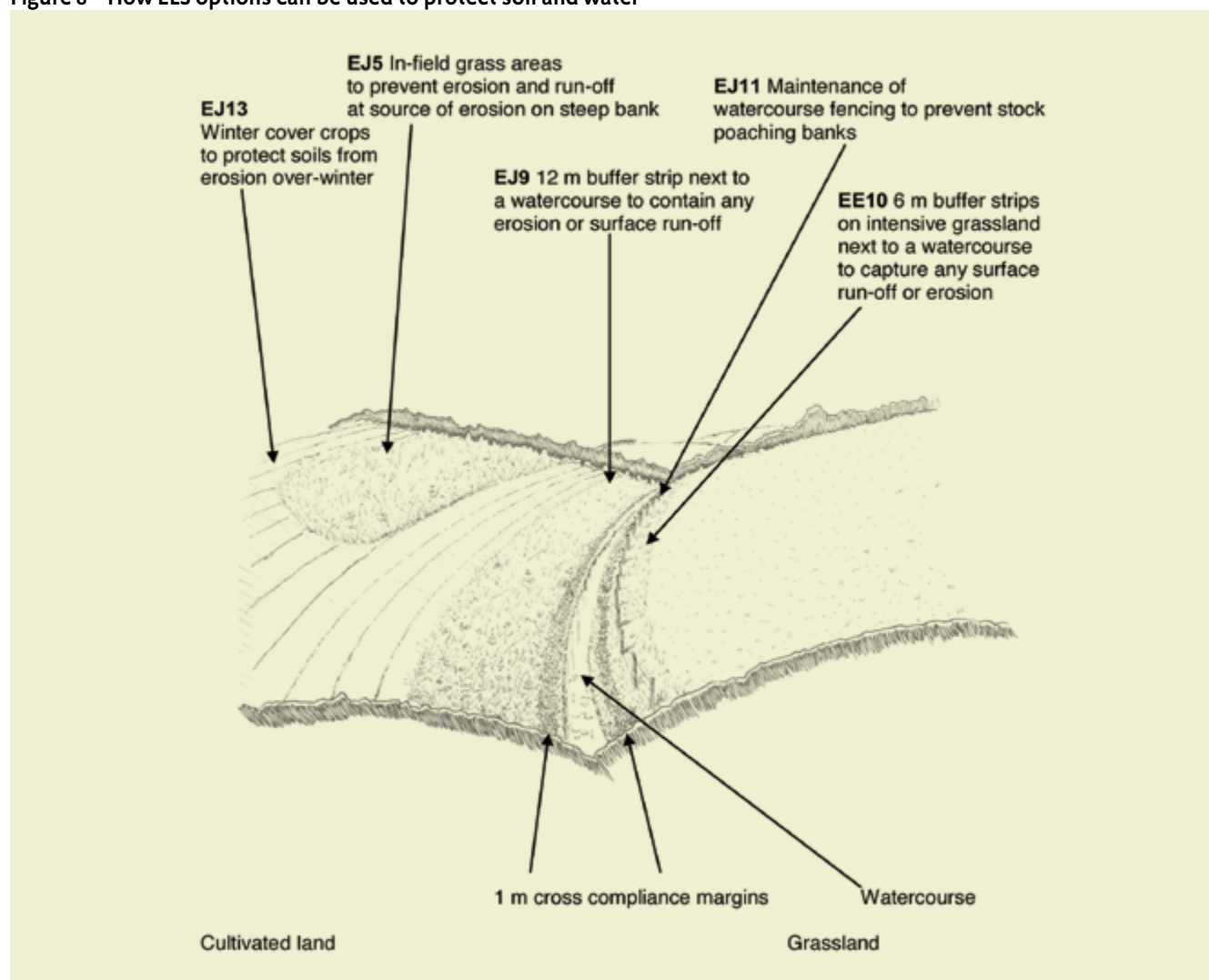
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**Examples of run-off due to poor farm management**

Soil and water are vital resources. The way land is managed can have a huge impact on both our soils and water resources. Damage to soils through poor land management can cause problems on the farm, such as loss of productivity through removal of topsoil and blocked drains and ditches. There are also more far-reaching effects, such as impacts on water quality and aquatic life and on how flooding is managed, or prevented.

The options available under this section will allow you to take management action to minimise run-off and erosion. Options in other sections, particularly for buffer strips, arable land, grassland and some upland options, can also help manage water flows across farmland and help reduce the incidence of run-off and erosion. Figure 8 provides an illustration of how these options can combine to minimise the risks of soil erosion and run-off.

**Figure 8 – How ELS options can be used to protect soil and water**



**EJ2 Management of maize crops to reduce soil erosion**

18 points per ha



This option must not be located on fields at risk of soil erosion or run-off (as identified on your FER). It is only available on other land where you are growing maize.

This is a 'rotational option'. It can move around the farm with the normal rotation, but the same total hectareage must be maintained.

For this option, you must comply with the following:

- Harvest by 1 October and plough or cultivate to leave a rough surface, ideally within two weeks of harvest, to reduce subsequent soil erosion; or harvest by 1 October and establish an autumn-sown crop; or undersow the maize with a grass- or clover-based mixture and after harvest (ideally within two weeks), remove any areas of soil compaction.
- Do not sub-soil areas on sites of archaeological interest.
- You must not apply more than the recommended amount of slurry or manure for either the maize or the following crop to be grown on this land (see guidance in Appendix 3 for a recognised fertiliser recommendation system). Any such slurry or manure must be applied at appropriate times, to minimise the risk of run-off.



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**UPDATED in 2013****EJ5 In-field grass areas to prevent erosion and run-off**

454 points per ha



This option aims to reduce the movement of sediment, nutrients and pesticides by wind and water erosion, both within fields and from field-to-field, through the careful location of permanent grass areas. It can also contribute to flood management by reducing surface run-off.

This option can be used to achieve a number of different objectives depending on the type of pollution and the pollutant pathway. For example:

- grassing areas vulnerable to erosion, such as light soils on steep slopes, can reduce the amount of erosion of soil, organic material, nutrients and pesticides; and
- grassing natural drainage pathways (eg valley bottoms) will help to reduce the channelling of run-off water that can produce rills and gullies.

Fields susceptible to erosion can have both in-field grassed areas to minimise the development of erosion and buffer strips at the field margins to capture any erosion or surface run-off. This option is suitable for land that has been identified in your FER as being at risk of causing erosion or run-off. It applies to part-fields only, up to a maximum permissible area of 30 per cent of the field.

These areas are more efficient at trapping sediment when they do not receive large volumes of overland flow channelled from surrounding land. Therefore, it is important to manage your adjacent land to maximise water infiltration.



While this option may help protect specific down-slope field boundaries features, the extent and location of the option should take into account potential impacts on field boundary patterns, especially in open landscapes.

For this option, you must comply with the following:

- Establish or maintain a dense grassy area during the first 12 months of your agreement, either by sowing or, ideally, by natural regeneration. Remove any compaction in the topsoil if you need to prepare a seedbed, except on archaeological features. Regular cutting in the first 12–24 months may be needed to control annual weeds and encourage grasses to tiller. Avoid cutting when the soil is moist to prevent further compaction.
- The width of the area must not be less than 10 m along its entire length.
- After the first 12–24 months, cut the entire area annually after mid-July.
- Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistle, curled and broadleaved docks or common ragwort), or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- Do not use the grass area for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.
- Do not graze the grass area.

**UPDATED in 2013**

**EJ9 12 m buffer strips for watercourses on cultivated land**

400 points per ha



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**A wide buffer strip**

This option aims to reduce the risk of transport of potential pollutants, such as sediment, nutrients (principally phosphate) and pesticides, to watercourses.

This option is intended for land adjacent to ditches, rivers or streams where it can intercept and remove sediment, organic material, nutrients and chemicals carried in run-off water. These buffer strips must not overlap with the cross compliance requirement not to cultivate land within 2 m of the centre of a hedgerow or watercourse (and within 1 m of the top of the bank of a watercourse). This option is only available on arable or rotational land that has been identified (and recorded on your FER) as at risk of soil erosion or run-off.

The payment for this option is based on the area of the buffer, but if it exceeds 24 m in width at any point, the additional area cannot be included in the payment area. You will need to measure the payment area with care to ensure you claim the correct number of points. You may find mapping software such as MAGIC ([www.magic.gov.uk](http://www.magic.gov.uk)) helpful.

For this option, you must comply with the following:

- Establish or maintain a grassy strip during the first 12 months of your agreement, either by sowing or, ideally, by natural regeneration. Remove any compaction in the topsoil if you need to prepare a seedbed, except on archaeological features. Regular cutting in the first 12–24 months may be needed to control annual weeds and encourage grasses to tiller. Avoid cutting when the soil is moist to prevent further compaction.
- The width of the strip may vary between 12 m and 24 m along its length but must not be less than 12 m wide at any point.
- Do not apply any fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- After the first 12–24 months, cut the 6 m next to the crop edge annually after mid-July. Only cut the remainder to control woody growth, and no more than once every 2 years.
- Do not use buffer strips for regular vehicular access, turning or storage. There should be no tracks, compacted areas or poaching.
- Do not graze the buffer strip.

### **EJ10 Enhanced management of maize crops to reduce soil erosion and run-off**

94 points per ha



This option aims to reduce the risk of soil erosion and run-off on fields where maize is grown preceding a spring-sown crop. It aims to deliver more than EJ2 Management of maize crops to reduce soil erosion by requiring both early harvest and the establishment of a cover crop. The cover crop will provide winter protection from soil erosion and run-off on fields that would otherwise be left bare.

This option must not be located on fields at risk of soil erosion or run-off (as identified on your FER). It is only available on other land where you are growing maize. This option is suitable where it precedes a spring-sown crop.

This is a 'rotational option'. It can move around the farm with the normal rotation, but the same total hectareage must be maintained.

For this option, you must comply with the following:

- Harvest the maize crop by 1 October and remove any areas of soil compaction (ideally within two weeks of harvest). Do not sub-soil on features of archaeological interest.
- Establish an autumn-sown cover crop. Drill or broadcast a quick-growing cover crop, such as rye, barley, or mustard, at an effective seed rate so as to provide good erosion protection.
- You must not apply more than the recommended amount of slurry or manure for either the maize or the following crop to be grown on this land (see guidance in Appendix 3). Any such slurry or manure must be applied at appropriate times to minimise the risk of run-off.
- The cover crop must remain for a minimum of six weeks before establishment of the following spring-sown crop.



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**Maintenance of this bankside fence allows taller streamside vegetation to develop**

The aim of this option is to support the maintenance of existing watercourse fencing where fields are grazed. Watercourse fencing may help to reduce faecal contamination, stream bank damage and have a significant impact upon water quality. It can also help to protect the bankside vegetation and encourage natural regeneration.

It can be used where watercourses (as defined in Appendix 6) form one or more boundaries of the field, or are present within the field, and livestock are grazed for at least three months of the year. The existing fencing must be sufficient to exclude stock. This option can be used alongside buffer strips or margins next to a watercourse.

This is not a payment for new fencing and cannot be placed on new fencing funded under Environmental Stewardship. However, it could be placed on new fencing funded by other means.

For this option, you must comply with the following:

- Maintain fences in a stock-proof condition to ensure exclusion of livestock from the ditch, river or stream bank and/or buffer strip or margin.

### EJ13 Winter cover crops

65 points per ha



This option aims to significantly reduce nitrate leaching on land where soil would normally be left bare during winter. In addition, in certain situations, cover crops may provide protection against soil erosion and loss of other pollutants carried in surface run-off water.

Any land that is vulnerable to nitrate leaching, particularly light sandy soils, is eligible for this option. Heavy soils are not eligible.

This is a 'rotational option'. This means that it can move around the farm within the normal farm rotation, but the same total hectareage must be maintained each year.



To be effective, cover crops have to be established early in order to take up sufficient soil nitrate before winter drainage leaches it below the depth of the developing plant roots. The cover crops should be destroyed in late January or February before they are too well developed. Delaying destruction of the cover crop has the potential to increase nitrate leaching the following winter.

For this option, you must comply with the following:

- Establish a cover crop by 15 September.
- Drill or broadcast a quick-growing cover crop. The cover crop can be a mixture of seeds. Suitable species to include are rye, vetch, phacelia, barley and mustard. The choice of cover crop will be dependent upon herbicide choice and rates of application in the previous crop.
- Sow at a seed rate that will provide a dense cover and protect from soil erosion.
- Do not apply any fertilisers or manures.
- Destroy the cover crop by cultivation in late January or early February, immediately before establishing the following spring crop, to minimise any nitrate losses. When weather conditions delay establishment of a spring crop, the cover crop can be left until mid-March.

### K Options for grassland outside the Severely Disadvantaged Areas (SDAs)

These options are designed to manage grassland in a way that benefits wildlife and landscape, protects archaeological features and reduces impacts on natural resources.

Grassland should be managed in a way that promotes good soil structure and infiltration of rainwater to reduce run-off. Good general management includes managing livestock densities to avoid soil compaction, or reducing or avoiding grazing when the soil is wet. You may also consider reducing existing compaction, for example by sub-soiling or spiking, provided there are no buried earthworks or archaeological remains.

Unless stated otherwise, for purposes of these options, 'grassland' is defined as land that is used to grow grasses or other herbaceous forage naturally or through cultivation and which has not been subject to cultivation for at least five years.

Patches of scrub can add to the structure and wildlife value of grasslands, but they should not be allowed to extend across more than 10 per cent of the field or beyond its existing cover where this is greater than 10 per cent. Scrub should not be allowed to develop on archaeological features.

Inter-tidal habitats are not eligible for these options.

#### EK1 Take field corners out of management

400 points per ha



#### Area constraints apply to this option.

This option is only available outside SDAs and below the Moorland Line.

The provision of unmanaged areas will increase the biodiversity of the farm. This option must not be located on archaeological features. Although this option is designed for field corners, if you have small areas within the field, which it would be beneficial to take out of production, you may do so. Field corners do not need to be fenced off, provided the prescriptions are met.

This option is only available on improved grassland that is receiving over 50 kg/ha nitrogen per year as organic or inorganic fertilisers.

For this option, you must comply with the following:

- Patch size must be no more than 0.5 ha. You may have no more than one patch for every 10 ha of land eligible for this option and, as far as possible, patches must be distributed evenly across your farm.
- Do not apply any fertilisers, manures or lime.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- After establishment, cut no more than once every five years to allow the development of tussocky grass and low scrub. Do not cut during the bird-breeding season (1 March to 31 August).
- Do not graze.

Please note that any areas containing scrub may become ineligible for SPS payments and would have to be removed from your SPS claim form. Please refer to the *SPS Handbook* and any supplements for more information, details in Appendix 2. Scrub areas are still eligible for ELS points. Please see Appendix 6 for a definition of scrub for SPS purposes.

### EK2 Permanent grassland with low inputs

85 points per ha



This option is only available outside SDAs and below the Moorland Line.

Permanent grassland managed with low inputs of fertiliser and sprays will sustain a greater variety of plants and wildlife. The development of a varied sward structure is of particular value to insects. Permanent grassland is an important feature of riparian and pastoral landscapes and can help protect buried archaeological features. This option may deliver benefits to resource protection where placed on fields that are at risk of soil erosion or run-off. This option can be used on a whole- or part-field basis.



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**Low input permanent pasture can have a wide range of benefits for biodiversity, archaeology and resource protection**

For this option you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- Manage by grazing and/or cutting, but do not cut between 1 April and 31 May. You must remove any cuttings.
- Maintain a sward with a range of heights during the growing season so that at least 20 per cent of the sward is less than 7 cm and at least 20 per cent is more than 7 cm, to allow plants to flower and to provide a more varied habitat. You do not need to maintain this height variation when the field is closed or shut up for a cut of hay or silage.
- Do not top at any time, except in patches to control injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); bracken or areas dominated by rushes.
- Where scrub is present prevent further encroachment by grazing, mowing or topping.
- Do not harrow or roll between 1 April and 31 May.
- Supplementary feeding is allowed, but move feeders as often as required to avoid poaching. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses.
- Do not apply more than 50 kg/ha nitrogen per year as inorganic fertiliser. Where animal manures are applied, either alone or in addition to inorganic fertilisers, the total rate of nitrogen must not exceed

100 kg/ha nitrogen per year. Only apply during the growing season, provided no birds are nesting in the field and ground conditions are dry enough to prevent soil compaction. If your current manure and fertiliser application rates are less than this, you must not increase applications. You may find it useful to refer to the table in Appendix 3 showing average total nitrogen supplied by various manures.

- You may continue adding lime, where this is your regular practice.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.

### EK3 Permanent grassland with very low inputs

150 points per ha



This option is only available outside SDAs and below the Moorland Line.

Grassland managed with no fertiliser has a higher value for wildlife. Much species-rich grassland has been lost to agricultural intensification, so it is important to maintain and, where possible, increase this resource. This option may also deliver benefits to resource protection where placed on fields that are at risk of soil erosion or run-off. It can be used on a whole- or part-field basis. If your field has more than a third of its area covered by rushes, it must be entered into option EK4 (Management of rush pastures) rather than this option.



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**Permanent pasture with very low inputs of fertiliser and herbicide provides better wildlife habitats**

For this option, you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- Manage by grazing and/or cutting, to remove the year's grass growth, but do not cut between 1 April and 30 June. You must remove any cuttings.
- Maintain a sward with a range of heights during the growing season so that at least 20 per cent of the sward is less than 7 cm and at least 20 per cent is more than 7 cm, to allow plants to flower and to provide a more varied habitat. You do not need to maintain this height variation when the field is closed or shut up for a cut of hay or silage.
- Do not top at any time, except in patches to control injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); bracken or areas dominated by rushes.
- Where scrub is present prevent further encroachment by grazing, mowing or topping.
- Do not harrow or roll between 1 April and 30 June.
- Do not supplementary feed.
- You may apply up to 12.5 tonnes/ha (5 tonnes/acre) of Farm Yard Manure (FYM) a year, but only where the grassland is regularly cut. Only apply FYM during the growing season, provided no birds are nesting in the field and ground conditions are dry enough to prevent soil compaction. No other type of fertilisers or manures may be applied. If your current manure and fertiliser regime is less than this, you must not increase applications. You may find it useful to refer to the table in Appendix 3 showing average total nitrogen supplied by various manures.
- You may continue adding lime where this is your regular practice.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.





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**Damp pasture is a valuable habitat for nesting birds**

This option is only available outside SDAs and below the Moorland Line.

This option is available for fields where at least a third of the field area is covered by rushes. Damp pasture on farmland is a very important potential habitat for lapwing, curlew, redshank, snipe and reed bunting. Different types of waders like different vegetation heights, so a variety in the sward structure is most beneficial. Rush pastures may also contain a wide range of plant and invertebrate species.

For this option, you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- Cut rush-dominated areas each calendar year, but not between 15 March and 31 July. Cut no more than a third of the area of rushes in each field (or a third of the fields if they are small) in rotation. It may be impractical to cut rushes in the wettest flushes, and therefore these can be left. Cattle trampling may help to control these areas.
- Once cut, if aftermath grazing does not control rushes, a second cut should be carried out within eight weeks, but not between 1 April and 31 July.
- Where possible, graze the aftermath with cattle.
- Do not harrow or roll between 1 April and 30 June.
- Do not supplementary feed.
- You may apply up to 12.5 tonnes/ha (5 tonnes/acre) of FYM a year, but only where the grassland is regularly cut. Only apply FYM during the growing season, provided no birds are nesting in the field and ground conditions are dry enough to prevent soil compaction. No other type of fertiliser or manures may be applied. If your current manure and fertiliser regime is less than this, you must not increase applications. You may find it useful to refer to the table in Appendix 3 showing average total nitrogen supplied by various manures.
- You may continue adding lime where this is your regular practice.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.

**NEW in 2013****EK20 Ryegrass seed-set as winter/spring food for birds**

80 points per ha



**Please note this option is subject to approval by the European Commission.**

The aim of this option is to allow silage fields to go to seed in autumn, providing a food resource throughout winter and into the 'hungry gap' in February for buntings (such as yellowhammer) and other granivorous birds. It may also increase abundance of invertebrates and small mammals.

This option is only available on swards containing at least 50 per cent ryegrass (perennial, Italian or hybrid). Temporary grassland (sown to grass or other herbaceous forage for less than 5 years) and grassland that has been cultivated and re-sown within the last 5 years are eligible for this option. It can be applied on whole- or part-fields. If used on part-fields the area should be at least 10 m wide. For most birds it will be beneficial to site next to a hedge but for skylark it should be sited away from trees and hedges.

This is a 'rotational option'. This means that it can move around the farm within the normal farm rotation, but the same total hectareage must be maintained each year.

There is no restriction on use of lime, fertiliser, manure, fungicides, insecticides or selective herbicides prior to taking the silage cut(s).

For this option, you must comply with the following:

- Close the field for at least 5 weeks and take a silage cut by 31 May.
- On swards containing at least 70 per cent Italian or hybrid ryegrass, you may also take a second cut of silage (or hay) by 30 June.
- After cutting and removal, close the field, allowing the sward to flower and set seed in the autumn. Leave the sward undisturbed with no harrowing, rolling, cultivation, application of manure or fertiliser until at least 1 March. You may then destroy the sward or restore it by harrowing or grazing. (This may be helped by the establishment of fallen seeds.)

**NEW in 2013****EK21 Legume- and herb-rich swards**

200 points per ha



**Please note this option is subject to approval by the European Commission.**

This option will provide habitat and food for invertebrates including crop pollinators, benefit soil structure, mitigate climate change by reducing nitrogen fertiliser use and provide productive high-quality forage for livestock.

This option is only available on temporary grassland (sown to grass or other herbaceous forage for less than five years) or grassland that has been cultivated and re-sown within the last five years. It can be applied on whole- or part-fields.

This is a 'rotational option'. This means that it can move around the farm within the normal farm rotation, but the same total hectareage must be maintained each year.

For this option, you must comply with the following:

- In the first 12 months of the agreement, establish a mixed sward of grasses, legumes and herbs/wildflowers (eg chicory, yarrow, ribwort plantain, forage burnet, black knapweed, common sorrel). This is usually most reliably achieved by sowing into a clean seedbed, but could be done by oversowing existing grassland following creation of 50 per cent bare ground.

- For the remainder of the agreement the sward must contain a minimum cover of 10 per cent red clover and an additional 10 per cent other legumes plus herbs, plus wildflowers (cover does not include white clover, creeping buttercup or injurious weeds). The sward must include at least five species of grass, three species of legume (including bird's-foot trefoil) and five species of herb/wildflower.
- Re-establish, if necessary, on the same or a different field, to maintain these minima.
- Manage by cutting or grazing but allow to flower by resting for a 3–5 week period between 1 May and 31 July. You must delay cutting until the majority of red clover plants have started to flower.
- Do not apply pesticides except herbicides to spot treat or weed-wipe for control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort) ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.
- You may apply lime and organic manures.
- You may apply inorganic fertilisers provided they do not contain nitrogen.

### K Option for mixed stocking on grassland

#### EK5 Mixed stocking

9 points per ha

This option is available on eligible parcels both outside and inside SDAs.

Mixed stocking encourages a diversity of sward structure and plant and invertebrate species, which in turn can be beneficial to a variety of ecological and historic features. It also contributes to the distinctive colour and patterning of local landscapes through mixed grazing systems. This option is only available on land that is grazed by both cattle and sheep, either in the same year or in alternate years, as part of a clean grazing system. This option may be co-located with up to two other options from the list of permitted combinations at Table 6.

For this option, you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- A minimum of 30 per cent of the Livestock Units (LUs) must be grazing cattle.
- A minimum of 15 per cent of the LUs must be grazing sheep.
- Supplementary feeding is allowed, but move feeders as often as required to avoid poaching. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses.
- Keep a record of all livestock grazing the land covered by this option.



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Mixed stocking encourages a diversity of sward structure and species



You may not wish to graze both types of livestock in the same year. For this reason, the percentage of cattle and sheep LUs grazing the land is calculated over a two-year period. This allows you either to graze both types of livestock on the land parcel in the same year or to graze each type in alternate years.

If you choose to graze them on the land in alternate years, at least 60 per cent of the LUs on the land parcel must be cattle in one year and at least 30 per cent must be sheep in the other. The remaining 40/70 per cent of the LUs can be made up of the same, or other types of livestock, such as horses or domesticated deer. For details of LU conversion factors, please refer to Appendix 4.

### L Options for grassland and moorland inside the Severely Disadvantaged Areas (SDAs)

These options are designed to manage grassland and moorland in a way that benefits wildlife and landscape, protects archaeological features and reduces impacts on natural resources. Other options for the uplands are available through Uplands ELS.

Grassland should be managed in a way that promotes good soil structure and infiltration of rainwater to reduce run-off. Good general management includes managing livestock densities to avoid soil compaction, or reducing or avoiding grazing when the soil is wet. You may also consider reducing existing compaction, for example, by sub-soiling or spiking, except on archaeological features.

Patches of scrub can add to the structure and wildlife value of grasslands but they should not be allowed to extend across more than 10 per cent of the field or beyond its existing cover where this is greater than 10 per cent. Scrub should not be allowed to develop on archaeological features.

For the purposes of these options, grassland is defined as land that is used to grow grasses or other herbaceous forage naturally or through cultivation and which has not been subject to cultivation for at least five years. Inter-tidal habitats are not eligible for these options.

All other options may also be used in an SDA (where the option eligibility and management rules can be met) except those for lowland grassland (EK1 to EK4, EK20 and EK21).

The availability of the grassland options within each area is summarised in Table 5.

**Table 5 Availability of upland and lowland grassland options**

Options	Land outside SDAs	Land in an SDA		
		Below the Moorland Line	Above the Moorland Line	
			Parcels of less than 15 ha	Parcels of 15 ha or more
EK1-4, EK20, EK21	✓			
EK5	✓	✓	✓	✓
EL1-3		✓		
EL4		✓	✓	
EL5			✓	
EL6				✓

## EL1 Take field corners out of management in SDAs

100 points per ha



### Area constraints apply to this option.

This option is only available on land inside the SDAs and below the Moorland Line.

Although this option is designed for corners of grass fields, it may also be applied to small areas within the field, which it would be beneficial to take out of production. The provision of unmanaged areas will increase the biodiversity of the farm. Field corners do not need to be fenced off, provided the prescriptions are met. This option must not be located on archaeological features (see options ED4 and ED5 for options for historic features).

For this option, you must comply with the following:

- Patch size must be no more than 0.5 ha. You may have no more than one patch for every 10 ha of land eligible for this option and, as far as possible, they must be distributed evenly across your farm.
- Do not apply lime, fertilisers or manures.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed) or bracken.
- After establishment, cut no more than once every five years to allow the development of tussocky grass and low scrub. Avoid cutting between 1 March and 31 August, if nesting birds are thought to be present.
- Do not graze.

## EL2 Permanent grassland with low inputs in SDAs

35 points per ha

This option is only available on land inside the SDAs and below the Moorland Line.

Permanent grassland managed with low inputs of fertiliser and sprays will sustain a greater variety of plants and wildlife. The development of a varied sward structure is of particular value to insects. Permanent grassland is an important feature of pastoral landscapes and can help to protect buried archaeological features. This option may deliver benefits to resource protection where placed on fields that are at risk of soil erosion or run-off. This option can be used on a whole or part-field basis.



© Natural England/James LePage

Low input permanent pasture can have a wide range of benefits for biodiversity, archaeology, and resource protection

For this option, you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- Manage by grazing and/or cutting, but do not cut between 1 April and 31 May.
- Maintain a sward with a range of heights during the growing season so that at least 20 per cent of the sward is less than 7 cm and at least 20 per cent is more than 7 cm, to allow plants to flower and to provide a more varied habitat. You do not need to maintain this height variation when the field is closed or shut up for a cut of hay or silage.
- Do not top at any time, except in patches to control injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); bracken or areas dominated by rushes.
- Where scrub is present, prevent further encroachment by grazing, mowing or topping.
- Do not harrow or roll between 1 April and 31 May.
- Supplementary feeding is allowed, but move feeders as often as required to avoid poaching. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses.
- Do not apply more than 50 kg/ha nitrogen per year as inorganic fertiliser. Where animal manures are applied, either alone or in addition to inorganic fertiliser, the total rate of nitrogen must not exceed 100 kg/ha nitrogen per year. Only apply during the growing season, provided no birds are nesting in the field, and ground conditions are dry enough to prevent soil compaction. If your current manure and fertiliser regime is less than this, you must not increase applications. You may find it useful to refer to the table in Appendix 3 showing average total nitrogen supplied by various manures.
- You may continue adding lime where this is your regular practice.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.

### EL3 Permanent grassland with very low inputs in SDAs

60 points per ha



© Natural England/Graham Walsh

**Permanent pasture with very low inputs of fertiliser and herbicide provides better wildlife habitats**

This option is only available on land inside the SDAs and below the Moorland Line.

Permanent grassland managed with no fertiliser has a higher value for wildlife. Much species-rich grassland has been lost to agricultural intensification and it is important to maintain and, where possible, increase this resource. This option may also deliver benefits to resource protection where placed on fields that are at risk



of soil erosion or run-off. This option can be used on a whole- or part-field basis. If your field has more than a third of its area covered by rushes, it must be entered into option EL4 Management of rush pastures in an SDA, rather than this option.

For this option, you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- Manage by grazing and/or cutting, to remove each year's grass growth, but do not cut between 1 April and 30 June. You must remove any cuttings.
- Maintain a sward with a range of heights during the growing season so that at least 20 per cent of the sward is less than 7 cm and at least 20 per cent is more than 7 cm, to allow plants to flower and to provide a more varied habitat. You do not need to maintain this height variation when the field is closed or shut up for a cut of hay or silage.
- Do not top at any time, except in patches to control injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); bracken or areas dominated by rushes.
- Where scrub is present prevent further encroachment by grazing, mowing or topping.
- Do not harrow or roll between 1 April and 30 June.
- Do not supplementary feed.
- You may apply up to 12.5 tonnes/ha (5 tonnes/acre) of FYM a year, but only where the grassland is regularly cut. Only apply FYM during the growing season, provided no birds are nesting in the field, and ground conditions are dry enough to prevent soil compaction. No other type of fertilisers or manures may be applied. If your current manure and fertiliser regime is less than this, you must not increase applications. You may find it useful to refer to the table in Appendix 3 showing average total nitrogen supplied by various manures.
- You may continue adding lime where this is your regular practice.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.

### EL4 Management of rush pastures in SDAs

60 points per ha



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**Damp pasture is a valuable habitat for breeding birds**

This option is available inside the SDAs and below the Moorland Line and above it on parcels less than 15 ha.

Fields where at least a third of the field area is covered by rushes are eligible for this option. Damp pasture on farmland is a very important potential habitat for lapwing, curlew, redshank and snipe. Different types of waders prefer different vegetation heights, so a variety in the sward structure is most beneficial. Rush pastures may also contain a wide range of plant and invertebrate species.

For this option, you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- Cut rush-dominated areas each year, but not between 1 April and 31 July. Cut no more than a third of the area of rushes in each field, or a third of the fields if they are small (ie less than 3 ha), in rotation. It may be impractical to cut rushes in the wettest flushes; therefore these can be left. Cattle trampling may help to control these areas.
- Once cut, if aftermath grazing does not control rushes, a second cut should be carried out within 8 weeks, but not between 1 April and 31 July.
- Where possible, graze the aftermath with cattle.
- Do not harrow or roll between 1 April and 30 June.
- Supplementary feeding is allowed, but move feeders as often as required to avoid poaching. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses.
- You may apply up to 12.5 tonnes/ha (5 tonnes/acre) of FYM a year, but only where the grassland is regularly cut. Only apply FYM during the growing season, provided no birds are nesting in the field and ground conditions are dry enough to prevent soil compaction. No other type of fertiliser or manure may be applied. If your current manure and fertiliser regime is less than this, you must not increase applications. You may find it useful to refer to the table in Appendix 3 showing average total nitrogen supplied by various manures.
- You may continue adding lime where this is your regular practice.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.

### EL5 Enclosed rough grazing

35 points per ha



This option is only available inside the SDAs on parcels of less than 15 ha above the Moorland Line.

Commonly known as 'allotments', 'intakes' or 'newtakes', these are areas of enclosed rough land of less than 15 ha used exclusively for grazing, of which the majority has not been drained, re-seeded or regularly cultivated. They have received only minimal applications of fertilisers, lime, slag or pesticides. They will contain predominantly semi-natural vegetation, usually moorland grasses and rushes, and sometimes rocky and very wet areas. They may also contain small areas of agriculturally improved land.

For this option you must comply with the following:

- Do not plough, cultivate or reseed.
- Protect permanently waterlogged wetlands, including peat bogs and other mires, and hillside flushes. Do not install any new land drainage or modify any existing land drainage, or remove any peat or sediment.
- Leave rocks, scree and mineral spoil in place.
- Do not increase your existing stocking level.
- Do not supplementary feed.
- Do not apply any fertilisers, manures, lime or slag.



- Take action to contain bracken and common gorse so that they do not spread to new areas of land, where this is within your control. Wherever possible, control of bracken should be by mechanical means. Otherwise, to chemically control bracken, only an approved herbicide may be used and care must be taken not to apply it to other ferns. For common gorse, control should be by cutting or burning in manageable blocks. If the land is in a water catchment area or on a Scheduled Monument, you must seek consent from the appropriate authority.



© Defra/Robert Goodison

**Enclosed rough grazing**

- Rhododendron and other invasive non-native species must be cut and the stumps treated immediately with herbicide to prevent spread to new areas of land, where this is within your control. At least one follow-up treatment will be required in subsequent years to control re-growth.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks, or common ragwort).

### EL6 Unenclosed moorland rough grazing

5 points per ha



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**Moorland rough grazing**

This option is only available inside the SDAs on land parcels of 15 ha or more above the Moorland Line.

For this option, you must comply with the following:

- Do not plough, cultivate or reseed.
- Protect permanently waterlogged wetlands, including peat bogs and other mires, and hillside flushes. Do not install any new land drainage or modify any existing land drainage, or remove any peat or sediment from drainage channels.



- Leave rocks, scree and mineral spoil in place.
- Where you have the legal right to carry out burning, and intend to do so, you must follow the Heather and Grass Burning Code. You may obtain a copy of The Heather and Grass Burning Code (Defra, 2007) from your Natural England regional office or download it at [www.naturalengland.org.uk](http://www.naturalengland.org.uk)
- Do not supplementary feed using silage or other forage wrapped in plastic. Do not use ring feeders or troughs. Move feeding areas as often as required to avoid poaching. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses.
- Do not apply any fertilisers, manures, lime or slag.
- Take action to contain bracken and common gorse so that they do not spread to new areas of land, where this is within your control. Wherever possible, control of bracken should be by mechanical means. Otherwise, to chemically control bracken only an approved herbicide may be used and care must be taken not to apply it to other ferns. For common gorse, control should be by cutting or burning in manageable blocks. If the land is in a water catchment area or on a Scheduled Monument, you must seek consent from the appropriate authority.
- Rhododendron and other invasive non-native species must be cut and the stumps treated immediately with herbicide to prevent spread to new areas of land, where this is within your control. At least one follow-up treatment will be required in subsequent years to control re-growth.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broad-leaved docks or common ragwort).

## Options for Uplands ELS

### UB Options for boundary features in the uplands

These options are available for boundary features above, or that form the boundary of, the Moorland Line.

<b>UB4 Stone-faced hedgebank management on both sides on or above the Moorland Line</b>	24 points per 100 m
<b>UB5 Stone-faced hedgebank management on one side on or above the Moorland Line</b>	12 points per 100 m



Where there is hedge growth on top of the bank, you may also apply for one of the options EB1, EB2, EB3 or EB14 where they meet the necessary criteria.

For these options, you must comply with the following:

- Protect stone-faced banks from deterioration and repair gaps where these occur during the course of the agreement.
- Prevent damage to stone-faced gateways and to banks by machinery or by stock climbing. Where stock have damaged such features, prevent further damage by making the features stock-proof.
- Do not remove any in situ stone from banks.
- All repair and maintenance work must be carried out in the traditional materials used in the original hedgebank construction, following the style characteristic to the local landscape.
- Do not cast up ditch dredging or spoil over stone-faced banks.

**UPDATED in 2013****UB11 Stone wall protection and maintenance on or above the Moorland Line**

32 points per 100 m



You must have control over the management of both sides of the wall. Stone walls of all types are important for stock management and as landscape and historic features. They are also potentially important habitats for lichens, mosses and ferns, invertebrates, reptiles, birds and small mammals.

This option can only be applied to complete walls in good condition. A wall in good condition is at its original height to below the top stones with at least 75 per cent of top stones in place (where they formed part of the original construction) and no gaps along the entire length. A wall is measured between two end points. An end point includes connections between two or more walls, or connections to other features for example; fences, gateways, buildings, roads, ditches, and hedgerows, or the point at which there is a change in management/ownership. This option can also be applied to livestock enclosures such as sheep folds and walls which end mid-field.

Stone walls must be built of natural materials and must be of traditional dry-stone wall construction. Mortar may be used when it is the traditional method of stone walling.

For this option, you must comply with the following:

- Protect stone walls from deterioration. Undertake a visual inspection of the walls to check their condition and identify any sections that need repair at least once a year. Keep a record (written or photographic) of the problems identified and the repair work undertaken.
- Where gaps occur during the course of the agreement carry out the necessary repairs.
- Carry out all repair and maintenance work in the traditional materials used in the original wall construction, following the style characteristic of the local landscape and using appropriately shaped and sized local natural stone. Any existing features such as sheep creeps and stone gate posts must be retained.
- Do not remove any in situ stone from walls.

**UPDATED in 2013****UB12 Earth bank management on both sides on or above the Moorland Line**

18 points per 100 m

**UPDATED in 2013****UB13 Earth bank management on one side on or above the Moorland Line**

9 points per 100 m



This option aims to maintain and protect earth and turf-faced banks. These banks are important landscape and historic features, often containing valuable below-ground archaeological deposits. They also provide potentially important habitats for invertebrates, reptiles, birds and small mammals.

These options only apply to complete sections of earth and turf-faced banks that are at least 1 m in height. For UB12, you must have control over the management of both sides of the bank. If you have control of the land adjacent to only one side of the bank, you must use UB13. Flood banks and warp banks are not eligible for these options.

Where there is a hedge on top of the bank that meets the necessary criteria, you may also apply for one of the hedgerow options EB1, EB2, EB3 or EB14. The specified height of the hedge is measured from the top of the bank.

For these options, you must comply with the following:

- Protect earth banks from deterioration. Repair gaps where these occur during the course of the agreement.
- Do not repair gaps using earth from an existing boundary or any other archaeological feature.
- Prevent damage to gateways and banks by machinery or by stock. Where stock have damaged such features, prevent further damage by making the features stock-proof.
- All repair and maintenance work must be carried out in the traditional style characteristic of the local area and used in the original earth bank construction.

### UB15 Stone-faced hedgebank restoration

55 points per m



This option is only available on land within the SDA.

This option supports the restoration of these banks to maintain them as features in the landscape, and to benefit wildlife. It is available for existing stone-faced banks that remain substantially intact but are losing stones and have some unstable sections. You must have management control over both sides of the hedgebank.

You can enter up to 40 m on your application form. This represents the annual commitment. Hence, if you enter 40 m on your application form, you will be required to complete 200 m over the full 5 years of your agreement (or 400 m if you have a 10-year Uplands ELS/HLS agreement).

You can complete the work ahead of schedule, but you must have completed at least as much as the annual commitment for each agreement year completed. Points earned will be based on the annual commitment, not the actual amount of work completed in any single year.

#### For example, where the annual commitment is 40 m

End of agreement year	1	2	3	4	5
Minimum total length restored	40	80	120	160	200
Maximum total length restored	200	200	200	200	200
Points earned	2200	2200	2200	2200	2200

Banks in this option may not be entered in options EB4, UB4, EB5 and UB5.

For this option, you must comply with the following:

- Obtain current, dated photographs of the bank to be restored as evidence of its condition when you joined the scheme, retain these photographs and submit a copy with your application.
- At the end of the agreement, the restored bank must be complete and in good condition.
- Carry out all restoration work in the traditional materials used in the original bank construction, following the style characteristic of the local landscape and using appropriately shaped and sized local natural stone.
- Before work starts, all old fencing must be removed and disposed of appropriately.
- Avoid undermining the original historic bank. Foundation stones must not be disturbed unless it is necessary to create a firm base. Often the lower courses of field boundaries are of considerable age and archaeological importance.
- Avoid restoring stone-faced banks in adverse weather conditions, such as drought or very wet weather, as this will result in instability. Using machinery in wet weather may damage land adjacent to the bank.
- Strip loose stone back by hand until there are firm stones to build on.
- On completion of each course, backfill with earth and small stones. Tamp down well to form a solid core before continuing with the next course.
- The top should be finished off with a row of large flat stones, vertical stones or a layer of turf, depending on local traditions.



- Where the original stone is no longer available or is not in good enough condition to be re-used, replacement stone must be sourced locally and must be of the type used in the local area. Stone must not be taken from other hedgebanks, walls or buildings.
- Hauling stone should be done when ground conditions are firm enough to prevent soil damage.
- Old features, such as creep holes or built granite troughs, should be restored and retained.
- Do not carry out restoration work on a bank with a hedge between 1 March and 31 August (the main bird-breeding season).
- Where a hedge already exists, do not bury a newly laid hedge in deep earth as this will prevent effective regrowth.
- Where the bank is crossed by a public right of way, any stiles and gates must be restored to their original form using traditional materials.

## UB16 Earth bank restoration

12.5 points per m



This option is only available on land within the SDA.

This option aims to restore banks to maintain them as features in the landscape. It is available for existing earth banks that are substantially intact but have some unstable and/or collapsed sections. You must have management control over both sides of the hedgebank.

You can enter up to 40 m on your application form. This represents the annual commitment. Hence, if you enter 40 m on your application form, you will be required to complete 200 m over the full 5 years of your agreement (or 400 m if you have a 10-year Uplands ELS/HLS agreement).

You can complete the work ahead of schedule, but you must have completed at least as much as the annual commitment for each agreement year completed. Points earned will be based on the annual commitment, not the actual amount of work completed in any single year.

### For example, where the annual commitment is 40 m

End of agreement year	1	2	3	4	5
Minimum total length restored	40	80	120	160	200
Maximum total length restored	200	200	200	200	200
Points earned	500	500	500	500	500

Banks in this option may not be entered in options EB12, UB12, EB13 and UB13.

For this option, you must comply with the following:

- Obtain current, dated photographs of the bank to be restored as evidence of its condition when you joined the scheme, retain these photographs and submit a copy with your application.
- At the end of the agreement, the restored bank must be complete and in good condition.
- All repair and maintenance work must be carried out in the traditional materials used in the original earth bank construction, following the style characteristic to the local landscape. The shape and height of the bank must be consistent with other banks that are in good condition in the immediate vicinity.
- Avoid undermining the original historic bank. Often the lower courses of field boundaries are of considerable age and archaeological importance.
- Do not carry out restoration work on a bank with a hedge between 1 March and 31 August (the main bird-breeding season).
- Do not use machinery beneath the canopy of hedgerow trees to avoid soil compaction.

- Before work starts, all old fencing must be removed and disposed of appropriately.
- Avoid restoring earth banks in adverse weather conditions such as drought or very wet weather as this will result in instability. Using machinery in wet weather may damage land adjacent to the hedgebank.
- Use original soil to build up the bank where possible. Do not use earth from an existing boundary or any other archaeological feature.
- Where a hedge already exists, do not bury a newly laid hedge in deep earth as this will prevent effective regrowth.
- To ensure stability, the finished face of the bank should slope inwards to create a 'batter', such that the base of the bank is wider than the top. Settlement must be allowed at each stage to stabilise the bank.
- Where the bank is faced with turves, take to the full height of the bank and finish off with loose soil or turf, depending on local traditions and whether or not a hedge is to be planted.
- Where the earth bank is crossed by a public right of way, any stiles and gates must be restored to their original form using traditional materials.

### UB17 Stone wall restoration

30 points per m



This option is only available on land within the SDAs.

This option aims to retain and enhance the pattern of enclosure by stone walls where it is a characteristic of the local landscape. It is available for walls that require major rebuilding, where sections of the wall are unstable and may collapse and/or where sections of the wall have slumped. Within field walls, such as sheep folds, are also eligible. You must have management control over both sides of the stone wall.

You can enter up to 40 m on your application form. This represents the annual commitment. Hence, if you enter 40 m on your application form, you will be required to complete 200 m over the full 5 years of your agreement (or 400 m if you have a 10-year Uplands ELS/HLS agreement).

You can complete the work ahead of schedule, but you must have completed at least as much as the annual commitment for each agreement year completed. Points earned will be based on the annual commitment, not the actual amount of work completed in any single year.

#### For example, where the annual commitment is 40 m

End of agreement year	1	2	3	4	5
Minimum total length restored	40	80	120	160	200
Maximum total length restored	200	200	200	200	200
Points earned	1200	1200	1200	1200	1200

Walls in this option may not be entered into options EB11 and UB11.

For this option, you must comply with the following:

- Obtain current, dated photographs of the wall to be restored as evidence of its condition when you joined the scheme, retain these photographs and submit a copy with your application.
- At the end of the agreement, there must be a complete wall in good condition.
- Carry out all work in the traditional materials used in the original wall construction, following the style characteristic of the local landscape and using appropriately shaped and sized local natural stone, including coping and through stones where appropriate.
- Dismantle existing structures by hand, back to sound construction with minimal disturbance to wildlife, in particular breeding and hibernating animals.

- Copings, through stones and building stone, must be separated and sorted for re-use.
- Foundation stones must not be disturbed unless it is necessary to create a firm base.
- Existing wall-side trees can be maintained. Gaps in the wall to allow for tree growth are permitted and the gap made stock-proof with wooden rails.
- Do not use soil or other debris to infill the wall.
- Where the original stone is no longer available, or is not in good enough condition to be re-used, replacement stone must be sourced locally and must be of the type used in the local area. Stone must not be taken from other walls, hedgebanks or buildings.
- Hauling stone should be done when ground conditions are firm enough to prevent soil damage.
- No concrete is to be used. Mortar may be used when it is the traditional method of stone walling.
- Stone features such as sheep creeps should be re-built into the wall where there is evidence that they previously occurred.
- Where the restored wall is crossed by a public right of way, stiles and gates must be restored to their original form using traditional materials.

### UC Options for trees and woodland in the uplands

#### UC5 Sheep fencing around small woodlands

50 points per 100 m



© Natural England/Peter Dullaghan

Fencing is important for the establishment of new woods as well as maintaining existing ones

This option is only available on SDA land below the Moorland Line.



This option is for the provision of new fencing to prevent access to woodland by livestock. It must only be placed adjacent to small areas of predominantly native woodlands, in particular ancient woodlands.

These are defined as woodland parcels less than 3 ha in size comprising at least 50 per cent native species. You must have management control of the woodland. The whole woodland must be enclosed following completion of this option, preventing all livestock access.

You may enter a maximum of 500 m of this option into an agreement. The fencing must be erected in the first year of the agreement. You may not add this option to your agreement after the first year. This option will contribute to your points target for a maximum of 5 years. The new fencing must result, or contribute to, the effective exclusion of stock. Woodland parcels that are already in woodland grant schemes requiring the exclusion of livestock are not eligible.

If you are a tenant, you may need consent from the landowner for establishing new boundaries and, in the case of common land, the Secretary of State/Defra. You are advised to contact the relevant authority prior to submitting an application. In some circumstances, a covenant restricting the erection of new fencing may be attached to the land.

For this option, you must comply with the following:

- Avoid features of historic or archaeological importance.
- Before work starts, all old fencing must be removed and disposed of appropriately.
- Erect fencing in straight lines between strainer posts. The fence must be at least 1.05 m high. If extra height is required, this should be obtained by fixing additional strands of wire.
- Strainer posts must be used at each end of the fence and at each corner or turning point. Strainer posts should be at least 125 mm top diameter or 100 mm x 100 mm cross-section if sawn; 2.15 m long if not set in concrete, or 1.85 m if in concrete. The spacing between the strainer posts should not exceed 150 m where mild steel line wire is used, or 300 m for high tensile wire.
- Struts should be at least 80 mm top diameter, or 75 mm x 75 mm if sawn; 1.9 m long if not set in concrete and at least 1.6 m where set in concrete. Struts should be notched into the strainer post at an angle of no more than 45 degrees.
- Intermediate posts should be at least 65 mm top diameter, or 75 mm x 75 mm if sawn; 1.7 m long; and spaced no further than 3.5 m apart.
- All softwood timber must be fully peeled and treated with an appropriate preservative.
- Stock netting used should be 80 cm high and fastened with galvanised staples.
- Two top lines of wire 100 mm apart should be stapled to the upright posts. Do not use barbed wire where new fencing is erected alongside public rights of way. Line wire should comply with BS 4102 and be properly strained and fastened with galvanised staples.

**UPDATED in 2013**

**UC22 Woodland livestock exclusion**

75 points per ha



Area constraints apply to this option.

This option is only available on SDA land below the Moorland Line. It can only be used on whole-fields.

This option aims to exclude all livestock from woodland. Preventing livestock access to woodland may allow more trees and shrubs to become established and the woodland flowers to flourish.

You must have management control of the woodland.

Only small areas of predominantly native woodlands are eligible. These are defined as woodland parcels below 3 ha in size occupied by trees and shrubs consisting of at least 50 per cent native species. Woodland parcels that are already in woodland grant schemes requiring the exclusion of livestock are not eligible.

Where new fencing, or the maintenance of existing fencing, is required to exclude livestock, you may also apply for options UC5 and EC3.

If you are a tenant, you may need consent from the landowner for establishing new boundaries. Consent may also be required where the woodland is located on common land or within statutory designations such as SSSI. In some circumstances, a covenant restricting the erection of new fencing may be attached to the land.

For this option, you must comply with the following:

- Make the boundaries of the woodland stockproof during the first year of the agreement, either by restoring or repairing existing boundaries, or by the provision of new fencing (avoiding any historic or archaeological features).
- Exclude all livestock from the woodland for the remaining period of the agreement.



© Natural England

**Ungrazed woods are able to regenerate naturally and provide a better wildlife habitat**

### UD Options for historic and landscape features in the uplands

#### UD12 Maintenance of weatherproof traditional farm buildings in remote locations

4 points per m<sup>2</sup>  
of ground floor area



© Natural England/Dave Key

**Remote buildings get a higher maintenance payment under Uplands ELS**

This option is only available on land within the SDA.

Please be aware that the cash equivalent of points gained through use of this option are classified as non-agricultural de minimis State Aid. See Section 5.5.11 for more information about State Aid payments.

A traditional farm building (TFB) is a building or part of a building constructed before 1940 for a use associated with agriculture, and built using traditional methods and materials such as timber, brick, stone, tile and slate. Their construction, layout and function provide information about the rural economy and past farming practices. While many TFBs are not suited to modern agriculture, they are often valued features in the landscape and make a major contribution to local character. The annual active maintenance of weatherproof TFBs prevents the onset of serious structural problems, which may need expensive restoration in the future.

'Maintenance' refers to the routine work that is necessary to protect the fabric of a building and to keep it weatherproof. It does not include any work to put right significant defects or decay, or anything required to bring a building in poor repair back to good condition. This sort of restoration work may be funded under HLS. Some maintenance works will be required annually. Others, such as clearing of gutters and vegetation, may need to be undertaken several times per year.

Typical maintenance work includes:

- undertaking a regular inspection of the Traditional Farm Building to check its condition and identify any problems that need attention;
- ensuring that all services are working properly, such as making sure that gutters are free of debris;
- undertaking minor repairs to the external fabric of the building, such as replacing slipped or broken roofing slates and tiles to prevent rainwater penetration, renewing cast iron gutters and drainpipes, painting woodwork and metalwork, replacing broken glass, pointing walls and clearing vegetation; and
- inspecting the building regularly to identify areas needing maintenance work, such as checking downpipes and gutters for leaves in the autumn, noting slipped slates and checking the condition of paintwork and other areas requiring rectification.

Eligible buildings include TFBs that:

- are in a sound and weatherproof condition;
- were built for a purpose associated with agriculture, such as housing machinery or animals, or storing or processing crops and food;
- are still used for an agricultural purpose, whether or not it was the original one (for example, a barn built to house animals that is now being used for storage of feedstuffs or equipment); and
- are at least 400 m from the main steading and 200 m from a metalled public road.

Ineligible buildings include:

- metal-framed Dutch barns;
- farmhouses, residential or domestic buildings;
- buildings already converted to a non-agricultural use, for example, to a residential or non-agricultural business use;
- TFBs already in receipt of funding from another scheme, such as the England Rural Development Programme (ERDP) or Rural Development Programme for England (RDPE);
- TFBs that you intend to convert to a non-agricultural use during the life of your agreement; and
- TFBs that will not be in your ownership or control for the life of your agreement. TFBs that meet the above conditions, but which are currently unused or empty, are also eligible. It is not a requirement for buildings to be on land registered on the RLR, but you must record them on the FER (see Section 5.4.1).

For this option, you must comply with the following:

- Continue to protect and maintain in weatherproof condition the specified TFB (including fixtures and fittings and adjacent associated features, such as mounting blocks or stack/stook bases).
- Carry out maintenance works and minor repairs on a 'like-for-like' basis, using traditional materials and methods, to retain the character of the building in its local setting.



- Where a non-traditional material has previously been used to repair or re-clad the building (such as corrugated iron sheeting to cover roofs), this may be retained and should be maintained appropriately.
- Obtain current, dated photographs of all elevations of the building as evidence of its condition when you joined the scheme. This should include photographs of any areas where non-traditional materials have previously been used to repair or re-clad the building. Retain these photographs and submit a copy with your application.
- Keep a record of work done, and carry out and record a brief visual inspection at least once a year.
- Retain the building in your ownership or control for the life of your agreement.
- Ensure that the building is not converted to a non-agricultural use during the life of your agreement.

### UPDATED in 2013

#### UD13 Maintaining visibility of archaeological features on moorland

53 points per feature



© Natural England/Dave Key

**A Roman bank south of Hadrian's Wall**

This option is only available on SDA land above the Moorland Line. It can only be used on part-fields.

This option aims to retain archaeological features in the uplands as visible features in the landscape: ie the features should already be visible at the start of the agreement. Archaeological features in the uplands are often better preserved than their lowland counterparts as they have not suffered the same intense activity. The uplands are therefore important reservoirs of information about our past, how humans have interacted with their environment and how they have adapted to change over the centuries, including past climate change.

This option can only be used on archaeological features shown on your Environmental Information Map or your FER. You can obtain information about archaeological features on your farm from your local Historic Environment Record (HER). For further information on HERs, see Appendix 2.



© Natural England

**Top: Wheel ruts and supplementary feeding are damaging the stone circle**

**Bottom: Changing the grazing management has improved the feature condition**

This option is not a whole parcel option but is intended to encompass an area large enough to include the whole of the archaeologically sensitive area and may include a suitable buffer. The total size of the feature and buffer should be no more than 50 m in radius. If scrub is present, use ELS option ED4 Management of scrub on archaeological features instead.

A feature can either be a single item on its own or a number of the same/related items in close proximity to each other (within the 50 m radius).

A number of features may be recognised in the same parcel of land. Linear features, such as a historic ditch, can be represented in lengths of 50 m. Stockproof walls and banks are not eligible.

For this option, you must comply with the following:

- Obtain current, dated photographs of the feature as evidence of its condition when you joined the scheme, retain these photographs and submit a copy with your application.
- Maintain the visibility of the archaeological feature.
- Do not allow poaching or other activities that result in bare ground or ground disturbance on the feature.
- Do not cause damage to the feature, for instance creating ruts by driving or allowing anyone else to drive over undamaged parts of the archaeological feature with any vehicle, including quad bikes and ATVs (All Terrain Vehicles).
- Do not supplementary feed on or next to the feature.
- Do not allow any scrub or bracken growth on the feature.
- Do not cut vegetation between 1 March and 31 August to avoid the nesting season. Remove cuttings and brash from the site. Cutting by hand may be necessary to prevent damage.

### UJ Options to protect soils and water in the uplands

**UPDATED in 2013**

#### UJ3 Post and wire fencing along watercourses

50 points per 100 m



This option is only available on SDA land below the Moorland Line.

This option is for the provision of fencing to protect watercourses from grazing livestock. Watercourse fencing will help to reduce faecal contamination and prevent stream bank damage and therefore will have a significant impact upon water quality and will minimise damage to wildlife habitats. It will also create a buffer zone to help reduce sedimentation and pollution of the watercourse from surface run-off of water following heavy rainfall.

It can be used where watercourses form one or more boundaries and livestock are present for at least three months of the year and currently have access to the watercourse.

You may enter a maximum of 500 m of this option into an agreement. The fencing must be erected in the first year of the agreement. You may not add this option to your agreement after the first year.



© Natural England/Peter Wakely

**Fencing off of watercourses maintains the stability of banks and helps prevent erosion**

This option will contribute to your points target for a maximum of five years. The new fencing must result in, or contribute to, the effective exclusion of stock.

If you are a tenant, you may need consent from the landowner and, in the case of common land, the Secretary of State/Defra. You are advised to contact the relevant authority prior to submitting an application. You should ensure any relevant consents are gained before carrying out the work (eg Scheduled Monument consent from English Heritage). In some circumstances, a covenant restricting the erection of new fencing may be attached to the land.

For this option, you must comply with the following:

- Avoid features of historic or archaeological importance.
- In the first year of the agreement erect fencing in straight lines between strainer posts. The fencing must be 1–4 m from the top of the watercourse bank. The fence must be at least 1.05 m high. If extra height is required, this should be obtained by fixing additional strands of wire.
- Strainer posts should be used at each end of the fence and at each corner or turning point. They should be at least 125 mm top diameter or 100 mm x 100 mm cross-section if sawn; 2.15 m long if not set in concrete or 1.85 m if set in concrete. The spacing between the strainer posts should not exceed 150 m where mild steel line wire is used, or 300 m for high tensile wire.
- Struts should be at least 80 mm top diameter, or 75 mm x 75 mm if sawn; 1.9 m long if not set in concrete and at least 1.6 m where set in concrete. Struts should be notched into the strainer post at an angle of no more than 45 degrees.
- Intermediate posts should be at least 65 mm top diameter, or 75 mm x 75 mm if sawn; 1.7 m long; and spaced no further than 3.5 m apart.
- All softwood timber must be fully peeled and treated with an appropriate preservative.
- At least three lines of wire 350 mm apart should be stapled to the upright posts. Do not use barbed wire where new fencing is erected alongside public rights of way. Line wire should comply with BS 4102 and be properly strained and fastened with galvanised staples.

### UPDATED in 2013

#### UJ12 Winter livestock removal next to streams, rivers and lakes

35 points per ha



This option is only available on SDA land below the Moorland Line. It can only be used on whole-fields.

The aim is to enhance water quality by reducing the input of nutrients and sediment to streams, rivers and lakes caused by surface water run-off and the leaching of nutrients from adjacent farmland.

The option can only be used on land parcels that drain directly into a watercourse and are prone to water-logging, compaction or poaching, where it is important to remove livestock during the winter. In particular, it can be used where archaeological features are at risk by soil erosion.

For this option, you must comply with the following:

- Remove livestock between 1 December and 15 March each year.
- Do not spread fertilisers or manures between 1 December and 15 March each year.
- Do not store manures on these parcels.



## UL Options for upland grassland and moorland in the uplands

**UPDATED in 2013**

### UL17 No supplementary feeding on moorland

4 points per ha



This option is only available on SDA land above the Moorland Line. It can be used on part or whole-fields. The area must be marked on the Options Map.

Ceasing supplementary feeding on moorland can maintain and improve the quality of habitat.

Supplementary food is generally required where the grazing does not meet the body condition of stock and the development of foetuses in late pregnancy. This could be due to high levels of stocking and/or higher than normal lambing/calving rates. In some circumstances, routine feeding on the moor can be avoided by reducing levels of grazing and/or removing stock off the moor well before lambing/calving, particularly those animals found to be carrying twins.

If feeding management is changed by using this option, it is recommended that checks are made to the body condition of the stock grazing the moor and action is taken to avoid animal health problems.

For this option, you must comply with the following:

- There must be no supplementary feeding of any kind except as follows:
  - During periods of extreme weather where access to forage is severely restricted and the welfare of livestock might otherwise be compromised. Extreme weather is defined as more than two consecutive days of snow cover or continuous hard frost, prolonged drought or prolonged heavy rainfall.
  - Feeding of non-molassed mineral blocks where a deficiency problem has occurred.
- Feeders and troughs must not be used at any time.

**UPDATED in 2013**

### UL18 Cattle grazing on upland grassland and moorland

30 points per ha



© Natural England/James LePage

Cattle grazing can help maintain a good mix of sward heights

This option is only available on permanent grassland within the SDA. It can only be used on whole-fields.

Cattle grazing encourages a diversity of sward structure and plant and invertebrate species, which in turn can be beneficial to a variety of ecological and historic features, in particular several important farmland bird species. It also contributes to the distinctive colour and patterning of local landscapes through mixed grazing systems. Cattle grazing on moorland can help to protect the growth of heather by controlling bracken and the development of coarse grassland.

This option is only available on land that is grazed by a significant number of cattle, expressed as a minimum proportion of the total grazing LUs. The remaining proportion of the grazing LUs can be made up of the same types of livestock or other types of livestock, such as sheep, ponies, goats and domesticated deer. The grass cover must be in place for the full duration of the agreement.

For this option, you must comply with the following:

- A minimum of 30 per cent of the LUs must be grazing cattle.
- Supplementary feeding is allowed, but move feeders as often as required to avoid poaching. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses.
- Keep a record of all livestock grazing the parcels in this option.

You may not wish to graze cattle on the same land each year. Therefore, the percentage of cattle LUs grazing the land is calculated over a two-year period. This allows you to graze cattle on the selected parcels of land entered into this option in alternate years. If you choose to graze them on the land in alternate years, at least 60 per cent of the LUs on the land parcel must be in the form of cattle in one of the two years.

Grazed woodlands can be included provided that most of the woodland (ie over 50 per cent of the area) consists of moorland and grassland that is accessible for grazing **and** that the compulsory requirements (UX2 and/or UX3) can also be applied.

A year-round record must be made of the stock actually grazing the land. LUs are calculated on a field-by-field basis using the LU conversion factors shown in Appendix 4.

### UPDATED in 2013 UL20 Haymaking

60 points per ha



This option is only available on SDA land below the Moorland Line. It can only be used on whole-fields.

This option aims to ensure the continuation, or re-introduction, of haymaking on fields which are, or were, cut for hay each year. Hay meadows generally have a greater diversity of wildflowers, and associated wildlife, than fields cut for silage because they receive smaller amounts of manure and inorganic fertiliser and are cut at a later stage of growth, enabling flowers to set seed.



© Natural England/Dave Key

**The later cutting dates associated with haymaking allow more wildflowers to set seed**

This option can also help to reduce diffuse pollution, as well as reinforcing the landscape character of the area. It will also help ensure haymaking techniques and traditions are not lost to future generations.

To obtain maximum benefits for wildlife, this option should be co-located with EL3 Permanent grassland with very low inputs in an SDA.

For this option, you must comply with the following:

- Cut and remove hay or haylage once every year.

- Do not cut before 5 July.
- If you make haylage, you must turn the swath at least once and wilt for at least 48 hours.
- Graze the aftermath to achieve an average sward height of no more than 8 cm by the end of the grazing season.
- Where spring grazing of meadows is a traditional practice, exclude livestock for at least 7 weeks before cutting and by 30 May at the latest.

**UPDATED in 2013****UL21 No cutting strip within meadows**

250 points per ha of strip



Area constraints apply to this option.

This option is only available on SDA land below the Moorland Line. It can only be used on part-fields.

This option is designed to improve habitats for small mammals, invertebrates and birds in meadows by leaving uncut areas. These can be strips against boundaries, awkward field corners, or infield areas such as damp hollows as these are key habitats for nesting and foraging wading birds. These uncut areas must be located in fields that are mown each year. They must not overlap with a public right of way but they can overlap with the cross compliance protection zone.

For this option, you must comply with the following:

- Leave a 1 m margin against a wall, hedgebank, earth bank or hedge, or leave a field corner/in field area uncut each year. Patch size must be no more than 0.5 ha.
- Graze these areas along with the aftermath, following the final cut.
- Do not cultivate or re-seed.

**UPDATED in 2013****UL22 Management of enclosed rough grazing for birds**

35 points per ha



© Natural England/ Mervyn Edwards

This mixture of short grass and taller tussocks provides good nesting habitat and shelter for ground-nesting birds



This option is only available on SDA land in parcels of less than 15 ha above the Moorland Line. It can only be used on whole-fields.

This option will benefit breeding birds on smaller moorland enclosures, commonly known as 'allotments', 'intakes' or 'newtakes'. It can also help to promote good soil conditions and maintain and strengthen the diverse vegetation mosaics characteristic of upland landscapes.

These are areas of enclosed grazing, of which the majority has not been drained, re-seeded or regularly cultivated. They have received only minimal applications of fertiliser, lime, slag or pesticides and will contain predominantly semi-natural vegetation, usually moorland grasses and rushes, and sometimes rocky and very wet areas. They may also contain small areas of agriculturally improved land.

Wading birds, such as lapwing, snipe, redshank and curlew or other priority species, such as whinchat and grasshopper warbler, must be known to breed on, or in close proximity to (ie within a 2 km radius), the site. Bird distribution maps can be found at [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk).

For this option, you must comply with the following:

- Do not plough, cultivate or re-seed.
- Do not increase your existing stocking level and limit the daily level of stocking between 1 April and 30 June to a maximum of 0.4 LUs per hectare. This equates with 5 ewes plus lambs at foot or 0.4 beef cow and calf.
- Do not harrow or roll between 1 April and 30 June.
- Protect permanently waterlogged wetlands, including peat bogs and other mires, and hillside flushes. Do not install any new land drainage or modify any existing land drainage, or remove any peat or sediment.
- Leave rocks, scree and mineral spoil in place.
- Do not apply fertiliser, manure, lime or slag.
- Do not supplementary feed using silage, but the feeding of haylage is permitted, provided that the plastic is removed from the feeding sites. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses. Move all feeding sites regularly to minimise damage to vegetation and soils, and take care to avoid damage by vehicles.
- Take action to contain bracken, rhododendron, common gorse or similar infestation so that they do not spread to new areas of land. Wherever possible, control of bracken should be by mechanical means, but to chemically control bracken, only an approved herbicide may be used and care must be taken not to apply it to other ferns. For common gorse, control should be by cutting or burning in manageable blocks. Control should not take place in the bird-breeding season from 1 April to 31 August. If the land is in a water catchment area or on a Scheduled Monument, you must seek consent from the appropriate authority.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broadleaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed).
- Cut rush-dominated fields each year, but not between 1 April and 31 July. Cut no more than a third of the area of rushes in each field, or a third of the fields if they are small (ie less than 3 ha), in rotation. It may be impractical to cut rushes in the wettest flushes, and therefore these can be left. Cattle trampling may help control these areas.
- Once cut, if aftermath grazing does not control rushes, a second cut should be carried out within 8 weeks, but not between 1 April and 1 August.



© Natural England/Robert Goodison

**Diverse sward provides opportunities for feeding and breeding birds**

This option is only available on SDA land below the Moorland Line. It can only be used on whole-fields.

This option will benefit breeding birds and other wildlife on upland grassland. Permanent grassland managed with no fertiliser has a higher value for wildlife. Different types of birds prefer different vegetation heights, so a variety in the sward structure is most beneficial. This option may also deliver benefits to resource protection where placed on fields that are at risk of soil erosion or run-off.

Wading birds, such as lapwing, snipe, redshank and curlew, or other priority species such as whinchat and grasshopper warbler, must be known to breed on, or in close proximity to, the site. Bird distribution maps can be found at [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk).

For this option, you must comply with the following:

- Maintain as grass. Do not plough, cultivate or re-seed.
- Manage by grazing only. Limit the daily level of stocking between 1 April and 30 June to a maximum of 0.6 LUs per hectare. This equates with 7.5 ewes plus lambs at foot or 0.6 beef cow and calf.
- Maintain a sward with a range of heights during the growing season. At least 20 per cent of the sward should be less than 7 cm and at least 20 per cent should be more than 7 cm to allow some plants to flower and to provide a more varied habitat.
- Do not top at any time, except in patches to control injurious weeds (ie creeping and spear thistle, curled and broad-leaved docks or common ragwort); invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.
- Do not harrow or roll between 1 April and 30 June.
- Supplementary feeding is permitted. Do not feed on or next to archaeological features, steep slopes, footpaths or watercourses. Move all feeding sites regularly to minimise damage to vegetation and soils.
- Do not apply fertiliser, manure or slag.

- You may continue adding lime, where this is your regular practice, but not between 1 April and 1 August.
- Only apply herbicides to spot-treat or weed-wipe for the control of injurious weeds (ie creeping and spear thistles, curled and broadleaved docks or common ragwort) or invasive non-native species (eg Himalayan balsam, rhododendron or Japanese knotweed); or bracken.
- Cut rush-dominated fields each year, but not between 1 April and 31 July. Cut no more than a third of the area of rushes in each field, or a third of the fields if they are small (ie less than 3 ha), in rotation. It may be impractical to cut rushes in the wettest flushes, and therefore these can be left. Cattle trampling may help to control these areas.
- Once cut, if aftermath grazing does not control rushes, a second cut should be carried out within 8 weeks, but not between 1 April and 1 August.

### 3.4 Combinations of ELS options, including Uplands ELS options, that can occupy the same land

As a general rule, an ELS or Uplands ELS land management option cannot occupy the same area of land at the same time as another land management option.

However, there are exceptions for certain combinations of options. Each row of Table 6 shows combinations of options that may be located in the same place at the same time. Only combinations of options shown in this table are permitted.

In ELS, no more than two land management options may occupy the same area of land at the same time. The only exceptions to this rule are:

- In Uplands ELS, you can have up to **three** land management options overlapping on the same area of land at the same time, provided the parcel is within the SDA, **and** there is at least one Uplands ELS option on the parcel (excluding compulsory requirements and UL18).
- The Uplands ELS compulsory requirements (UX1–UX3) do not count towards this limit. Hence, within Uplands ELS you can have up to three options on the same area of land plus the relevant compulsory requirements. **But, please note**, buffer strip options (EE1 - EE10 and EJ9) cannot be located next to watercourses on land in UX2.
- EK5 Mixed stocking and UL18 Cattle grazing, do not count towards these limits of two options (ELS) or three options (Uplands ELS).
- Supplements do not count towards the limit of two or three options.

When co-locating options you must follow the prescriptions of all options. In the event that prescriptions of co-located options contradict each other, you must follow the more restrictive of them. For instance, EK5 (Mixed stocking) states: 'Supplementary feeding is allowed, but move feeders as often as required to avoid poaching'. EL3 (Permanent grassland with very low inputs in the SDA) states: 'Do not supplementary feed'. Where these are co-located, no supplementary feeding is allowed.

More than two/three options may be placed in the same land parcel, as long as they do not overlap on the ground.



Table 6 Co-location of ELS and Uplands ELS options

Option code	ELS/Uplands ELS option title	ELS option codes that may be located on the same land as those listed in the first column	Uplands ELS option codes that may be located on the same land as those listed in the first column
EB1	Hedgerow management for landscape (on both sides of a hedge)	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16
EB2	Hedgerow management for landscape (on one side of a hedge)	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16
EB3	Hedgerow management for landscape and wildlife	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16
EB4	Stone-faced hedgebank management on both sides	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
EB5	Stone-faced hedgebank management on one side	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
EB6	Ditch management	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16, UB17
EB7	Half ditch management	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16, UB17
EB8	Combined hedge and ditch management (incorporating EB1)	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16
EB9	Combined hedge and ditch management (incorporating EB2)	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16
EB10	Combined hedge and ditch management (incorporating EB3)	EB4, EB5, EB12, EB13, EB14	UB4, UB5, UB12, UB13, UB15, UB16
EB12	Earth bank management (on both sides)	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
EB13	Earth bank management (on one side)	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
EB14	Hedgerow restoration	EB1, EB2, EB3, EB4, EB5, EB6, EB7, EB8, EB9, EB10, EB12, EB13	UB4, UB5, UB12, UB13, UB15, UB16
EC2	Protection of in-field trees (grassland)	EK5	UL18
EC24	Hedgerow tree buffer strips on cultivated land	EE12	
EC25	Hedgerow tree buffer strips on grassland	EK5	
ED2	Take out of cultivation archaeological features currently on cultivated land	EK5	

Option code	ELS/Uplands ELS option title	ELS option codes that may be located on the same land as those listed in the first column	Uplands ELS option codes that may be located on the same land as those listed in the first column
ED3	Reduced-depth, non-inversion cultivation on archaeological features (minimum till)	EF8, EF9, EF10, EG1, EG4, EF13, EF15, EJ13	
ED4	Management of scrub on archaeological features	EK4, EK5	UJ12, UL18
ED5	Management of archaeological features on grassland	EE4, EE5, EE6, EE7, EE10, EK2, EK3, EK5, EL2, EL3	UJ12, UL17, UL18, UL20, UL21, UL22, UL23
EE1	2 m buffer strip on cultivated land	EE12	
EE2	4 m buffer strip on cultivated land	EE12	
EE3	6 m buffer strip on cultivated land	EE12	
EE4	2 m buffer strips on intensive grassland	ED5, EK5	UL18
EE5	4 m buffer strips on intensive grassland	ED5, EK5	UL18
EE6	6 m buffer strips on intensive grassland	ED5, EK5	UL18
EE7	Buffering in-field ponds in improved permanent grassland	ED5, EK5	UL18
EE9	6 m buffer strips on cultivated land next to a watercourse	EE12	
EE10	6 m buffer strips on intensive grassland next to a watercourse	ED5, EK5	UL18
EE12	Supplement to add wildflowers to buffer strips and field corners	EC24, EE1, EE2, EE3, EE9, EF1, EJ5, EJ9	
EF1	Management of field corners	EE12	
EF2	Wild bird seed mixture	EF23	
EF8	Skylark plots	ED3	
EF9	Cereal headlands for birds	ED3	
EF10	Unharvested cereal headlands for birds and rare arable plants	ED3	
EF13	Uncropped, cultivated areas for ground-nesting birds on arable land	ED3	

Option code	ELS/Uplands ELS option title	ELS option codes that may be located on the same land as those listed in the first column	Uplands ELS option codes that may be located on the same land as those listed in the first column
EF15	Reduced herbicide cereal crops followed by overwintered stubble	ED3	
EF22	Extended overwintered stubble	EF23	
EF23	Supplementary feeding in winter for farmland birds	EF2, EF22	
EG1	Undersown spring cereals	ED3	
EG4	Cereals for whole-crop silage followed by overwintered stubble	ED3	
EJ5	In-field grass areas to prevent erosion and run-off	EE12	
EJ9	12 m buffer strips for watercourses on cultivated land	EE12	
EJ13	Winter cover crops	ED3	
EK2	Permanent grassland with low inputs	ED5, EK5	
EK3	Permanent grassland with very low inputs	ED5, EK5	
EK4	Management of rush pastures	ED4, EK5	
EK5	Mixed stocking	EC2, EC25, ED2, ED4, ED5, EE4, EE5, EE6, EE7, EE10, EK2, EK3, EK4, EK21, EL2, EL3, EL4, EL5, EL6	UD13, UJ12, UL17, UL20, UL21, UL22, UL23
EK21	Legume- and herb-rich swards	EK5	
EL2	Permanent grassland with low inputs in SDAs	ED5, EK5	UJ12, UL18, UL20, UL21
EL3	Permanent grassland with very low inputs in SDAs	ED5, EK5	UJ12, UL18, UL20, UL21
EL4	Management of rush pastures in SDAs	EK5	UD13, UJ12, UL17, UL18
EL5	Enclosed rough grazing	EK5	UD13, UL18
EL6	Unenclosed moorland rough grazing	EK5	UD13, UL17, UL18
UB4	Stone-faced hedgebank management on both sides on or above the Moorland Line	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	



Option code	ELS/Uplands ELS option title	ELS option codes that may be located on the same land as those listed in the first column	Uplands ELS option codes that may be located on the same land as those listed in the first column
UB5	Stone-faced hedgebank management on one side on or above the Moorland Line	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
UB12	Earth bank management on both sides on or above the Moorland Line	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
UB13	Earth bank management on one side on or above the Moorland Line	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
UB15	Stone-faced hedgebank restoration	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
UB16	Earth bank restoration	EB1, EB2, EB3, EB6, EB7, EB8, EB9, EB10, EB14	
UB17	Stone wall restoration	EB6, EB7	
UD13	Maintaining visibility of archaeological features on moorland	EK5, EL4, EL5, EL6	UL17, UL18, UL22
UJ12	Winter livestock removal next to streams, rivers and lakes	ED4, ED5, EK5, EL2, EL3, EL4	UL18, UL20, UL21, UL23
UL17	No supplementary feeding on moorland	ED5, EK5, EL4, EL6	UD13, UL18, UL22
UL18	Cattle grazing on upland grassland and moorland	EC2, ED4, ED5, EE4, EE5, EE6, EE7, EE10, EL2, EL3, EL4, EL5, EL6	UD13, UJ12, UL17, UL20, UL21, UL22, UL23
UL20	Haymaking	ED5, EK5, EL2, EL3	UJ12, UL18, UL21
UL21	No cutting strip within meadows	ED5, EK5, EL2, EL3	UJ12, UL18, UL20
UL22	Management of enclosed rough grazing for birds	ED5, EK5	UD13, UL17, UL18
UL23	Management of upland grassland for birds	ED5, EK5	UJ12, UL18



Brown hare

## Section 4

# How to apply for ELS and Uplands ELS

### 4.1 Before you apply

#### 4.1.1 Things to do before you apply

Before you apply, you need to make sure that:

- You understand the scheme requirements – see Section 5.
- You have read the scheme rules – see Section 5.
- You are eligible to apply for the scheme – see Section 5.3.
- Your land is eligible to be included in your application – see Section 5.4.
- You have registered all of your farm land on your holding, on the Rural Land Register (RLR) administered by the Rural Payments Agency (RPA) (see Appendix 2 for contact details).
- You have a vendor number, County Parish Holding (CPH) number and Single Business Identifier (SBI) number. If you have previously claimed payments under the Single Payment Scheme (SPS), an England Rural Development Programme (ERDP) or Rural Development Programme for England (RDPE) scheme, you will already have been issued with a vendor number. The CPH number enables Natural England to identify the location of your holding and provide your application maps. If you do not have a vendor number or CPH number you must obtain one from the RPA (see Appendix 2 for contact details).

You can choose to apply for ELS and Uplands ELS online or by post.

#### 4.1.2 Apply for ELS online

ELS Online is a software package that will enable anyone who wishes to apply for ELS (or Uplands ELS) only – either for themselves or acting as an agent or intermediary for someone else – to prepare an application on their computer and submit it to Natural England via the internet. It is a secure process and the package includes a step-by-step guide to using the software to complete your application.

Applying online is quick and easy and has many advantages:

- easy to download software with user friendly functions;
- an online team provides dedicated customer support;
- there is no limit to how many applications can be submitted, which is of particular benefit to agents making multiple applications;
- it is easier to make alterations to your application before it is submitted;
- there is a calculator to convert your mapping measurements into ELS points (please note it is the applicant's responsibility to ensure the area/length of options included within the agreement is correct); and
- it saves considerable time when submitting applications.

Users will need a connection to the internet, preferably by broadband, due to the large size of the software application and supporting information. The software application is almost 20 megabytes (MB) in size and although a conventional 56 kb 'dial-up' modem will work, the download could take approximately 60 minutes using this method.

To apply online:

- visit our website at [www.naturalengland.org.uk/ourwork/farming/funding/es/els/online/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/es/els/online/default.aspx)
- e-mail: [els.online@naturalengland.org.uk](mailto:els.online@naturalengland.org.uk) or
- phone: 0300 060 3934



### 4.1.3 Obtain an application form and maps to apply by post

To apply by post, you will have to obtain an application pack. To do so, you should call your local Natural England office (see Appendix 1 for contact details).

You will be asked to confirm the following:

- your name and correspondence address;
- your vendor number; and
- the CPH numbers covering the eligible RLR land parcels you are entering into ELS.

You should also have a list of your land parcel details to hand, in case you also need to confirm one or both of the following:

- Individual RLR parcel number(s) for any ineligible land registered under your CPH number(s), so that these parcels can be omitted from your application (see Section 5.4.2).
- Individual RLR parcel number(s) for any additional eligible parcels that are not registered under your CPH number(s) so that these can be added to your application (see Section 5.4.1).

You may also request the following forms:

- Common land supplementary application form (NE-CLA4) (see Section 5.3.9)
- Agent authorisation form (NE-auth) (see Section 1.2.8)
- Supplementary land ownership and control form (NE-LOC) (see Section 5.3.2).

Natural England will then send you your personalised application form and application maps which you will need in order to prepare your postal application (see Section 4.3.3 for how to complete these).

Please note that requesting and receiving a set of maps and a personalised application does not oblige you to apply for the scheme. Your commitment to the scheme will only be made once you send in your application and have received confirmation of acceptance into the scheme from Natural England.

### 4.1.4 Check your application pack is complete

Your application pack will include:

- A personalised application form, which has been pre-filled with information about you and your land, including RLR parcel numbers and areas. You must ensure that you choose enough options to reach your points target and use this form to submit your application.
- Your Environmental Information Map. This map shows national designations on your land such as Sites of Special Scientific Interest (SSSIs), Scheduled Monuments and Severely Disadvantaged Areas (SDAs), along with a selection of other undesignated environmental features. This map should help you to identify high-priority features on your land that would benefit from the introduction of appropriate scheme options.
- Your Farm Environment Record (FER) Map. This map of your land should be used to prepare your FER (see Section 4.3.3 Step 2 and the example FER Map included with this handbook), and should be returned with your application form.
- Your Options Map. This map of your land should be used to mark where you are putting your scheme options (see Section 4.3.3 Step 4 and the example Options Map included with this handbook) and should be returned with your application form.

Step-by-step advice on completing the application form is given at Section 4.3.2.

## 4.2 Choosing your options

### 4.2.1 Selecting the right options for your farm

Choosing the right combination of options and locating these in the right places on your land can make a huge difference to the environmental outcomes you see through the scheme. By carrying out the following simple steps you will ensure your ELS agreement makes a positive contribution to the environment whilst complementing your farming system.

- a. First read the information about the aims and objectives of ELS in Section 2.
- b. The maps in the theme pages and at [www.naturalengland.org.uk/es](http://www.naturalengland.org.uk/es) will show you which of the objectives are a priority in your area.
- c. Use this information to select which of the schemes objectives you want your ELS agreement to address. You can choose to address more than one objective, depending on which ones are a priority in your area.
- d. The Environmental Information Map included in your application pack will show any features of particular historic, landscape or wildlife interest on your farm. Use this to complete your FER.
- e. Match the options in your selected theme or themes against the features listed in your FER. Where there is a clear link, select these options first.
- f. Make up the balance of points by selecting other options from within your chosen theme(s). A mixture of different options within an agreement is always preferable. The theme pages provide details about the best combinations of options.
- g. Position your options where they will deliver the maximum benefit for your local environment. The theme pages provide information about where to locate your options.
- h. You must ensure that you do not locate any options where they would be detrimental to an environmental feature.

Section 3 of this handbook, the Options directory, contains the complete list of ELS and Uplands ELS options. It describes in detail the management to be carried out for each option and the standards that must be met. If you include any option in your application, you are agreeing to carry out the management prescriptions for that option. You should read the guidelines for each option carefully, to ensure you understand the management you will be required to undertake, and the standards you must meet. A number of options have area constraints requirements so you must ensure that you do not exceed the limit for the options you select.

#### 4.2.2 Further help: free farm visits and events

Natural England can provide a free ELS farm visit from a farming and environment specialist. The support provided can include:

- a discussion on the options most suited to your farm to benefit farmland birds, wildlife, water, soil, the historic environment and climate change;
- practical suggestions on option location and management, such as tips on establishing wild bird seed and nectar flower mixes, guidance on buffer strip weed control, how to get a good sward structure;
- information on new and updated options;
- an explanation of the financial benefits of the scheme and how options can complement your existing farming practices;
- information and support on applying for ELS by paper or online.

Natural England also runs a programme of farm events to deal with the above topics from a local perspective. To arrange a FREE farm visit or to book a place on a farm event please contact our events team on 0300 060 1695. You should note that our advisers cannot complete your application for you, but can advise on suitable options for your holding.

#### 4.2.3 Meet your points target

Your application form will be pre-populated with a points target, based on the area of your eligible land (see Introduction). To join the scheme, you will need to choose enough options to reach your points target.

Each option that you choose will earn points towards your points target. You will also earn 1 point per hectare for completing your FER. In Uplands ELS, the compulsory requirements UX2 and UX3 will also earn you points towards your points target whereas UX1 is paid at £5 per hectare.

Your ELS points target and the associated payment rate is fixed. This means that there is no higher payment for delivery of additional options over and above your required target. You are responsible for ensuring any areas or lengths entered on the application form are accurate. These will be checked by the RPA during an inspection and a penalty could be applied if they are wrong. If you want to make sure that there is some margin for error, you may wish to consider delivering options slightly in excess of your target in case, on

inspection, questions are raised about the eligibility of particular options or your compliance with option prescriptions. It is essential that you do not fall below your points target or you will be in breach of your agreement (see Section 5.7).

For Uplands ELS you can use any combination of Uplands ELS and ELS options to meet your points target, provided the individual option eligibility requirements are met.

#### 4.2.4 Can you have more than one option on the same area of land?

Under ELS, there are a number of instances where you can have up to **two** land management options overlapping on the same area of land at the same time.

Under Uplands ELS, you can have up to **three** land management options overlapping on the same area of land at the same time. However, three options can only be co-located (overlapping) in the following circumstances: 1) when the parcel is within the SDA **and** 2) when there is at least one Uplands ELS option on the parcel (excluding compulsory requirements and UL18).

Table 6 in Section 3.4 shows combinations of options that may be located in the same place at the same time. **Only combinations of options shown in this table are permitted.** Other combinations of part-parcel options may be placed in the same land parcel, as long as they do not overlap on the ground.

#### 4.2.5 What should you do if you have already sown your crops?

If you have a crop in place at the start of your agreement, and the crop would need to be destroyed to establish your option (for example, nectar mixture or buffer strips), you may keep the crop in place until harvest. However, you must ensure that the land concerned does not receive any fertiliser, spray or other inputs between the agreement start date and harvest. The scheme options should then be established as soon as possible after harvest, and this must be within 12 months of your agreement start date. For other options, you must comply with the management prescriptions from the start date of your agreement.

If your options involve work that can only take place at certain times of year or under certain conditions (for example fencing options, creating beetle banks), you must complete the work and comply with the option prescriptions as soon as possible within the first 12 months of your agreement.

### 4.3 How to complete your paper application

#### 4.3.1 Before you begin

To mark up your FER and Options Maps, you will need a number of different coloured pencils. Please keep to the colours shown on the colour keys for individual maps.

If any of your details change between receiving the pre-filled application form and being ready to apply, the form will be out of date. If this is the case, do not amend the application form; contact your Natural England office for an updated form before applying.

Detailed instructions and guidance on how to complete the application form and how to prepare the maps are provided below. Table 7 provides a step-by-step summary of the application process.

#### 4.3.2 Step-by-step summary of how to apply

Please read Section 5, Terms and conditions in this handbook to make sure that you and your land are eligible before you start to complete your application. This step-by-step guide covers both ELS and Uplands ELS.



Table 7 Step-by-step summary of how to apply

<b>Step 1</b>	Check that your maps and the pre-filled details on your application form are correct. Check that your RLR field details on your Field Data Sheet in Annex 2 of your application form are correct and that all the land is eligible. If you delete any fields you must also check and amend your ELS points target.
<b>Step 2</b>	Complete your FER by marking the features on your land on your FER Map and adding your points for the FER to Annex 1 of the application form.
<b>Step 3</b>	Identify and record on your FER Map any fields at risk from soil erosion or run-off.
<b>Step 4</b>	Choose which options to include on your ELS-eligible land, mark your ELS option choices on the Options Map, and add the options to Annex 1 or 2 of the application form.  Check if the option has an area constraint requirement and that you have not exceeded the limit for that option.
<b>Step 5</b>	Complete Sections 1 and 2 of your application form, making sure that: <ul style="list-style-type: none"> <li>■ you have chosen your preferred agreement start date by ticking the relevant box in Question 7;</li> <li>■ if you are making a countersigned application, you have completed Question 8 and the relevant person has completed Question 8a–d and completed and signed the Land Ownership and Control Declaration and Undertakings section; and</li> <li>■ You have entered details of your farm enterprise(s) at Question 12.</li> </ul>
<b>Step 6</b>	Complete Section 3 of your application form and check that you have met or exceeded your points target on your ELS-eligible land.
<b>Step 7</b>	Complete the Checklist and complete and sign Section 4 of your application form, making sure that: <ul style="list-style-type: none"> <li>■ you have checked that you have completed all sections of the application form and included any supplementary forms or photographs if required with your application;</li> <li>■ you have checked the box in Section 4 to confirm which scheme you are applying for;</li> <li>■ you have read and understood all the terms and conditions contained in this handbook;</li> <li>■ if you are making a countersigned application, you and the counter signatory have read and understood the declarations and undertakings in Section 2; and</li> <li>■ you have read and understood the declarations and undertakings in Section 4.</li> </ul>
<b>Step 8</b>	Submit your application to your Natural England office in the envelope provided.

### 4.3.3 How to fill in your application form and mark your maps

#### **Step 1: Check your pre-filled details and maps**

Please note that if your application is approved, it will form part of your legal agreement with Natural England. Therefore, do not use correcting fluid. If you have to make any alterations to your application form, they must be made in block capitals using black ink and must be initialled by you. It may be helpful to make a rough copy of your application and transfer this onto your application form when you are sure it is correct.

Please check the following pre-filled details in Section 1 and Annex 2 of your application form:

- Section 1 – Applicant details. Your application form should have been pre-filled with your contact details and points target. Please check that these details are correct and complete any missing information. Please also ensure you confirm your preferred method of communication, and main contact details if they differ from those pre-recorded on the form.
- Annex 2 – Field Data Sheet. It is your responsibility to ensure that all the land listed at Annex 2 (the Field Data Sheet) and identified on your maps is fully eligible for the scheme, by carefully studying the rules on eligibility in the Terms and conditions section of this handbook.

If you find that some of your eligible land parcels have not been included in the Field Data Sheet, you must contact the Natural England office for a new application form and maps. You must not add any parcels to your pre-filled details on the Field Data Sheet.

If you need to delete any parcels, for example, if a Countryside Stewardship Scheme (CSS) or Environmentally Sensitive Area (ESA) option covers the whole parcel and therefore is not eligible for ELS, please follow these instructions:

- Using the Field Data Sheet(s) at Annex 2 of your application form, delete each ineligible parcel number and associated gross parcel area from the RLR field size column.
- Amend the corresponding total area of land in Box 1 or Box 2 as appropriate at the base of the RLR field size column. For Uplands ELS applications, Box 1a, 1b, 2a or 2b should be amended.
- At Table A, Section 3 of your application form, make the corresponding amendments to the total land area(s). For applications which include SDA land, this will be Part 1 of Table A if you are applying for ELS without Uplands, or Part 2 of Table A if you are applying for Uplands ELS.
- If you have deleted any fields from your application you should now check and amend your points target.
- Alternatively, you may find it easier to contact us and ask for a replacement application form and map(s) covering the correct parcels.

When you have checked that your land is eligible and you are sure that the pre-filled land parcel details listed in Annex 2 of your application form are correct, proceed to Step 2.

### **Step 2: Complete your Farm Environment Record (FER)**

You will need:

- your FER Map(s);
- the example FER Map (included in this handbook), which will help to show you how to mark your map;
- Section 3 and Annex 1 of your application form.

As a condition of the scheme, you must agree to identify, map and retain the features listed and described on the FER Map key that are present on your land. These are your 'FER features'. Please complete your FER by marking your FER features on your FER Map(s). Walking your holding and marking the features on a copy of your FER Map as you go may help you to make sure that you do not miss any.

Use the colours on the map key for marking each feature. Confirm that you have a feature on your land by marking the corresponding blank symbol on the right side of the map key with the coloured pencil you have used to mark that feature on the map. The completed map(s) must be submitted as part of your application. If you are applying for Uplands ELS you will need to map additional features (marked with an asterisk on the map key) on your land **below the Moorland Line only**, that is, your non-moorland parcels. Please note that for scrub, you are only required to map scrub that is covered by the UX2 requirement.

Your Environmental Information Map may also indicate features that require marking on your FER Map(s).

Only boundaries with, on average, one or more eligible trees per 100 m need to be marked as 'boundaries with trees'. For example, a hedgerow of 400 m would need to have at least four eligible trees along its length. Eligible trees are those that are native species, standing within 1 m of a hedgerow and over 30 cm diameter at breast height. These boundaries are simply marked with a green cross over the boundary line. This is illustrated on the example FER Map in this handbook. (In-field trees still need to be counted and marked as shown on the key.)

You will receive one point per ha of land for completing your FER and retaining all your FER features for the lifetime of your agreement. Take time to complete it as clearly and accurately as you can. As long as the markings you make are clear and understandable, Natural England will be able to accept your map(s).

Record your points score for the FER as follows:

- Refer to your total eligible land area in hectares recorded at Table A in Section 3 of the application form or, where necessary, calculate your total eligible land area by adding the areas recorded in the 'Area (ha)' column of Table A. For applications which include SDA land, this will be Part 1 of Table A if you are applying for ELS without Uplands, or Part 2 of Table A if you are applying for Uplands ELS.
- Use your total ELS-eligible land area to give your points score for your FER on your ELS-eligible land. Record your points score in the Compulsory Farm Environment Record row of the table in Annex 1 of the application form.

### **Step 3: Identify fields where soil erosion and run-off occur, or may do so in the future**

You will need:

- your FER Map; and
- Annex 2 of your application form (your Field Data Sheet).

As part of your FER, you must consider whether any of your land is at risk from soil erosion or run-off. Controlling the problem could protect the environment and improve the productivity of your land. Please read Section 3J Options to protect soil and water of this handbook for further information on soil erosion.

First identify where soil erosion and run-off occur. Consider each of your fields and mark them in dark-brown hatching on your FER Map and put a tick in the column titled 'Soil erosion/run-off risk' of Annex 2 if any of the following apply (even if this happens occasionally or only when a certain crop is grown in that parcel or when stock have poached the soil):

- if rills or gullies develop in wet weather, including along tramlines;
- if muddy water from the parcel enters a ditch, stream or river, or sediment is deposited on a road or neighbouring properties; or
- if wind erosion of sandy or peaty soil occurs from fine dry seedbeds.

Then identify where soil erosion and run-off may occur in the future. Mark your FER Map in the same way (dark-brown hatching) and tick the column titled 'Soil erosion/run-off risk' of Annex 2 if all of the following apply and you intend to change the management of the land (particularly if you want to cultivate grassland or increase the intensity of cropping or grazing):

- the soil is sandy or silty;
- there are slopes in all or part of the parcel that may cause run-off and erosion; and
- run-off will reach ditches, streams, rivers, roads, or neighbouring properties down-slope of the parcel.

If you have identified that soil erosion and run-off occur, or are likely to occur, consider choosing management options to reduce run-off and soil erosion. See Section 3J Options to protect soils and water of this handbook.

### **Step 4: Choose which options to include on your ELS-eligible land**

You will need:

- your Options Map;
- the example Options Map (included in this handbook), which will help to show you how to mark your map; and
- Annexes 1 and 2, and Section 3 of your application form.

You must include sufficient options to meet your points target. Section 1.2.5 explains how your points target is calculated. Your points target will be shown in Table A on your application form.

Read Section 2 of this handbook to find out which options are a priority for your area. Please read through the option prescriptions for the individual options you are considering to ensure you understand the management requirements before you include them in your application (see Section 3). For Uplands ELS applications only, compulsory options UX2 (Upland grassland and arable requirements) and UX3 (Moorland requirements) must be included where the respective land type is part of your application.



Refer to your Environmental Information Map and FER to ensure that your selected option will help to protect and manage the environmental features on your land.

For each of your chosen options on your ELS-eligible land, you must:

- decide where the option is to be located (you may decide you want to have the option in more than one location);
- check if the option has an area constraint requirement and that you have not exceeded the limit for that option (see Section 3);
- mark every instance of the option with a coloured pencil on your Options Map(s) using the appropriate colour for that option as specified on the Options Map key. Do not mark rotational options on your Options Map – these are recorded at Annex 1 of your application form; and
- write the appropriate option code, using a fine black pen, on or against the option in each place where you have marked it on your Options Map(s).

In addition, if you have any CSS, ESA or ECS non-rotational options on a part-parcel basis, you must mark their location on your Options Map(s). Please note that if a CSS or ESA option covers a whole parcel, the parcel is not eligible for ELS. See Section 5.4.4 for details. **If you have any CSS or ESA options on a part-parcel, that parcel is not eligible for Uplands ELS.**

Please take care to measure option lengths or areas and then calculate the points values accurately, as errors may lead to the reduction of payments and to penalties being imposed.

Having marked your Options Map(s), you will now need to record your choices and calculate the points you have accumulated on your ELS-eligible land, using Annexes 1 and 2 of your application form:

- Use Annex 1 for ELS boundary, rotational and traditional farm building options. Instructions and guidance on how to complete Annex 1 are provided in Figure 9.
- Use Annex 2 (the Field Data Sheet) for ELS non-rotational options within fields (eg buffer strips). Instructions and guidance on how to complete Annex 2 are provided in Figure 10.

#### **Step 5: Complete Sections 1 and 2 of your application form**

Complete Sections 1 and 2 of your application form, making sure that:

- **You have chosen your preferred agreement start date** by ticking the relevant box at Question 7. Your farming system and choice of options may influence the time of year when you would like your agreement to start. ELS has monthly start dates with agreements commencing on the first date of each month. At Section 2 of your application form, you can select your preferred agreement start date or simply opt for the next one available. You should note that your choice of start date will affect the timing of your payments (see Section 1.2.6).
- **If you are making a countersigned application**, you have completed Question 8 and the relevant person has completed Questions 8a–d and completed and signed the Land Ownership and Control Declaration and Undertakings section.
- **You have entered details of your farm enterprise** at Question 12, by entering a '1' in the corresponding box for your primary farming enterprise, and, where you have a secondary farming enterprise only, entering a '2' in the corresponding box.

#### **Step 6: Complete Section 3 of the application form and check that you have met your points target on your ELS-eligible land**

You will need:

- Annexes 1 and 2, and Section 3 of the application form.

Once you have chosen your ELS options, calculate the total ELS points that you have accumulated, as follows:

- Transfer your total ELS points from Annex 1 and Annex 2 (including any continuation sheets) to the corresponding boxes in Table B of Section 3 of the application form.
- Add these two figures together to determine your total ELS points and record this in Table B. This figure must meet or exceed your Total ELS Points Target (Table A) to qualify for entry to the scheme.

Please note you must meet or exceed your ELS points target for your application to be successful. You will need to do a similar calculation to ensure you have met your Uplands ELS points target.

You are also responsible for ensuring that all the options listed at Annexes 1 and 2 on your application form are delivered. This information forms the basis of your agreement with Natural England.

### **Step 7: Complete the Checklist and Section 4 of your application form**

You will need:

- Checklist and Section 4 of the application form.

Complete the Checklist and complete and sign Section 4 of your application form, making sure that:

- you have checked that you have completed all sections of the application form and included any supplementary forms or photographs if required with your application;
- you have checked the box in Section 4 to confirm which scheme you are applying for;
- you have read and understood all the terms and conditions contained in this handbook;
- if you are making a countersigned application, you and the counter signatory have read and understood the declarations and undertakings in Section 2; and
- you have read and understood the declarations and undertakings in Section 4.

### **Step 8: Submit your application**

Natural England contact details are provided in Appendix 1 of this handbook.

Please return the following to Natural England in the envelope provided with your application pack:

- your completed and signed application form;
- annexes 1 and 2 of your application form;
- your Options Map marked with the options you have chosen.

Where appropriate you should also include:

- a Common Land Supplementary Application Form (NE-CLA4)
- Agent Authorisation form (NE-auth)
- Supplementary Land Ownership and Control Form(s) (NE-LOC)
- any photographs you are required to submit (options EB11, EB14 and ED1, Uplands ELS options UB15 to UB17, UD12 and UD13).

It is recommended that you obtain proof of postage for these and any other documents you send to Natural England. You are advised to retain a copy of your completed application form and your FER and Options Maps.

## **4.4 What happens next?**

### **4.4.1 What happens once you have submitted your application?**

Once your application has been received by Natural England, it will be checked to see:

- if you meet the eligibility requirements;
- that all the necessary details have been entered on your application form; and
- that all your maps have been completed.

If your application passes these simple checks, Natural England will notify you that you have been accepted into the scheme and provide you with an agreement reference number that you should quote in future correspondence. You can expect to receive a decision within three months of submitting your application.

#### 4.4.2 What will you receive if your application has been successful?

If your application has been completed accurately and you have met your ELS points target, Natural England will send you a letter confirming:

- your acceptance into the scheme;
- your agreement start date;
- your total annual payment; and
- the ELS options you have chosen, the locations for non-rotational options and the total amounts for each option, including rotational options.

Your FER and Options Maps will also be returned to you. You must retain these documents as you may be asked to show them during inspections (see Section 5.5.7).

**You must also retain this handbook, as it forms part of your legal contract with Natural England.**

#### 4.4.3 What if your application is unsuccessful?

Provided your application has been completed correctly and you have met your points target, it is very unlikely that your application will be unsuccessful.

If your application is unsuccessful, you will receive a letter explaining the reasons for the decision.

If you are unhappy with the decision, see Section 5.7.4.





Tree sparrow

**Annex 1**

Please record your choice of ELS boundary, rotational and traditional farm buildings options on the table below. Completion of the Farm Environment Record and map and selection of option EA1 is compulsory.

Code	Description	Points available	Measurement	Your points
EA1	Compulsory Farm Environment Record	1 per ha	65ha	65
EB1	Hedgerow management for landscape (on both sides of a hedge)	16 per 100m	263m	42
EB2	Hedgerow management for landscape (on one side of a hedge)	8 per 100m	m	
EB3	Hedgerow management for landscape and wildlife	42 per 100m	m	
EB4	Stone-faced hedge bank management on both sides	16 per 100m	m	
EB5	Stone-faced hedge bank management on one side	8 per 100m	m	
EB6	Ditch management	24 per 100m	417m	100
EB7	Half ditch management	8 per 100m	m	
EB8	Combined hedge and ditch management (incorporating EB1 Hedgerow management for landscape)	38 per 100m	m	
EB9	Combined hedge and ditch management (incorporating EB2 Hedgerow management for landscape)	26 per 100m	m	
EB10	Combined hedge and ditch management (incorporating EB3 Hedgerow management for landscape and wildlife)	56 per 100m	m	
EB11	Stone wall protection and maintenance	15 per 100m	m	
EB12	Earth bank management on both sides	14 per 100m	m	
EB13	Earth bank management on one side	7 per 100m	m	
EB14	Hedgerow restoration	10 per m	m	
EC3	Maintenance of woodland fences	4 per 100m	m	
EC23	Establishment of hedgerow trees by tagging	1 per tree	tree	
ED1	Maintenance of weatherproof traditional farm buildings	2 per m <sup>2</sup>	40m <sup>2</sup>	80
EF2	Wild bird seed mixture	450 per ha	0.40ha	180
EF4	Nectar flower mixture	450 per ha	ha	
EF6	Overwintered stubble	120 per ha	ha	
EF8	Skylark plots	5 per plot	10 plots	50
EF9	Cereal headlands for birds	100 per ha	ha	
EF10	Unharvested cereal headlands for birds and rare arable plants	330 per ha	ha	
EF13	Uncropped, cultivated areas for ground-nesting birds on arable land	360 per ha	ha	
EF15	Reduced herbicide cereal crops followed by overwintered stubble	195 per ha	ha	
EF22	Extended overwintered stubble	410 per ha	ha	
EF23	Supplementary feeding in winter for farmland birds	630 per tonne	tonne(s)	
EG1	Undersown spring cereals	200 per ha	ha	
EG4	Cereals for whole-crop silage followed by overwintered stubble	230 per ha	ha	
EJ2	Management of maize crops to reduce soil erosion	18 per ha	ha	
EJ10	Enhanced management of maize crops to reduce soil erosion and run-off	94 per ha	ha	
EJ11	Maintenance of watercourse fencing	4 per 100m	m	
EJ13	Winter cover crops	65 per ha	ha	
EK20	Ryegrass seed-set as winter/spring food for birds	80 per ha	ha	
EK21	Legume- and herb-rich swards	200 per ha	ha	

The following options can only be chosen if you are applying for Uplands ELS				
UB4	Stone-faced hedgebank management on both sides on or above the Moorland Line	24 per 100m	m	
UB5	Stone-faced hedgebank management on one side on or above the Moorland Line	12 per 100m	m	
UB11	Stone wall protection and maintenance on or above the Moorland Line	32 per 100m	m	
UB12	Earth bank management on both sides on or above the Moorland Line	18 per 100m	m	
UB13	Earth bank management on one side on or above the Moorland Line	9 per 100m	m	
UB15	Stone-faced hedgebank restoration	55 per m	m	
UB16	Earth bank restoration	12.5 per m	m	
UB17	Stone wall restoration	30 per m	m	
UC5	Sheep fencing around small woodlands	50 per 100m	m	
UD12	Maintenance of weatherproof traditional farm buildings in remote locations	4 per m <sup>2</sup>	m <sup>2</sup>	
UJ3	Post and wire fencing along watercourses	50 per 100m	m	

**Total points for Annex 1**

Please enter this total in the box at Section 3 table B of this application form

517

**Figure 9 How to complete Annex 1**

To record your FER:

- Record the total ELS-eligible area in the 'Measurement' column.
- Convert the measurement to points (multiply the total ELS-eligible area by 1 point per ha) and record this figure, to the nearest whole point, in the 'Your points' column.

To record Boundary options (including EJ11):

- Measure the total length of each option you have selected. Please note that it is acceptable to use the maps provided to measure boundary lengths. You do not have to measure boundary lengths on the ground.
- Record each measurement, to the nearest metre, in the relevant row.
- Convert the measurement to points, to the nearest whole point, and record this figure in the 'Your points' column.

To record buildings to be managed under the 'Maintenance of Traditional Farm Buildings' option:

- Measure the total ground floor area of buildings to be included in this option.
- Record the total area in the 'Measurement' column.
- Convert the measurement to points, to the nearest whole point, and record this figure in the 'Your points' column.

To record rotational options:

- Assess the area of land to be managed under the rotational option.
- Record the area in the 'Measurement' column of the relevant row. Record the area measurement to the nearest 0.01 ha (or for EF8 (Skylark plots), record the number of plots, or for EF23 (Supplementary feeding in winter for farmland birds) the amount of feed in tonnes).
- Convert the measurement to points and record this in the 'Your points' column. Do not mark the location of rotational options in the Options Map as these will move location from year to year. However, you must ensure that the area is entered at Annex 1 and that the declared area and required management is delivered in every year of your agreement.

For applications that include SDA land, Uplands ELS boundary and building options will also be listed on Annex 1. If you are applying for Uplands ELS, these should be recorded in the same way.

Once you have recorded all your chosen options at Annex 1, you must calculate your total ELS points for these options and record this figure at the base of the 'Your points' column. Copy this figure to Table B in Section 3 of your application form.



**Figure 10**  
**How to complete Annex 2**  
**– your ELS Field Data Sheet**

### If you need to remove any fields

**Step A:** Where necessary, remove any ineligible fields by deleting the parcel number and field area. Additional fields must not be added manually.

**Step B:** Where necessary, recalculate the total area of all land eligible for ELS, excluding parcels of 15 ha or more above the Moorland Line. Record this figure in Box 1, and in Table A (Part 1 for applications which include SDA land) at Section 3 of your application form.

**Step C:** Where necessary, re-calculate the area of all parcels of 15 ha or more that are above the Moorland Line. Record this figure in Box 2 and in Table A (Part 1 for applications which include SDA land) at Section 3 of your application form.

### To record soil erosion and run-off risk

**Step D:** Place a tick in the column headed 'Soil erosion/run-off risk' for each relevant field (see Section 4.3.3 Step 3).

## Annex 2: Field Data Sheet for ELS non-rotational options within fields

Please enter all ELS non-rotational options within fields that you have chosen into this data sheet. Details of the options available are provided in the ELS Handbook and supplements (if any).

Application reference

RLR field no./boundy no.	RLR field size (ha)	LFA Status*	Soil erosion/run off risk? (tick if YES)	Options										Total ELS points/ <i>Es</i>	
				UX2 Upland grassland & arable requirements (Ha)	UX3 Moorland requirements (ha)	<i>EE2</i> Amount (ha/100m/no.)	<i>ED4</i> Amount (ha/100m/no.)	<i>EC2</i> Amount (ha/100m/no.)	<i>EF7</i> Amount (ha/100m/no.)	<i>EE3</i> Amount (ha/100m/no.)	Amount (ha/100m/no.)	Amount (ha/100m/no.)	Amount (ha/100m/no.)		Amount (ha/100m/no.)
<i>XX1234 5678</i>	8.63	N					<i>3.18</i>	<i>7</i>							
<i>XX1234 6789</i>	19.83	N				<i>0.93</i>									
<i>XX1234 7890</i>	21.54	N						<i>10</i>							
<i>XX1234 8901</i>	8.24	N	✓												
<i>XX1234 9012</i>	8.95	N	✓												
<i>XX1234 0123</i>	10.27	N	✓												
<i>XX1234 1234</i>	19.45	N	✓							<i>0.73</i>					
<i>XX1234 2345</i>	5.31	N	✓						<i>0.40</i>	<i>1.30</i>					

1, 2, (1a, 1b, 2a, 2b for Uplands ELS) Total area for this sheet when added to any continuation sheets should equal the figures in table A at Section 3.  
3 Total ELS points for this sheet should be added to the total on any continuation sheets and entered into table B at Section 3.  
3a Total value of Uplands ELS Moorland commons and shared grazing requirements for this sheet.

If necessary, please continue on additional sheets and indicate in the box how many have been attached.....

***To record your compulsory requirements (Uplands ELS only)***

**Step E:** For applications that include SDA land, compulsory requirements UX2 and UX3 will be shown to the right of the 'Soil erosion' column. If you are applying for Uplands ELS, record the area of each parcel (to the nearest 0.01 ha (100 m<sup>2</sup>) in its corresponding row, as follows:

- UX2 column: all SDA parcels below the Moorland Line
- UX3 column: all SDA parcels above the Moorland Line.



## To record your option choices

**Step F:** Write the code of one of your chosen options at the top of one of the 'ELS options' columns, working from left to right.

**Step G:** Work out the amount of this option for each field parcel that you have decided to put it in, remembering to deduct any areas ineligible for the options, such as ponds.

**Step H:** Record these amounts in the corresponding row of the 'ELS options' column. For each entry, calculate the area in hectares to the nearest 0.01 ha (100 m<sup>2</sup>) or the number of trees (for options EC1, EC2 and EC23). See Example 1.

**Step I:** Calculate the total amount of your chosen option for all field parcels. Enter this figure at the bottom of the column, in the row marked 'Total amount (ha/no.)'. See Example 2.

**Step J:** Record the points per ha or number available for the option in the row marked 'ELS points per unit', eg for option EE2, you would enter 340.

**Step K:** Calculate the number of points the option has contributed towards your total points target. Record this value to the nearest whole point in the row marked 'ELS points'.

**Step L:** Repeat Steps F to K for your remaining ELS and Uplands ELS non-rotational option choices.

**Step M:** Once you have recorded all of your non-rotational options within fields, you must calculate your total 'ELS points' for the options you have chosen and record this figure at the base of the 'Total points' column in Box 3. Copy this figure to Table B of Section 3 of your application form.

### Example 1

This shows the entry for a 4 m buffer strip of 2,324 m in length. This measurement has been converted to hectares, to the nearest 0.01 ha. An example calculation is provided below:  
A 4 m wide buffer strip of 2,324 m in length would occupy  $(4 \times 2,324) = 9,296 \text{ m}^2$ . A hectare is 10,000 m<sup>2</sup> so the area occupied in hectares is 0.9296 ha (9,296/10,000). This would be recorded at Annex 2 as 0.93 ha (to the nearest 0.01 ha).

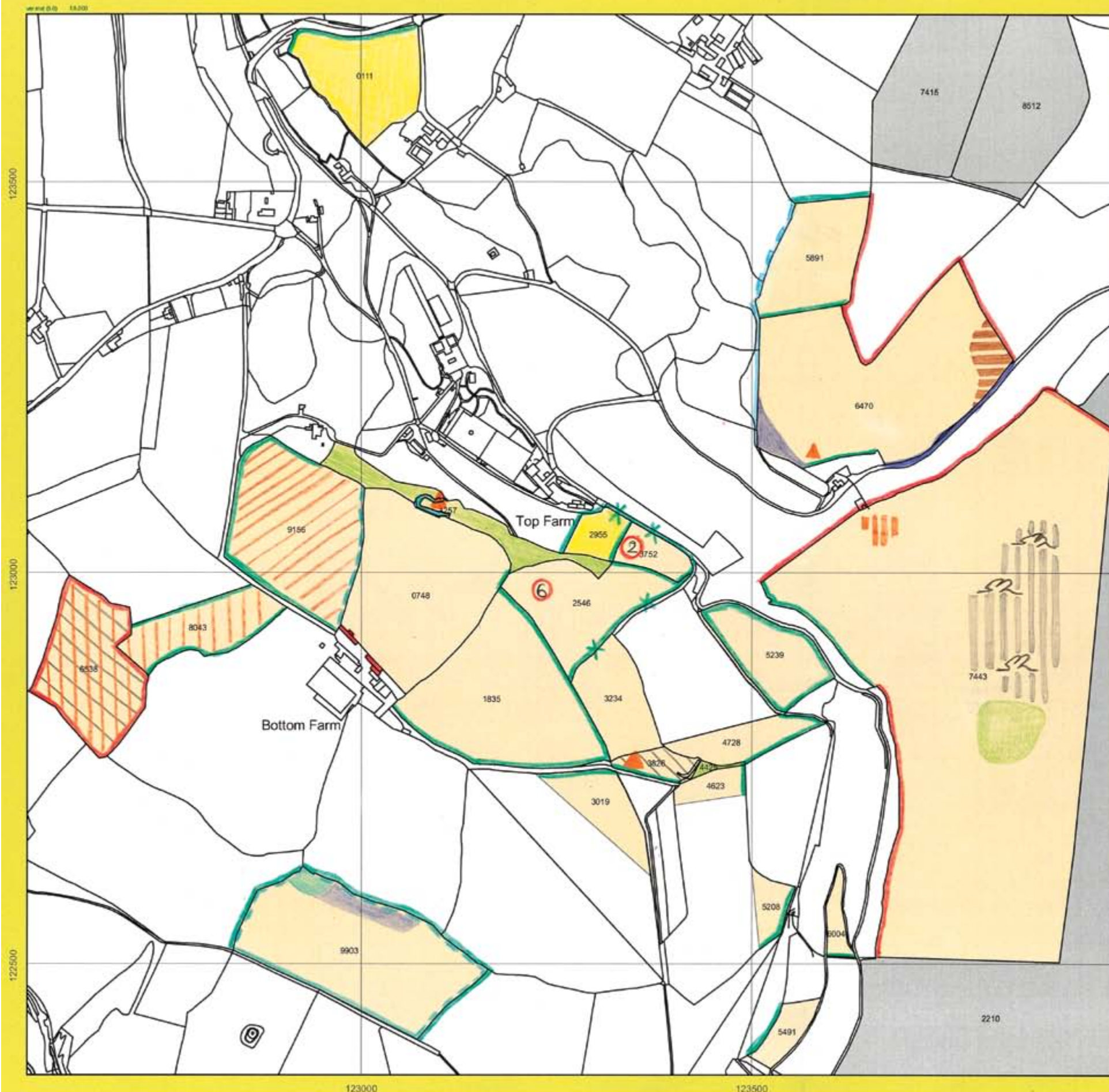
### Example 2

To calculate your ELS points for each option, multiply the total amount by the ELS points per unit. In this case the option is ED4, Management of scrub on archaeological sites, so the calculation is:  
 $3.18 \text{ ha} \times 120 \text{ points/ha} = 382 \text{ points}$  (to the nearest whole point).

### *Uplands ELS commons applications only:*

- Enter details of the Uplands ELS Moorland commons and shared grazing requirement UX1 as described in Steps F to H above.
- Enter the cost per hectare for this requirement (£5) in the row marked '£ per unit Uplands ELS Moorland commons and shared grazing requirements'.
- Multiply the total hectares of UX1 by the £5 per unit figure and enter the total in the '£s Uplands ELS Moorland commons and shared grazing requirements' box.
- Record this value in Box 3a of the 'Total Points/£s' column.

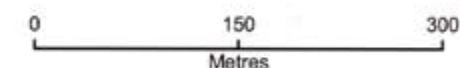
# Entry Level Stewardship Farm Environment Record



# Entry Level Stewardship Farm Environment Record

Assigned colour	Applicants colour match

## \* Features specific to uplands agreements



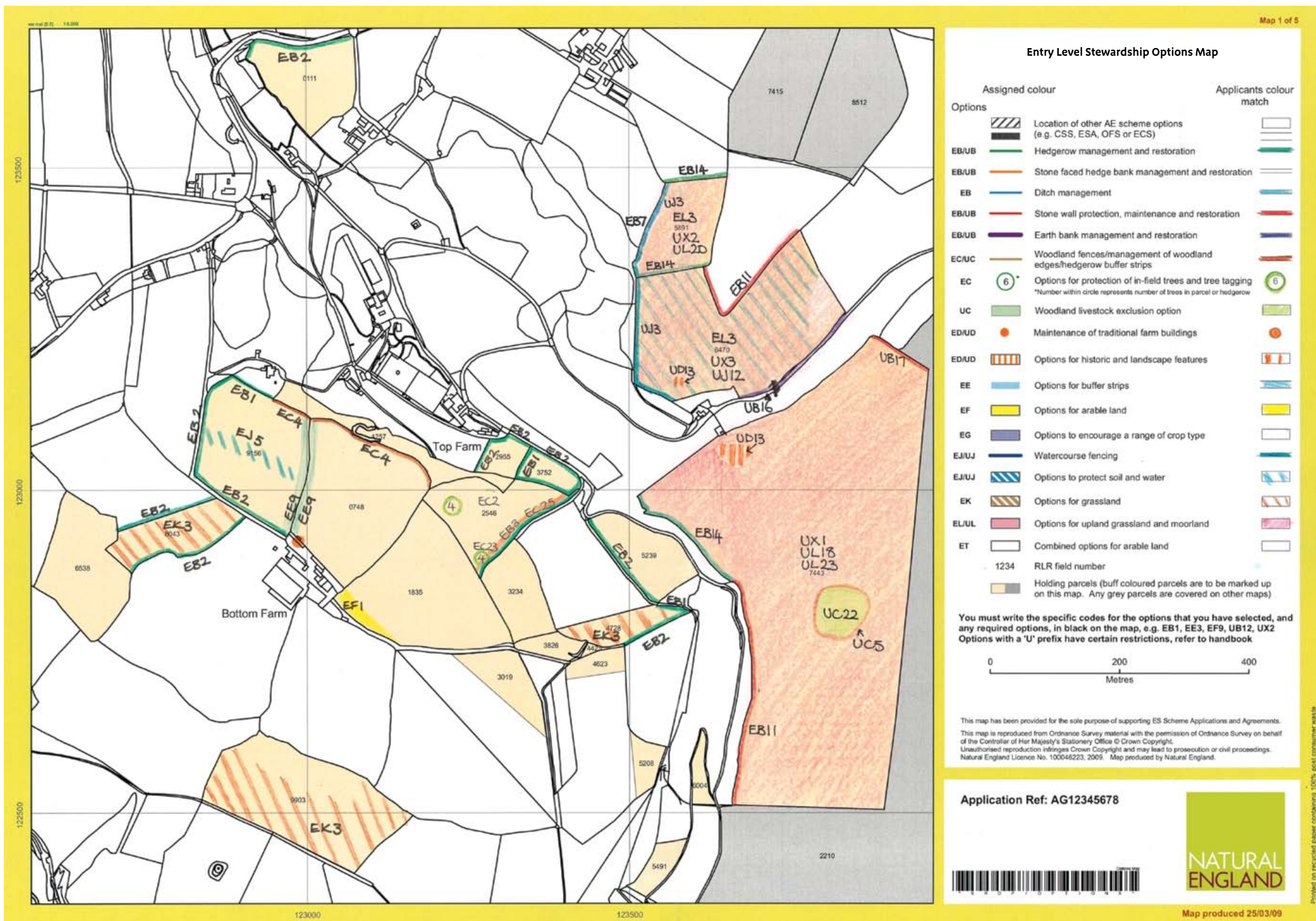
This map has been provided for the sole purpose of supporting ES Scheme Applications and Agreements. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Natural England Licence No. 100046223, 2009. Map produced by Natural England.

Application Ref: AG12345678



Map produced 18/03/09







## Entry Level Stewardship Options Map



Yellow Iris

# Section 5

## Terms and conditions

### 5.1 Introduction

Environmental Stewardship forms the major part of the Rural Development Programme for England (2007–2013) (RDPE) and is governed by EU Council Regulation 1698/2005 and Commission Regulations 1974/2006 and 65/2011 (as amended or as may be amended).

This section provides the terms and conditions that apply to Entry Level Stewardship (ELS), (including Uplands ELS) agreements. **If you sign up to an ELS agreement the terms and conditions provided in this section will apply to you.**

### 5.2 About your agreement

#### 5.2.1 What are you agreeing to do?

In signing your application form, you are agreeing to:

- **map and retain the environmental features** on your Farm Environment Record (FER) for the duration of the agreement;
- **choose sufficient options** so that together with your compulsory requirements (ie the FER and Upland ELS options UX1 – UX3) you meet your points target for your agreement land;
- **manage the land parcels shown on your ELS Options Map(s)**, in accordance with your choice of management options, as set out in the ELS/Uplands ELS option descriptions, for the duration of the agreement;
- (Uplands ELS only) **carry out the Uplands ELS compulsory requirements on your SDA land** as set out in the Uplands ELS compulsory requirements descriptions; and
- **follow the scheme terms and conditions contained in this handbook**, including meeting cross compliance rules across all of your land, and complying with the other additional requirements listed (see Section 5.5).

#### 5.2.2 What documentation is included in your agreement?

The agreement includes the following documents:

- an introductory letter;
- Part 1 of the agreement: outlining the payment schedule for the agreement;
- Part 2 of the agreement: setting out the options you have chosen;
- your Options Map(s), which shows the location of your options;
- Farm Environmental Record (FER) map(s), which shows the environmental features present on your farm and any fields at risk from soil erosion or run-off;
- this handbook, including the option descriptions (for the options that you have chosen for your land) and the terms and conditions are part of the agreement documentation. Each option description sets out the land management that you are agreeing to deliver under that option.

You must keep copies of all of these documents for future reference. If any are missing, please contact us and we will send another copy.

#### 5.2.3 Duration of your agreement

Agreements last five years and you must fulfil your obligations for the full five-year term. You will incur a penalty if you withdraw from the scheme early or breach the terms of your agreement (see Section 5.7). There is no penalty if you transfer, with our approval, into Uplands ELS, OELS or HLS.

#### 5.2.4 What payments will you receive?

For all the land you enter into ELS, you will receive the following rates of payment (£/ha/annum):

**Table 8 Rates of payment for ELS and Uplands ELS**

Land Parcel	ELS	
	ELS	Uplands ELS (SDA only)
Parcels below the Moorland Line	30	62
Parcels above the Moorland Line less than 15ha	30	62
Parcels above the Moorland Line 15ha or more	8	23

(Uplands ELS only) In addition, the UX1 (Moorland commons and shared grazing) requirements must be located on all common land and shared grazing above the Moorland Line where there are two or more active graziers. This attracts an additional payment of £5/ha.

Subject to changes in EU rules (see Section 5.6.7), these payment rates will remain the same for the five years of your agreement, even if the rates are reviewed during that time. New rates will apply only to new agreements.

Details of the timing of payments are set out in the Introduction section of this handbook and on the Natural England website at: [www.naturalengland.org.uk/ourwork/farming/funding/developments.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/developments.aspx).

### 5.2.5 How will you be paid?

Your Environmental Stewardship payments are managed by the Rural Payments Agency (RPA). The RPA will make payments directly into your bank account. If the RPA does not have your bank details, please contact them on **0845 603 7777** and request a Customer Registration form or visit the RPA website (see Appendix 2). Without your bank details, the RPA will not be able to pay you.

### 5.2.6 Will your details be made public?

The data controller is Natural England, Foundry House, 3 Millsands, Riverside Exchange, Sheffield, S3 8NH.

Your information will be stored and processed in accordance with the Data Protection Act 1998. This Act gives you, as an individual, the right to know what data we hold on you, how we use it, with whom we share it and to ensure that it is accurate.

We will use the data for administering and analysing applications, agreements and claims under Environmental Stewardship. We will circulate and discuss it, in confidence, with those persons or organisations helping us to assess and monitor applications, agreements and claims. Some information will be shared with other grant distribution bodies and government departments, to enable them to detect fraudulent applications, agreements and claims and to co-ordinate the processing of complementary applications, agreements and claims. To do this, we may have to discuss applications, agreements and claims with third parties or disclose information about funding decisions.

Participation in Environmental Stewardship involves expenditure of public money and is therefore a matter of public interest. We make information about Environmental Stewardship applications, agreements and claims publicly available, in line with European Regulations, for example on a website such as [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk). Details disclosed may include, but are not limited to, your name, the name and address of your farm or business, postal town/parish, first part of your postcode, grid references, the total area under agreement, the payments you receive, the location of parcels, details of the environmental features and management options they contain and details of inspections by Defra or its agents (see Section 5.5.7). On request, copies of individual applications and agreements will be made available.

We, or our appointed agents, may use the name, address and other details on your application form to contact you in connection with customer research aimed at improving the services that we provide to you.

We will respect personal privacy while complying with access to information requests to the extent necessary to enable Natural England to comply with its statutory obligations under the Environmental Information Regulations 2004 and the Freedom of Information Act 2000.



## 5.3 Who can apply?

### 5.3.1 Who can join the scheme?

ELS is open to all farmers and land managers who are one of the following:

- owner occupiers;
- tenants (including farmers who may have an agreement labelled as a licence but who in practice have wider land management responsibilities) (see Sections 5.3.2 and 5.3.3);
- landlords (see Section 5.3.4);
- licensors (see Section 5.3.5); and
- common land rights holders (see Section 5.3.9).

You must have control of all the activities needed to meet the compulsory scheme requirements and prescriptions of the ELS and Uplands ELS land management options that you have selected. If you do not have full control of all such activities, for instance, due to the land being common land or where separate sporting tenancies are in place, please refer to Sections 5.3.9 and 5.3.10.

You must also have management control of the land for the entire five years of your ELS agreement. If you are not certain to have management control lasting for five years, please refer to Section 5.3.2.

If Natural England find that you are ineligible to have an ELS agreement on any land, reductions and penalties as set out in Section 5.7.2 may apply. You may want to seek independent professional advice relating to your circumstances.

### 5.3.2 What if you are a tenant?

When deciding if your occupation of land is sufficient to allow it to be eligible to include in an ELS agreement, it is the rights and responsibilities that you have for the land, and how they operate in practice, that is more important than what any agreement with another party is called. For example, if you only have access to graze or mow land under a grazing licence you will not have sufficient management control of that land for you to use it to claim ELS. If, however, your agreement gives you other responsibilities for the management control of the land, you may in practice have a tenancy and may be able to use that land to apply for ELS.

If you are a tenant under the Agricultural Holdings Act 1986, Agricultural Tenancies Act 1995 (a Farm Business Tenancy) or equivalent, you must ensure that by joining ELS you do not breach the conditions of your tenancy.

To make an application in your own name you must have both:

- control of all the activities needed to meet the ELS and Uplands ELS compulsory requirements and the prescriptions of the selected ELS land management options; **and**
- management control of the land for the entire duration of the ELS agreement.

If you have control of all necessary activities, but do not have security of tenure over the five year duration of the ELS agreement (even if an extension or renewal to your tenancy is expected) you will not have sufficient management control of the land for the five year period of the ELS agreement. You will therefore need to submit an application countersigned by your landlord. You must discuss the proposal with your landlord and complete Section 2 of the application form. The relevant person must sign the declaration at Section 2 of the application form to confirm they will ensure that your agreement commitments are fulfilled, if for any reason you cease to have control over the land during the five years of your ELS agreement.

If you have more than one tenancy with less than five years to run, you need to complete a supplementary land ownership and control form (NE-LOC) for each additional tenancy. These forms are available from your Natural England office (see Appendix 1 for contact details) and can be downloaded from our website at [www.naturalengland.org.uk/ourwork/farming/funding/es/forms/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/es/forms/default.aspx).

If a countersigned application is not possible on a part of your farm, this part may be omitted from the application and an agreement made on the remaining part.

A tenant's loss of management control of some or all the land under agreement because of the changing circumstances of their landlord is not a permitted category under force majeure, and will generally require the recovery of all payments on the affected land (see Section 5.7) save for in exceptional circumstances. If your ability to comply with scheme requirements will be partly dependent on a third party (eg a landlord) it is your responsibility to put arrangements in place to safeguard your position should the circumstances of the third party change.

If you are including land in an ELS agreement and another business is using the same land to claim for the Single Payment Scheme (SPS), please refer to Section 5.4.15 of this handbook and to the current *SPS Handbook* (and any supplements), details in Appendix 2.

### 5.3.3 What if you are a licensee?

In most cases, licensees will not have sufficient control of the range of agricultural activities that is needed to meet the scheme requirements and ELS and Uplands ELS land management option prescriptions.

When deciding if your occupation of land is sufficient to allow it to be eligible to include in an ES agreement, it is the rights and responsibilities that you have for the land, and how they operate in practice, that is more important than what any agreement with another party is called. For example, if you only have access to graze or mow land under a grazing licence you will not have sufficient management control of that land for you to use it to claim ELS. If, however, your agreement gives you other responsibilities for the management control of the land, you may in practice have a tenancy and may be able to use that land to apply for ELS.

### 5.3.4 What if you are a landlord?

Provided you can demonstrate that you have sufficient management control over the land, and you are confident that you can meet your obligations under an ELS agreement in full, you can apply for an agreement on land that has been let to a tenant under the Agricultural Holdings Act 1986 or the Agricultural Tenancies Act 1995 (a Farm Business Tenancy) or equivalent.

You must be able to provide evidence, if requested, that you have given the tenant a copy of your ELS agreement conditions and that you have required them to meet these. It is advisable to include these requirements in the tenancy agreement. It will be your responsibility to ensure that your tenant does not breach the terms of your ELS agreement. If your tenant is claiming the SPS on the same land, you must have written evidence signed by both parties. Please refer to Section 5.4.15 of this handbook and the current *SPS Handbook* (and any supplements), details in Appendix 2.

You may have tenants who wish to apply for ELS on the land themselves. Please note that where your tenant does not have security of tenure for the five year period of the ELS agreement, Natural England require them to secure your countersignature before their application can be accepted see Section 5.3.2.

You should be aware that, if your tenant claims an Uplands Transitional Payment (UTP) and an Uplands ELS agreement commences on land that is available to them for grazing, they will no longer be eligible for UTP on that land and will be required to pay back the UTP they have received for the part of the calendar year in which the Uplands ELS agreement is in force.

### 5.3.5 What if you are a licensor?

It will be your responsibility to ensure that your licensee does not breach the terms of your ES agreement. You should ensure that the licensee is aware of the requirements of the ES agreement, as relevant to the license, and to include these in the license agreement.

You should be aware that, if your licensee claims an UTP and an Uplands ELS agreement commences on land that is available to them for grazing, they will no longer be eligible for UTP on that land and will be required to pay back the UTP they have received for the part of the calendar year in which the Uplands ELS agreement is in force.

### 5.3.6 What about using contractors to manage the land?

You may employ contractors to undertake agricultural work on your land, or to undertake work required under the ELS or Uplands ELS options you have chosen. You should notify the contractor about the agreement and your obligations under it. It will be your responsibility to ensure that they do not breach the terms of your agreement.

### 5.3.7 Are business partnerships and trusts eligible?

If you are a business partnership, trust, or similar, you can make an application, but we will not become involved in any disputes between individuals and you must comply with the following conditions:

- All members of the business partnership/trust must appoint an authorised signatory to make an application on their behalf and that person must agree to take full responsibility for the agreement.
- The signatory must sign any amendment and claim forms, where these are necessary.
- The signatory must take on the responsibility for delivery of the whole agreement.
- The signatory will receive all the payments and must be responsible for paying back any grant, if there is a breach of the agreement.

### 5.3.8 Are public bodies and their tenants eligible?

We cannot pay for any environmental management that is already required by statutory duty, through payment from Exchequer funds or grant aid from any other public body, or any other form of legally binding obligation.

Crown bodies and non-departmental public bodies (NDPBs) are therefore not eligible for ES agreements. This includes those that are Trading Funds or that otherwise do not receive funding direct from the Exchequer. Crown bodies include all government departments and their executive agencies. They include the Ministry of Defence, the Forestry Commission, the Crown Estate, Forest Enterprise and the Royal Parks. NDPBs are public bodies that have a role in the processes of national government but are not a government department, nor part of one. These include the Environment Agency, Natural England, English Heritage and the National Forest Company.

Parish councils and former college farms are not considered to be public bodies and therefore are eligible to apply for Environmental Stewardship.

A list of NDPBs and other public bodies can be found on the Civil Service website at [www.civilservice.gov.uk](http://www.civilservice.gov.uk).

**Table 9 Summary of the eligibility of public bodies for Environmental Stewardship**

Landowners	ELS	HLS	Comments
Government departments, executive agencies and NDPBs, (eg Ministry of Defence, Forestry Commission, Crown Estate)	Ineligible	Ineligible	
Other public bodies, (eg local authorities, national park authorities and public corporations)	Ineligible	Eligible	Eligible for HLS provided the work does not form part of their obligations as a public body.
Tenants of public bodies	Eligible	Eligible	Ineligible where the work is already a requirement of the tenancy agreement. Tenants must have security of tenure for the full term of the agreement, as the public body cannot countersign the agreement.

### 5.3.9 Is common land and shared grazing eligible?

Common land and shared grazing is eligible for ELS, but an appropriate individual must sign the application and be responsible for maintaining the agreement. Please read *Common Land and Shared Grazing: Supplement to the Environmental Stewardship Handbooks* (NE316). This Supplement clarifies the position with regard to applications and common land and, where it conflicts with this handbook, the supplement overrides the handbook.

When making the application, the signatory must comply with the following conditions:

The signatory must sign both the ELS application form and a common land and shared grazing supplementary application form (NE-CLA4), which contains additional declarations. This supplementary form must also be signed by the owner of the common/shared area, or their appointed representative,



unless the owner is making the application or there is no known owner. The supplementary form is available on request from Natural England (see Appendix 1 for contact details) and can also be downloaded from Natural England's website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk) (see Appendix 2 for the full web address).

The application will usually cover the whole common or shared area and must not include any other land (eg privately managed in-by land). Part common agreements are only permitted under exceptional circumstances, as agreed with Natural England in advance. You should make a separate application covering your other land.

The signatory must go to reasonable lengths to contact all graziers or persons who are entitled to exercise rights of common, in particular those actively exercising rights on the land, and provide opportunity for them to comment. This will also include contact with commons associations or commons councils. Details of land to which rights are normally attached, or details of persons holding rights directly, are given in the local authority commons register. The application must provide an outline of the rights associated with the common and the steps taken to contact persons entitled to exercise rights of common.

The signatory must confirm that all graziers or persons exercising rights of common who are party to the application have agreed to abide by the requirements for the options that have been chosen, and the general rules and conditions of the scheme. The signatory must also confirm that those who are not party to the application are not in a position to jeopardise the objectives and requirements of the agreement.

The signatory must take on the responsibility for the delivery of the whole agreement.

All payments will be made to the signatory who must be responsible for paying back any grant if there is found to be a breach of the agreement.

#### 5.3.10 What if others hold rights over your land?

You should discuss an intended application with any sporting tenants and anyone else with rights over your land, such as profit à prendre and easements. You should make sure that any activities and the exercise of other rights, will not conflict with the delivery of the required management of the scheme options.

## 5.4 Is your land eligible?

### 5.4.1 What land can you enter into the scheme?

Land to be entered into the scheme must be registered on the Rural Land Register (RLR) and it must be part of the farmed environment. By 'farmed environment' we mean:

- all your farmed land. ELS is a whole-farm scheme, so your application must include all the eligible farmland that you manage; and
- other non-farmed land. You may also enter other land that does not contribute to your farming system but is still considered part of the farmed environment. For example, large blocks of woodland, parcels of scrub, disused mineral sites and neglected areas.

Entering non-farmed land into ELS will increase the whole-farm area and therefore your points target that must be delivered, as well as the overall payment. Placing options on non-farmed land may, however, be difficult, inappropriate or impossible. Where this is the case, you will have to locate additional options elsewhere to meet your points target. Where such land covers a large proportion of your farm, you may find it difficult to deliver enough options to reach your points target. If this is the case, you may prefer to exclude some of these areas from your application (although you will not receive payment for the excluded area).

Your application may include land registered under more than one CPH number or Single Business Identifier (SBI).

Any land parcels entered into the scheme must be entirely within England. Parcels that are either partly or entirely within Scotland or Wales are not eligible for ELS.

To join Uplands ELS your eligible land must include at least one parcel within an SDA.

#### 5.4.2 What land must be excluded from your application?

The following land must be excluded:

- developed land and hard standing (including permanent caravan sites and areas used for permanent storage). Although this land will not contribute to the points target, you can earn points on developed land where it contains a traditional farm building (TFB) that is recorded on your FER and managed under the appropriate option;
- significant areas (1 ha or more) of standing and running water, with the exception of intertidal habitats;
- land that is already subject to another scheme or obligation that is incompatible with Environmental Stewardship (see Section 5.4.3);
- common land or shared grazing with multiple rights holders or graziers (which can enter ELS but only as a stand-alone agreement separate from an agreement on your other land – see Section 5.3.9);
- land where you do not have management control for five years and a countersigned agreement is not possible.

#### 5.4.3 Is land that is subject to another scheme or obligation eligible?

As a general rule, we cannot pay you for management that you, or your landlord, are required to do under an existing scheme or obligation.

If land that you intend entering into ELS is in receipt of funding from another grant scheme, you cannot also receive ELS funding for the same work. Work that is outside the scope of ELS may, however, be eligible for grants from other organisations, including local authorities.

You must make sure that there are no other duties or obligations on you or the land that would conflict with your ELS agreement.

The following paragraphs list the most frequently occurring alternative schemes and obligations. Please look through this section to check if any of them apply to your land.

#### 5.4.4 Countryside Stewardship Scheme (CSS) and Environmentally Sensitive Areas (ESAs)

If you already have a CSS or ESA agreement covering some of your land, you cannot apply for ELS on the same land. You may, however, be able to apply for ELS on any land that is not receiving funding under the CSS or ESA agreement. **Uplands ELS and UTP cannot be claimed on the same holding at the same time.**

Follow the instructions below, to determine which land parcels should be included in your ELS application:

- If a CSS or ESA option covers a **whole parcel**, it may not be included in your ELS application or points target. This means that you can do one of the following:
  - ask us to delete the relevant parcel number before sending your pre-filled application form; or
  - if you already have your pre-filled application form, you can cross out the relevant parcel number on Annex 2 of your application form (your Field Data Sheet) and on your application maps (see Section 4 for detailed instructions on how to do this). If you need to delete several parcels, you may prefer to ask us for a new set of forms and application maps.
- If the CSS/ESA option covers only **part of a parcel** (for example, grass margins), you must include the whole parcel in your ELS application. However, to avoid being paid twice for the same thing, you must not locate any ELS options on top of any of your CSS/ESA options. In Uplands ELS, if you have a CSS or ESA option covering part of a field, you cannot include those fields in your Uplands ELS application.
- Land in CSS/ESA **rotational options** should be included in your ELS application, but you must ensure that each year there is no overlap of CSS/ESA and ELS options on the ground. Whilst the CSS/ESA rotational options may overlap with the Uplands ELS compulsory requirement UX2, there must be no overlap between the CSS/ESA rotational option and the actual management requirements of UX2. In particular, there must be no overlap between the rotational option and the 6 m protection zone alongside watercourses required under UX2.
- Land in receipt of CSS/ESA open, linear and educational **access payments** only, should also be included in your ELS application and points target. You must ensure, however, that any ELS options sited on the land do not obstruct or otherwise conflict with the objectives of the access.

- **CSS boundaries** – ELS boundary options can be located on boundaries that are included within CSS options (whether that is a CSS whole-parcel option or a capital grant). This is because the two schemes (CSS and ES) have different and complementary management prescriptions. However, the EB14 boundary restoration option cannot be located on boundaries included within CSS options.
- **ESA boundaries** – ELS boundary options must not be located within the area covered by the ESA agreement.

### **Early transfer from CSS or ESA agreements**

There are specific European regulations relating to the early transfer of CSS and ESA agreements into ELS – there must be significant environmental benefits, the commitments of the existing agreement must be substantially reinforced in the new one, and the new agreement must offer value for money. For these reasons, while it is possible to carry out early transfer from CSS or ESA agreements, in practice, these opportunities are very limited. We do not accept early transfer applications from CSS or ESA into ELS alone, and will only consider combined ELS/HLS applications in exceptional circumstances.

The Uplands Transitional Payment (UTP) is available in upland areas where farmers used to claim Hill Farm Allowance and there is still a live CSS or ESA agreement on the holding. Uplands ELS and UTP cannot be claimed on the same holding at the same time. UTP is paid each spring for the whole calendar year. If **you** have received UTP and then enter your holding into Uplands ELS/HLS through an early transfer before the end of the calendar year, all of your holding becomes ineligible for UTP when the Uplands ELS agreement starts and you will need to repay the UTP grant you have received for the remainder of the calendar year. If **another person** is claiming UTP on the holding you have entered into Uplands ELS, they will have to repay the UTP grant received in respect of that holding for the rest of the calendar year. The RPA will advise on repayment details – you should read the booklet *Uplands Transitional Payment 2012 to 2014* (RPA contact details are in Appendix 2).

Further details about UTP can be found in Section 5.4.18.

If you are considering early transfer, you should discuss this in detail with your CSS/ESA adviser within Natural England before submitting an application. The adviser will take advice from colleagues and will then advise on the most appropriate course of action. If you do not know who your CSS/ESA adviser is, please contact Natural England (see Appendix 1 for contact details).

### **Part farm entry to Uplands ELS**

If you have a CSS/ESA agreement on part of your holding, you may decide to enter another part of your holding, not currently under any agri-environment scheme, into Uplands ELS. Uplands ELS and UTP cannot be claimed on the same holding at the same time. If **you** have received UTP and then enter part of your holding into Uplands ELS/HLS before the end of the calendar year, all of your holding becomes ineligible for UTP when the Uplands ELS agreement starts and you will need to repay the UTP grant you have received in respect of the holding for the remainder of the calendar year. If **another person** is claiming UTP on the holding you have entered into Uplands ELS, they will have to repay the UTP grant received in respect of that holding for the rest of the calendar year. The RPA will advise on repayment details – you should read the booklet *Uplands Transitional Payment 2012 to 2014* (RPA contact details are in Appendix 2).

#### **5.4.5 Energy Crops Scheme (ECS)**

Land in the ECS can count towards the area used to calculate your ELS points target and associated payment, but you may not locate any ELS options on land planted under the ECS (including any ECS paid area of open ground). Where ECS planting (including paid areas of open ground) is on a part-parcel basis, ELS options may be located within the land parcel, provided there is no overlap of ELS options with ECS-payable areas on the ground. Boundaries surrounding ECS parcels may be entered into ELS boundary management options.

#### **5.4.6 The Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006**

These regulations aim to protect environmentally significant areas, specifically uncultivated land and semi-natural areas, from being damaged by works which increase the agricultural productivity of the land.

Where this is the case, contact Natural England before carrying out any of the following activities on uncultivated or semi-natural land. The type of agricultural operations ('projects') covered include ploughing; chemical cultivation; digging; scraping; draining; liming; reseeding; spreading soil or manure or any soil improver; increased application of fertiliser; broadcast spraying of any wide spectrum; and/or



selective herbicide or any other work that increases the productivity of the land. The regulations also cover certain types of restructuring projects on rural land holdings.

It is unlikely that ELS or Uplands ELS options will alter the status of land in relation to these regulations, but you should consider this before you apply. If you have any queries about the regulations please contact the Environmental Impact Assessment Helpline on 0800 028 2140.

#### 5.4.7 Felling Licences/Tree Preservation Orders

Where your ELS management involves removing trees or managing overgrown hedges, you must ensure that you have obtained any necessary Felling Licences or other required permissions before starting work.

When felling more than 5 m<sup>3</sup> of timber in a calendar quarter, you may need a Forestry Commission (FC) Felling Licence. For further information, the FC has produced the guidance *Tree Felling – getting permission* (available at [www.forestry.gov.uk](http://www.forestry.gov.uk)).

You may also need permission for work on trees that are subject to a TPO. Ask your local authority Tree Officer for advice.

#### 5.4.8 Habitat Scheme

Land in a Habitat Scheme agreement may be included in your ELS eligible area, and contribute to your points target and payment. However, you may not locate any ELS options on this land. If this makes it harder to achieve your points target, you can exclude this land from your application.

#### 5.4.9 Inheritance Tax/Capital Gains Tax exemption

Land designated by HM Revenue and Customs as conditionally exempt from Inheritance Tax, or as the object of a maintenance fund, is normally eligible for ELS. However, you must not claim for work that is a formal requirement of the undertakings agreed with HM Revenue and Customs. Owners should ensure that tenants are aware of such designations and are properly informed of relevant undertakings. Tenants can find out if land is designated by checking the website [www.hmrc.gov.uk/heritage](http://www.hmrc.gov.uk/heritage). You will need to look carefully at the relevant ELS and Uplands ELS options that are available for this land, to ensure you do not include ineligible work in your application.

Keep a copy of a map on which you have clearly marked the boundary of any exempt or designated land, and be prepared on any subsequent compliance inspection to be able to demonstrate on a parcel-by-parcel basis how the selected options do not overlap with the undertakings. Please note that it is your responsibility to ensure your application meets these scheme rules.

A guidance note, *Environmental Stewardship for heritage properties designated under the Inheritance Tax Act 1984*, is available for heritage properties designated under the Inheritance Tax Act 1984 (NE161, 2012). It provides more detailed information for owners and tenants of Inheritance Tax exempt properties and their advisers. You can download it from the publications catalogue on our website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk) or you can request a paper copy from us, contact details in Appendix 1.

#### 5.4.10 Nitrate Vulnerable Zones (NVZs)

If you are in an NVZ, you must make sure that you comply with the mandatory NVZ Action Programme rules. These rules apply to minimise the risk of nitrate pollution from agriculture to protect national water supplies and water habitats. If your land is within an NVZ (including the new areas designated in 2009), it is your responsibility to ensure you can meet the rules of both the NVZ Action Programme and ELS. Where the rules overlap, you must meet those that are the most demanding.

For example, the maximum manure application rate for *Permanent grassland with very low inputs (EK3)* is 12.5 tonnes/ha of farm yard manure only (approximately 75 kg nitrogen/ha). This restriction is more demanding than the standard NVZ field limit of 250 kg of nitrogen per ha; as a result, the ELS restriction must be followed. Also be sure to include this calculation when considering your NVZ fertiliser plan and manure management plan.

Further information on the NVZ Action Programme measures and detailed maps of NVZ locations are available on the Defra website at [www.defra.gov.uk](http://www.defra.gov.uk) (see Appendix 2 for other related websites, eg Farming Advice Service).

#### 5.4.11 Producer Organisation Aid Scheme

The Producer Organisation Aid Scheme operates under Pillar 1 of the Common Agricultural Policy. Management funded under the Producer Organisation Aid Scheme (for example, Operation Bumble Bee) cannot be funded under ELS.

#### 5.4.12 Protected species

Some species are partly or fully protected by legislation. Examples of the most commonly encountered protected wildlife include:

- All wild birds and their eggs and nests that are in use or being built are protected under the Wildlife & Countryside Act 1981.
- Bats, otters, dormice and great crested newts, plus other species of more restricted distributions, are protected by Part 3 of the Conservation of Habitats and Species Regulations 2010. These European protected species are protected from disturbance and from damage to the places they use to rest and shelter (for example, bat roosts, otter holts).

It is very unlikely that ELS management will conflict with species protection obligations. For example, the hedge management options restrict maintenance works to outside the bird-nesting season. However, if protected species are present on your farm, you will need to consider their protection requirements before undertaking management activities. Choosing appropriate options can help to maintain suitable habitat.

Advice about protected species is available in the 'Wildlife Management and Licensing Service' section of our website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk).

Details of current wildlife legislation can be viewed at [www.legislation.gov.uk](http://www.legislation.gov.uk).

#### 5.4.13 Scheduled Monuments

Scheduled Monuments, and other land covered by an English Heritage management agreement, can count towards the area used to calculate your ELS points target and associated payment, provided there is no overlap between the requirements of the English Heritage agreement and the general ELS requirements.

Similarly, you may only locate ELS options on land covered by an English Heritage management agreement if there is no overlap between the requirements of the English Heritage agreement and the option prescriptions.

You should be prepared, on any compliance inspection, to be able to demonstrate on a parcel-by-parcel basis how the selected options do not overlap with your existing undertakings. Please note that it is your responsibility to ensure your application meets these scheme rules.

Scheduled Monuments in respect of which you are not receiving payment from English Heritage are eligible for ELS. You must ensure there is no conflict between ELS management and the management requirements of the Scheduled Monuments.

#### 5.4.14 Single Payment Scheme (SPS)

SPS and ELS are two separate schemes and land used to claim payments under SPS may also be entered into ELS.

Natural England will cross-check all agri-environment payments against SPS claims. Therefore, when completing your ELS and SPS forms, you must ensure that the ELS and Uplands ELS options and SPS land use codes you use are compatible. Natural England will investigate any case where the SPS land use codes declared for the SPS conflict, or appear to conflict, with ELS and Uplands ELS option codes. For example, Natural England will check that an ELS arable option is not located on land registered as Permanent Pasture on your SPS claim (SP5).

When completing your future SPS claim forms, please note in particular that:

- The majority of ES options are eligible to be claimed under SPS, however, some may be eligible for ES but ineligible for SPS.
- Woodlands, scrub, inter-tidal habitats and some hedges, that form Permanent Ineligible Features and Temporary Ineligible Features are deductible from SPS claims, but are still eligible for payments under

ES agreements. The RPA has produced guidance about these options and the circumstances in which they can be claimed for SPS. Please refer to the *SPS Handbook* and any supplements (see Appendix 2 for details).

- Most ELS grassland options must be coded as PP4 (Permanent pasture on EU agri-environment scheme land).
- Part-parcel ELS arable options, such as buffer strips, field corners, conservation headlands and beetle banks, should not have a separate SPS code from the rest of the land parcel. Use the appropriate SPS code for the crop that is growing in the parcel.
- You should only use SPS land use code AE1 if there is no other suitable land use code. For example, use OT1 for arable land and PP4 for permanent pasture, including moorland and rough grazing.
- Through required management under some ELS options, land may become ineligible for SPS by the end of your agreement, for example, management of woodland edges.

When completing your ELS application form, please note that:

- Some ELS grassland options can only be located on land already classed as permanent pasture on your SPS.
- Arable options can only be located on land currently under arable SPS codes.
- You can have more than one option adjacent to each other within a land parcel without affecting the RLR details, providing there is no permanent boundary between the options.

For further details of SPS codes, please refer to the *SPS Handbook* and any supplements or contact the RPA (see Appendix 2 for details). For details of how the cross compliance rules apply to ELS, see Section 5.5.1.

#### 5.4.15 Can you use land to apply for ELS that someone else is using to apply for SPS?

In certain limited situations land may be included in an ELS agreement by one person and that same land used to claim SPS by someone else at the same time. This is known as 'dual use'.

The ELS agreement applicant has to be able to meet the ELS eligibility rules, including having management control of the land, whilst at the same time the SPS claimant must be able to demonstrate having the same land 'at their disposal' under the SPS rules. For example, a landlord may be able to have management control of the land for ELS purposes whilst the tenant has the same land at his disposal to claim SPS.

Where a tenant is eligible for, and holds an ELS agreement, a landlord would not be eligible for SPS. This is because they would not be able to demonstrate that they have land at their disposal for SPS purposes.

The fact that you may have an agreement with another party who will use the land to apply for payment does not mean that you have the land at your disposal. It is the rights and responsibilities you have in relation to the land, and how they operate in practice, which determine this.

If you are entering land into an ELS agreement on the same land that another farmer or land manager is using to claim SPS, you must have a written record which shows the rights and responsibilities you each have for the land. This written record should set out how you have management control for ELS and how the other party meets the SPS scheme rules, including having the land at their disposal. This must include evidence that you have given a copy of your ELS scheme agreement conditions to the other party and that they have been required to meet them (unless you can show that you are carrying out the required activities yourself). This written record could be a tenancy agreement, a letter or both, containing the required information, which must be signed and dated by both parties in advance of the SPS application deadline (usually 15th May). We may ask to see a copy of this as part of our checks. You may want to get independent professional advice relating to your circumstances, especially if you previously had a verbal agreement with the other party.

For further details, please refer to the current *Single Payment Scheme (SPS) Handbook* (including any supplements), details in Appendix 2.

#### 5.4.16 Sites of Special Scientific Interest (SSSIs)

ELS management must not conflict with the management requirements of any SSSI land included in your agreement. As the relevant authority for the management of SSSIs, Natural England will consider whether to permit any management options proposed on an SSSI before issuing an ELS agreement.



When giving such permission, it may be necessary for Natural England to amend an ELS application to ensure it is consistent with the SSSI management requirements, to protect the site from deterioration or to avoid hindering its recovery. This will be achieved either by adding or removing options from the SSSI land area, or by adding conditions to the standard option prescriptions. Where this is necessary, Natural England will discuss it with you first.

Permission for management activities on SSSI land granted as part of an ELS agreement are limited to the duration of that agreement and do not transfer from one land manager to another. For additional detail please refer to the *Uplands ELS/SSSI conditions and requirements* leaflet, available from Natural England (see Appendix 1 for contact details).

Please note also the specific requirements about derogations on SSSI land at Section 5.6.6.

This procedure will also apply to any Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) included in an ELS application.

#### 5.4.17 Tenancy conditions

ELS and Uplands ELS options cannot be used for management that a tenant or landlord is required to carry out as an obligation of a legal undertaking, including a tenancy agreement. ELS and Uplands ELS options can be placed on features (for example, buildings or walls) already covered by a tenancy agreement provided the work undertaken for the option is over and above that required by the existing obligation.

#### 5.4.18 Uplands Transitional Payment (UTP)

UTP is claimed by whoever previously claimed Hill Farm Allowance on that holding. That can be the landlord, tenant, or grazier on a holding; this is not always the CSS or ESA agreement holder.

**If anyone has received payment for UTP on this land**, the payment covers the full calendar year in which it was made, or the period up to the end of the last qualifying ESA and/or CSS agreement, whichever is the sooner.

Uplands ELS and UTP cannot be claimed on the same land at the same time. If you enter land into Uplands ELS where UTP has been claimed, or already paid, it will reduce the amount of UTP payable on that land.

If **you** enter **any** parcel of land into Uplands ELS, the **rest of your land** (or the land you manage) becomes ineligible for **you** to claim UTP. No one else can claim UTP on a parcel where you are receiving Uplands ELS.

**If you claim UTP and enter Uplands ELS before your UTP** has been made, the RPA will calculate the proportion of UTP you are eligible for and pay the reduced amount.

**If you have claimed UTP and enter Uplands ELS after UTP has been paid**, the RPA will ask you to repay the difference between the amount you were paid and the amount to which you are now entitled.

**If another person claims the UTP and you enter Uplands ELS before UTP has been paid**, the RPA will recalculate their eligible payment and pay the reduced amount.

**If another person claims the UTP and you enter Uplands ELS after UTP has been paid**, the RPA will ask the UTP claimant to repay the difference between the amount they were paid and the amount to which they are now entitled.

#### UTP and ELS (without Uplands ELS)

Land on which you are claiming UTP is eligible to count towards your ELS points target and you may put ELS options on UTP land.

The *Uplands Transitional Payment 2012 to 2014* booklet contains more information concerning the periods covered by the UTP and is available from the RPA's Customer Service Centre by telephoning 0845 603 7777.

**Please refer to Section 5.4.4 for further details about early transfer from CSS or ESA agreements and part farm entry into Uplands ELS.**

### 5.4.19 Woodland schemes

Woodlands under Farm Woodland Premium Scheme, Farm Woodland Scheme, Woodland Grant Scheme and the English Woodland Grant Scheme agreements can count towards your eligible land area. However, ELS options may not be co-located with any land, including open space, funded under those schemes.

The exceptions are the Uplands ELS compulsory requirements (UX1-UX3). For more details about these options, please see Section 3. Where a hedge or ditch forms the boundary between land under a woodland scheme and land under ELS, then single-sided boundary options can be used.

## 5.5 What additional requirements will apply to your agreement?

### 5.5.1 Cross compliance

The term 'cross compliance' refers to the requirement for farmers to comply with a set of Statutory Management Requirements (SMRs) and to keep their land in Good Agricultural and Environmental Condition (GAEC) as a condition of claiming EU land-based grants and subsidies. SMRs are a baseline to Stewardship scheme options and failure to observe the rules could result in reduction or loss of scheme payments depending on the severity of the breach.

The cross compliance rules apply to Environmental Stewardship agreements, whether or not you are also claiming under the Single Payment Scheme (SPS). Therefore, when joining the scheme, you will be agreeing to:

- maintain your land in Good Agricultural and Environmental Condition (GAEC) by meeting a range of standards that relate to the protection of soils, habitats and landscape features and water; and
- meet a range of Statutory Management Requirements (SMRs) covering the environment, public and plant health, animal health and welfare, and livestock identification and tracing.

You must comply with cross compliance requirements across all of the agricultural land that you farm, including land on your SPS claim form (whether it is claimed or not) and common land over which you exercise or hold rights of common.

A proportion of agreement holders will be inspected each year to check that they meet the cross compliance standards and requirements. If any non-compliance is found, it will normally be necessary to reduce your payments, depending on the seriousness of the non-compliance. Cross compliance applies to a number of schemes (including Environmental Stewardship and the SPS); any reductions due as a result of non-compliance will therefore be applied to all area payments due under each of the schemes for which you have submitted a claim.

Full details about cross compliance can be found in the latest version of *The Guide to Cross Compliance in England* and the associated publication *Guidance for Cross Compliance in England: Management of Habitats and Landscape Features*. Copies of these are available on the RPA website, details in Appendix 2. Further information and advice about cross compliance can be obtained from Defra's Farming Advice Service, details in Appendix 2.

For details of how ELS boundary management options and buffer strip options fit with cross compliance boundary protection zones, please see the relevant option details in Section 3.

### 5.5.2 Avoidance of under-utilisation and overgrazing

As a condition of your ELS agreement, you will be required to avoid under-utilisation and overgrazing on the whole of your farmed area. You must distribute stock across your farm to ensure this is the case.

Under-utilisation means where annual growth is not being fully utilised, or where scrub or coarse vegetation is becoming evident, and this is detrimental to the environmental interests of the site.

Overgrazing means grazing land with so many livestock that the growth, quality or diversity of vegetation is adversely affected, and this is detrimental to the environmental interests of the site.

We will investigate cases of suspected under-utilisation and overgrazing. You will be in breach of your agreement if you fail to follow subsequent professional advice.

### 5.5.3 Public Rights of Way

As a condition of joining the scheme, you must maintain existing public rights of way on your land and abide by the relevant legislation. Further information on public rights of way, including the duties of landowners and occupiers of land, can be found at [www.naturalengland.org.uk](http://www.naturalengland.org.uk) (see Appendix 2 for the full web address).

### 5.5.4 Protection of historic features

Your annotated Farm Environment Record (FER) includes information supplied by us on the Environmental Information Map (see Section 4.1.4 for more details). The FER will show the location of some of the historic features (including archaeological features and TFBs) on your land. For any of these features, and for any additional features of which you are subsequently advised in writing by us, you must not:

- cause ground disturbance, including poaching by livestock, on known archaeological features or areas of historic interest under grassland;
- sub-soil or de-stone on areas containing known archaeological features, unless these operations have been demonstrably undertaken as a routine in the past five years;
- deliberately plough more deeply or undertake additional groundworks or drainage on those areas already under cultivation that contain known archaeological feature;
- run free-range pigs on archaeological features;
- remove any useable building stone, walling stone or traditional roofing material off the land, excluding materials produced from established quarries; or
- damage, demolish or remove building material from substantially complete ruined TFBs or parcel boundaries.

### 5.5.5 Archaeological fieldwork and metal detecting on your land

With certain exceptions (see below) metal detecting is allowed on land within an ELS agreement, provided that it is undertaken in accordance with best practice laid down in the current Code of Practice for Responsible Metal Detecting in England and Wales and that you agree that all finds are reported to the Portable Antiquities Scheme. For details of this code, please see [www.finds.org.uk](http://www.finds.org.uk).

Metal detecting is **not** allowed on Scheduled Monuments, SSSIs and known archaeological sites under grassland. By 'known archaeological sites', we mean archaeological sites identified in your FER and any additional sites of which you are subsequently advised in writing by us.

You must also ensure that the metal detecting does not conflict with the requirements of your ELS agreement, ie where the proposed detecting will affect your ability to meet any option prescriptions. In such a case, you will need a derogation. Section 5.6.6 explains how to apply for a derogation.

As part of your ELS agreement, we require you to protect and retain archaeological sites and other environmental features (ie the features identified in your FER) over the entire area under agreement. You must ensure that no damage is caused to these features, and any additional features of which you are subsequently advised in writing by us, wherever metal detecting takes place.

Damage to archaeological sites is taken to mean disturbance of previously undisturbed deposits in and on archaeological sites and monuments, and any removal, loss and/or disruption of standing masonry or other upstanding structural material. If you are in any doubt about whether any operations will damage environmental features, please contact us.

You must inform us of large-scale metal-detecting events, including metal-detecting rallies, on any ELS agreement land at least 12 weeks before the event. You should provide all available details including the date, location, a map showing the parcels to be searched (marked with any areas excluded), and the expected number of participants. We will provide you with advice to ensure that the event does not conflict with the requirements and objectives of the ELS agreement.

On Scheduled Monuments, you must obtain a licence from English Heritage before metal detecting can take place. Detecting without such a licence is a criminal offence.

On SSSIs, where actions resulting from metal detecting (eg digging or vegetation disturbance) are listed as 'operations likely to damage the special interest' of the SSSI, you must give written notice to us of these operations. Detecting can only proceed with written consent.



You need to apply for a derogation for any proposed fieldwork (such as test-pitting or excavation) that would cause, or is expected to cause, ground disturbance or damage (see above) to any known archaeological sites. Section 5.6.6 explains how to apply for a derogation.

In addition, any archaeological fieldwork (including the use of ground penetrating radar or remote sensing) on Scheduled Monuments requires written consent from English Heritage before fieldwork can commence. You must obtain written consent from us for any archaeological fieldwork (including the use of ground-penetrating radar or remote sensing) on SSSIs before fieldwork can commence.

### 5.5.6 Other activities on your land

Subject to any other existing restrictions, country pursuits such as shooting, hunting and fishing are allowed, provided they are compatible with your agreement. You should make sure that any activities, and the exercise of other rights, will not conflict with the delivery of the required management of the scheme options.

### 5.5.7 Inspecting and monitoring your agreement

Authorised Defra staff or their agents may visit you to inspect your land during the course of your agreement. The RPA will visit a percentage of agreements every year to assess compliance with the scheme requirements. EU regulations require that, in many cases, there will be no warning of an inspection. You must give inspecting officers access at any reasonable time and you may be asked to accompany them to help identify work and discuss the requirements of your agreement. Deliberate failure to be available to accompany the officer will be treated as unacceptable and potentially as a breach of agreement. In addition, if you refuse an inspection, payment on your agreement will not be made.

Natural England and Defra monitor agreements to assess the environmental and economic impacts of the scheme. By applying to join the scheme, you are agreeing to co-operate with any scheme monitoring.

### 5.5.8 Agricultural Waste Regulations

You must abide by the Agricultural Waste Regulations. These regulations affect whether you can burn, bury or store your waste, use your waste on the farm or send it elsewhere. These regulations also control the spreading of ditch dredgings from farm ditches on agricultural land. You must hold an exemption to carry out this practice on your farm.

### 5.5.9 Plaques

EU regulations require that for certain types of agreement you display a plaque acknowledging the support provided under the RDPE. Where this is the case, Natural England will supply you with a suitable plaque.

### 5.5.10 Keep necessary records

You must retain all scheme documentation. Defra staff or their agents may ask to see them during inspections.

If an option requires you to:

- graze a field at a particular stocking density, or
- not increase your stocking above the existing level, or
- graze or exclude stock at specific times of the year,

you must be able to demonstrate compliance with the scheme requirements by keeping adequate records which identify the livestock type and stocking level on each parcel where the option is located.

You must also keep records of the location and timing of 'rotational options' and any specific records referred to in the management options in Section 3.

### 5.5.11 State Aid payments

State Aid payments are typically made under specific State Aid cover granted by the European Commission.

Most ELS payments have State Aid cover under the RDPE. However, some funds available through ELS are offered under non-agricultural de minimis State Aid rules.

The European rules require that any beneficiary (whether an individual, business or organisation) does not receive more than €200,000 of non-agricultural de minimis State Aid over any three fiscal years. This figure applies to all non-agricultural de minimis aid received from all sources during the three-year period.

In ELS and Uplands ELS, this applies to building maintenance options (ie ED1 and UD12).

### 5.5.12 Other funding

You must not accept any other European Union (EU) funding or enter into another agreement that applies to the agreement land or capital works covered by your ELS agreement without our written consent. EU regulations do not permit more than one source of EU funding for the same activity.

### 5.5.13 Publicity

For any publicity, events, information or interpretative material on or about agreement land, you must acknowledge the support of the Environmental Stewardship, as part of the RDPE.

### 5.5.14 Photographs

If you are required to supply photographs in support of your application, (because an option you have selected requires you to do so), each photograph must clearly show the feature to be managed. Ideally, the whole of the feature should be on one photograph, but where necessary you should use more, for instance, to show all sides of a TFB.

Each photograph must display the date on which it was taken and must be clearly numbered. The photographs should be cross-referenced with a map showing the position the photographs were taken from, the number of the photograph and an arrow indicating the direction of the shot. You can submit the photographs in either digital format (on a CD) or as colour prints (at least 6"x4").

## 5.6 Making changes to your agreement

### 5.6.1 Can you make changes to your agreement?

You should be able to carry out the options and management under your agreement without difficulty. However, should an exceptional situation arise where you need to change the choice or location of your management options, subject to our approval, we can amend your agreement.

Continuity of management is important during your agreement if we are to achieve the environmental benefits sought. We will therefore only agree to changes that are absolutely necessary.

If you wish to improve the environmental performance of your existing ELS agreement by amending your option selection you can do so without impacting on your ability to make further changes to your agreement in the future. However, this type of change will only be permitted if the following criteria are met:

- **The change should reduce the presence of low-priority options in the agreement (see below).** The ELS points released by the removal of low-priority options should be replaced by the addition of an equivalent value of high-priority options. Requests that seek to maintain the existing (or increase) the presence of low-priority options will be rejected.
- **Your ELS agreement should have at least two years left before it expires.** This will allow time for the new options to establish and have a positive impact on the environment.
- **Additional options must be taken from the same version of the handbook that was used when the agreement was drawn up.** For example, agreements drawn up under this version of the handbook (version 4) cannot contain options taken from version 2 or 3 of the scheme handbook.
- **All other eligible criteria must continue to be met – including the 30 points/ha target.**

Input from a Natural England funded adviser is recommended, but not essential. To request a free on-farm visit, call 0300 060 1695.

**Table 10 Low-priority options that must be reduced in the agreement as a result of the change**

Option	Option description
EB1	Hedgerow management (on both sides of hedge)
EB2	Hedgerow management (on one side of hedge)
EB4	Stone-faced hedge bank management on both sides
EB5	Stone-faced hedge bank management on one side
EB8	Combined hedge and ditch management (incorporating EB1)
EB9	Combined hedge and ditch management (incorporating EB2)
EB12	Earth bank management (on both sides)
EB13	Earth bank management (on one side)
EC1	Protection of in-field trees (arable)
EE1	2m buffer strips on cultivated land
EE2	4m buffer strips on cultivated land
EE3	6m buffer strips on cultivated land
EE4	2m buffer strips on intensive grassland
EE5	4m buffer strips on intensive grassland
EK5	Mixed stocking
EL2	Permanent in-bye grassland with low inputs: SDA land

You must tell us about any proposed amendments and we must agree to them before you make any changes to your options. We will send you a Land Transfer and Amendment request form (ERDP/LTA<sub>1</sub>), to complete and return. Your amendment will not be valid until you have received a letter from us agreeing to the amendment and advising you of the date from which it will take effect. If your request is successful, we will provide you with confirmation within three months of receipt of a valid request form. You may also need to contact the RPA to notify them of changes to your holding.

We do not expect to amend an agreement more than once during its five-year term unless it is to achieve environmental benefits, as detailed above.

### 5.6.2 What if you let, sell or transfer your land to another party?

Please notify us as early as possible in advance of any change in occupancy or ownership (including sale, transfer, inheritance or lease) of all or any part of your agreement land. If you do not notify us in advance (to include your confirmation in writing for a whole farm transfer or the return of your Land Transfer and Amendment form [LTA<sub>1</sub>] for a part farm transfer) we may not be able to process your transfer to the dates specified in Section 5.6.4.

If advance notification is not possible, you must inform us (to include your confirmation in writing for a whole farm transfer or the return of your Land Transfer and Amendment form [LTA<sub>1</sub>] for a part farm transfer) within three months of the land being transferred. If you do not, you will be in breach of your agreement and you will have to repay the grant you have received, unless force majeure or other exceptional circumstances apply (see Section 5.6.9).

You must tell the prospective owner or occupier about your agreement with us, before you transfer any existing agreement land. If the new owner or occupier does not continue with the agreement on the transferred land, and/or we do not receive their new application within four months of the actual date of transfer, you (not the new owner or occupier) will be in breach of your agreement and you will have to repay all or a part of the grant you have received.

If you transfer **all** of your agreement land, you must contact us in writing no later than three months after the commencement date of lease, the completion date of sale or the actual date of transfer to confirm the transfer,



identifying the new owner or occupier. In these circumstances, your whole agreement must be transferred to the new owner or occupier and either continue to its original expiry date or be restarted as a new agreement, otherwise we will be required to recover all payments made to you.

If you transfer **part** of your agreement land, you should contact us for a Land Transfer and Amendment request form (ERDP/LTA1). You then need to complete and return the form no later than three months after the commencement date of lease, the completion date of sale or the actual date of transfer, to amend your agreement.

We will expect you to continue with your existing options on the land that you have retained in your amended agreement. Where necessary, you may need to add further options to meet your revised points target. The amended agreement will run for the remaining term of the original agreement. Alternatively, you may choose to start a new agreement (including any other eligible land that you have), provided that you meet the scheme rules at that time.

If, following a partial transfer, your remaining land no longer meet the ELS entry criteria (for example, if you do not add sufficient options to meet your revised points target), the agreement may need to be closed early. In this case, unless force majeure or other exceptional circumstances apply (see Section 5.6.9), you will be in breach of your agreement, and you are likely to have to repay all or a part of the grant you have received.

### 5.6.3 What if you acquire land?

If you acquire additional land, it will be in your interests to notify Natural England of the acquisition, to avoid a delay or break in payment. If you acquire land from another ES customer, you need to submit your application within four months if you are remaining in ELS or upgrading to OELS, or six months if you are upgrading to HLS. Where the acquired land is already under an Environmental Stewardship agreement and does not remain at the same or higher level of management, the original agreement holder will be in breach of their agreement.

One of the following options will be available, depending on your proposed level of management for the acquired land. For example, on acquisition of new land, you may wish to upgrade your agreement from ELS to ELS/HLS. A Natural England adviser can discuss the individual circumstances with you and propose the best solution for your needs:

- Option 1 – You can set up a new agreement to include all your eligible land, including the new land and any existing agreements that you may have, subject to Natural England's approval. You will have to meet the eligibility and entry conditions at the time the new agreement is set up.
- Option 2 – You can take over the agreement on the acquired land for its remaining term. This would be a separate agreement from any pre-existing ES agreement that you may have. Where you take on land forming a part, but not the whole, of an existing ES agreement, you may need to add new options to the land to meet the points target.
- Option 3 – You can apply for a separate agreement on the new land, and, if applicable, wait until your first existing agreement expires and consolidate all your eligible land into one new agreement at that time.
- Option 4 – If the acquired land will be managed in the same scheme as your existing agreement, you can either amend or continue your existing agreement to add the land as follows:
  - amend your existing agreement for its remaining term and keep the same agreement number. The option can only be used if your transfer date aligns with the partial or end of year payment date applicable to your agreement (and/or the payment date applicable to another agreement holder's agreement where you have acquired only part of their land); **or**
  - continue with your existing agreement for its remaining term, but with a new agreement number.

This is subject to the following conditions:

- Land cannot be added to an agreement during the final two years of that agreement.
- The land to be added must be no more than 50 per cent of the size of the original agreement (for example, if you have an agreement of 100 ha, you may add up to 50 ha).
- For acquired land already under agreement, the land to be added must have the same, or earlier, agreement start date as your existing agreement (ie if your agreement starts on 1 February 2010, you can only add land that entered Environmental Stewardship on or before 1 February 2010). This is to ensure that the normal five years management is achieved. The entry criteria for both agreements must also be the same.

#### 5.6.4 When will agreement transfers take effect?

Subject to receiving advance notification of the transfer of ownership, we will carry out transfers on the dates specified below. If we don't receive advance notification, these dates may not apply and the transfer may be delayed until the next available monthly date following the notification, or an alternative agreed with your adviser.

We can only carry out transfers on the first of a month. Transfers of land into an existing agreement will be applied on the first of the month following the actual date of sale, lease or transfer. Where the transferred land is coming from another agreement, it will be transferred out of that agreement on the last day of the previous month. For example, if the actual date of sale, lease or transfer is 15 March, we will start the new or amended agreement on 1 April, and, where applicable, transfer the land out of the original agreement on 31 March.

For transfer of land between parties, where the actual transfer date does not align with the date on which we effect the transfer of the agreement, it will be the responsibility of the parties involved to apportion any payments for this period. The transferor (that is, the party disposing of their interest in the land) will also remain responsible for the agreement and will be liable if there is a breach of agreement until such time as we have effected the agreement transfer. We recommend that the parties' respective obligations or liabilities to each other in these circumstances are built into the relevant contract of sale or the lease agreement.

These dates apply except:

- Where you are **amending** your agreement in order to add the land and the transfer in date is restricted to the agreement's payment dates (see Section 5.6.3). In these cases, we will start the amended agreement on the next payment date, and any land coming from another agreement will be transferred out on the last day of the month preceding the payment date.
- Where one or more of the following apply:
  - where notification of the transfer is received more than three months after the date of transfer (see Section 5.6.2);
  - where the new agreement holder's application is not received within the four-month deadline (see Section 5.6.2);
  - where the written confirmation and/or Land Transfer and Amendment form(s) (LTA1) are not returned to Natural England by one or all parties involved in the transfer until after the date of transfer (see Section 5.6.2) **and** the circumstances of the transfer require a new or restarted agreement to be set up or include an additional requirement, eg to upgrade an agreement to Uplands ELS or bring in non-agreement land at the same time as bringing in the transferred land;
  - where a transfer is being made between different schemes;
  - where transferred land is not continued at the same level of management by the new agreement holder.

In these cases, we will advise you of the dates depending on the circumstances of the transfer.

#### 5.6.5 What if you want to upgrade your agreement?

If you wish to upgrade your agreement, for example, from ELS to ELS/HLS, from ELS to OELS or from ELS to Uplands ELS, you should contact us first to discuss your plans.

#### 5.6.6 Derogations

You need to notify us when you want to make a minor and temporary change from the agreed management prescriptions. Examples include permission to control serious weed infestations using herbicides; a relaxation from a time-based prescription; permission to alter cutting or cultivation prescriptions due to practical problems; or to allow metal detecting on known archaeological features on permanent grassland.

The derogation notice form (NE-DN) is available on request from us, and can also be downloaded from our website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk). You must complete this form and return it to us. You need to:

- tell us why the derogation is needed;
- state the exact proposed course of action (including precise location details, choice of pesticide and application rate, where relevant);
- provide confirmation that the situation was unforeseen and that other solutions that are within the allowed management prescriptions have been considered; and

- provide a countersignature by a third party to confirm that the request is reasonable, will not compromise the objectives of the agreement and is the most appropriate response in the situation concerned. The counter-signatory must be independent from the agreement holder and trained in environmental management. This could be a private agronomist or one employed by a conservation organisation.

You must inform us about your proposed derogation before you make any changes to your management.

You may go ahead with the proposed changes to management as soon as you have returned the derogation notice form to us. The exceptions to this are:

- where the proposed derogation would affect a Site of Special Scientific Interest (SSSI), in which case you will need to receive consent from us before carrying out the operation; and
- where a derogation is required for an activity that would affect an archaeological site, in which case we may request additional information, including the proposed methodology and research aims of any planned activity and we may consult with local authority archaeologists and, where relevant, English Heritage. The work may not go ahead until you have received written approval from us.

As a guide, we would not expect to see more than three derogations during the course of a five-year agreement.

We will keep the derogation notice form and all details, including those of the countersigning adviser, will be checked during any compliance inspection.

### ***Derogations to use pesticides***

When the derogation involves the use of pesticides on conventional land, it must be countersigned by a suitably qualified BASIS (British Agrochemical Standards Inspection Scheme) agronomist, who is independent and trained in environmental management.

### **5.6.7 Variation of your agreement by us**

Very rarely, it may be necessary for us to vary your agreement in line with changes to European law and in other exceptional circumstances. In applying for the scheme, you are accepting that such changes may be made at any time. We make such changes available on our website in a **List of Changes** document. Where the changes are significant in affecting the land management required or affect financial aspects of the agreement, we will give you notice of this by writing to you.

During 2014 we will be moving into the next Rural Development Programme and we may have to adjust any ELS agreement (including Uplands ELS) that starts from 1st January 2012. If the changes we have to make to your agreement as a result of the new Rural Development Programme are unacceptable you can terminate your agreement without penalty.

### **5.6.8 Certainty of payment**

The European Commission are reviewing the continuation of, and provision for, agreements that run beyond 2015 in the context of the current CAP reform negotiations. Natural England does not have legal authority to make payment commitments beyond 2015, but there is a clear precedent in the current programme (RDPE 2007–2013) for continuing to make payments on agreements carried over from the previous programming period.

### **5.6.9 Exceptional circumstances (force majeure)**

Where you are unable to continue with any part or all of the agreement, due to circumstances beyond your control that could not have been avoided by reasonable action, we have discretion not to take action to recover or withhold payments.

The EU Commission Regulations, governing the administration of ELS, require that for force majeure to be taken into account, you must have notified us of the force majeure event in writing within 10 working days of you, or your representative, being in a position to do so. Where you are not in a position to notify us immediately after the force majeure event, you will need to state the date on which you were first in a position to notify us and explain the delay.



Please note that force majeure covers only the most exceptional circumstances, such as:

- death of the agreement holder;
- long-term professional incapacity of the agreement holder;
- expropriation by a government agency of a large part of the land, where this could not have been anticipated when the agreement was signed;
- severe natural disaster gravely affecting the land, including exceptional flooding;
- accidental destruction of livestock buildings on the land; and
- an epizootic disease (such as Foot and Mouth disease) affecting part or all of the agreement holder's livestock.

Circumstances that are **not** force majeure include:

- if a water company has already given notice that it will be putting a pipeline over your land during the proposed lifetime of the agreement;
- if you are selling the land as part of a long-term plan to retire from farming;
- where you cease to have management control as a result of the changing circumstances of your landlord (eg their death, incapacity, their decision to sell the land and/or terminate your tenancy); and
- flooding of low-lying farmland that is regularly flooded during predictable weather conditions.

## 5.7 What happens if you fail to keep to the terms of your agreement, have a dispute or wish to make a complaint?

### 5.7.1 What is a breach of agreement?

You will be in breach of your agreement if you:

- fail to comply with any agreement conditions; or
- are in breach of any requirement which you are subject to under Council Regulation 1698/2005, Commission Regulations 1974/2006 or 65/2011, the Rural Development (Enforcement) (England) Regulations 2007 or any other relevant European or United Kingdom legislation; or
- make any false or misleading statements in your application or in any other correspondence relating to your agreement.

This is the case whether it is you or somebody else who causes a breach. It is your responsibility to ensure that all agreement conditions are fulfilled, and that all information in your application and other correspondence is accurate.

### 5.7.2 What penalties could be applied?

If you breach your agreement, you may be liable to one or more of the following penalties, depending on the circumstances of the breach, in addition to reducing your payment to what you should actually be due based on the findings:

- we may withhold part or all of any future payments due under your agreement;
- we may recover (with interest charged) part or all of the payments already made to you under the agreement;
- we may terminate your agreement;
- we may apply any penalties set out in the relevant EU legislation; or
- we may prohibit you from entering into a new agreement under this scheme or any other EU agri-environment scheme for up to two years.

When penalties are imposed, we will give you a written explanation of the reasons for the proposed steps and an opportunity to make any written representations.

When we seek to recover payments already made to you, interest will continue to accrue from the date of our notification of the breach to you, to the time of reimbursement of the payments from you to us, including during any period when the penalty is being appealed or otherwise under review.

In all cases, any penalties applied will be proportionate to the severity, extent and permanence of the breach.

Penalties will not be applied where we have agreed with you in writing that exceptional circumstances have occurred in relation to any breach (see Section 5.6.9).

The legislation which governs enforcement of breaches of your agreement is the Rural Development (Enforcement) (England) Regulations 2007 and Commission Regulation (EU) No 65/2011.

Penalties will be applied to the following types of breaches, although we retain discretion to apply penalties in any circumstance specified in Section 5.7.1:

1. Where the total area of eligible land you have declared, or the points you are claiming for a particular option in a specific location, are found to be incorrect or the option is not in that location (for example, a length of hedgerow on the boundary of one field is too short or is not there at all).
2. Where the management requirements for an option are not being followed (for example, where a hedgerow has been entered into a hedgerow management option that only permits cutting every other year, but has subsequently been cut annually).
3. Where your FER features have been removed or damaged.
4. Where the rules of cross compliance are not being followed.
5. Other breaches of the additional requirements set out in Section 5.5.
6. Failure to notify us that you have let, sold or transferred some or all of your agreement land to another party or that you no longer have management control of the land (see Section 5.6.2).
7. Where cross-checks identify that the options you have selected are incompatible with or duplicative of options or management declared under other schemes (such as Single Payment Scheme, CSS, ESA or Forestry schemes).

With respect to any category of breach referred to in this handbook, where a breach is determined by us to be the result of serious negligence on your part you can, in addition to any other penalty, be excluded from all agri-environment measures for the calendar year in question. Where your breach is determined by us to be reckless or intentional, you can be excluded for the following year as well (ie two years in total) and you may also be required to pay an additional penalty of up to 10 per cent of the payment made or payable to you.

### ***Points claimed cannot be found or management requirements are not being followed***

Where checks reveal that:

- there is a discrepancy between what you are claiming for a particular option in a particular location and the actual length/area/number on the ground; or
- you have not followed the management requirements for a particular option, the points relating to that discrepancy will be deducted from your total points.

This shortfall can be offset against any surplus points from other additional options on land receiving the same area payment where they are identified by the inspector and where you already have that option on your land (ie £30/ha or £8/ha in ELS or £62/ha or £23/ha in Uplands ELS).

Where the deductions relating to a shortfall reduces your ELS total points below your threshold points, your annual payment **for all years where the discrepancy applies** will be reduced and penalties applied on a sliding scale, as follows.

**Table 11 Penalties for difference between target points claimed and points found**

Difference between target points and points found (as a percentage of points found)	Sanction	Example Agreement covers 30ha all paid at £30/ha. Points Target = 900 points Annual Payment = £900
Points found are less than your points target, but the difference is not more than 3%	We will reduce (or recover) payment, based on the points found. No additional penalty.	Actual points found = 880 Payment = £880
The difference is more than 3%, but not more than 20%	We will reduce (or recover) payment, based on the points found. An additional penalty of twice the difference will be applied.	Actual points found = 800 Payment = $800 - 2 \times (900 - 800)$ = £600 (Reduction of £100, plus penalty of £200.)
Difference is more than 20%, but not more than 50%	We will reduce (or recover) payment, based on the points found. In addition the whole of the remainder of the payment will be deducted as a penalty. Effectively all payment for the whole agreement concerned is withheld (or recovered) for the year(s) concerned.	Actual points found = 700 Payment = £0  (Reduction of £200, plus penalty of £700.)
Difference is more than 50%	All payment for the whole agreement concerned is withheld (or recovered) for the year(s) concerned (as above), plus an amount equal to the difference will be deducted from the following year(s) payment(s)	Actual points found = 400 Payment = £0 Deduction from following year payment = $900 - 400 = £500$  (Reduction of £500 and penalty of £400 for current and previous years. Additional penalty of £500 in following year.)

**Damage or removal of FER features**

If you damage or remove any of your FER features, we will reduce your annual payment. Any penalty will be proportionate to the severity, extent and permanence of the breach, and whether it is repeated. We will take into consideration the control you had over the damage or removal; for instance where this might have been wholly or partly due to the action of a third party.

**Breaches of cross compliance**

We will deal with breaches of cross compliance in proportion to the extent, severity and permanence of the breach, and whether it is the first time such a breach has occurred. Please contact the RPA (see [rpa.defra.gov.uk/rpa/index.nsf/home](http://rpa.defra.gov.uk/rpa/index.nsf/home)) for more detail on cross compliance reductions.

**5.7.3 What do you do if you receive an overpayment?**

It is your responsibility to check that payments you receive are in accordance with the details set out in your agreement. If you are paid more than you are entitled to under your agreement, you will be liable to reimburse the amount overpaid. You may also be liable to pay interest on that amount covering the period between the date we notify you of the overpayment and reimbursement. We will write to you explaining how the sum has been calculated and how the overpayment must be repaid.

**5.7.4 What if you disagree with any of our decisions or proposed actions regarding your application or agreement?**

If you are unhappy with the decisions that we have taken in respect of your application or agreement, you should write to the Customer Service Team manager at your Natural England office, who will ensure that your case is properly investigated and advise you of the procedure to be followed.



Where the issue cannot be resolved within the team that originally handled your case, the Customer Service Team manager will ask a senior manager, who has not been involved in your agreement, to review your case. The adviser will consider any points you have raised and report to the Customer Service Team manager with their view on the steps proposed to resolve the dispute.

If you remain dissatisfied with the decision of the senior manager, you can have the matter referred to an independent person or body, nominated by us, for further consideration.

### 5.7.5 How do you make a complaint?

If you are unhappy about the way a member of staff has dealt with you, or with the level of service you have received, you are very welcome to use our complaints procedure, details of which are available below, or via our website: [www.naturalengland.org.uk](http://www.naturalengland.org.uk).

#### **Our complaints procedure:**

- **Step 1:** Contact the Customer Service Team using the online **Feedback** facility at: [www.naturalengland.org.uk/feedback/default.aspx](http://www.naturalengland.org.uk/feedback/default.aspx) or email them at [customer.feedback@naturalengland.org.uk](mailto:customer.feedback@naturalengland.org.uk). They will respond to you.
- **Step 2:** If you are not satisfied with our initial reply, please email the Customer Service Team again and they will escalate the complaint to the appropriate Team Manager.
- **Step 3:** If you are still not satisfied with the outcome, please email the team again and they will direct the complaint to the appropriate Director.

If you do not wish to use our online **Feedback** facility to register your complaint, you can:

- email the [Customer Service Team](#);
- contact the person who provided the service to you, by whatever method is most convenient; or
- contact the Customer Service Team at:

Natural England  
Mail Hub Block B, Whittington Road  
Worcester WR5 2LQ

#### **Our commitment to you**

We will investigate your complaint thoroughly and fairly.

If we are at fault, we will try to put things right as quickly as possible. If not, we will give you a full explanation.

If we cannot resolve your problem on the spot, we will acknowledge receipt of the complaint within five working days. The acknowledgement will say who is dealing with the complaint and when you can expect a reply.

We will then write and tell you the outcome of our investigation within 20 working days. Difficult complaints sometimes take longer to sort out. If so, we will keep you informed of what is happening.

From time to time we will follow up with you to check if the way in which we handled your complaint was appropriate. We appreciate you may not always be happy with the outcome but it is important for us to monitor how our processes are working.

#### **...and if you are still not satisfied**

If you still feel that we have not resolved the issue satisfactorily, you can ask any Member of Parliament to refer complaints about administrative actions by us to the:

Parliamentary and Health Service Ombudsman  
Address: Millbank Tower, Millbank, London SW1P 4QP  
Helpline: **0345 015 4033**  
Fax: **020 7217 4000**  
Email: [phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk)  
Website: [www.ombudsman.org.uk](http://www.ombudsman.org.uk)





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# Appendix 1

## Contact details

### Natural England offices

Natural England offices are open from 8.30 am to 5.00 pm Monday to Friday, excluding bank holidays. Please have your application or agreement details to hand when contacting us.

Please note that all requests for OELS and combined OELS/HLS application packs should be directed to the Crewe office (North West region).

#### East of England

Bedfordshire  
Cambridgeshire  
Essex  
Hertfordshire  
Norfolk  
Suffolk

Natural England  
Customer Services  
PO Box 247, Cambridge CB2 2WW  
Tel: 0300 060 0011\*  
Fax: 0300 060 1124  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

#### East Midlands

Derbyshire  
Leicestershire  
Lincolnshire  
Northamptonshire  
Nottinghamshire  
Rutland

Natural England  
Customer Services  
PO Box 10276, Nottingham NG2 9PD  
Tel: 0300 060 0011\*  
Fax: 0300 060 1121  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

#### North East

Durham  
Northumberland  
Tyne and Wear  
Former county of Cleveland

Natural England  
Customer Services  
PO Box 578, Newcastle upon Tyne NE15 8WW  
Tel: 0300 060 0011\*  
Fax: 0300 060 1127  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

#### North West

Cheshire  
Cumbria  
Greater Manchester  
Lancashire  
Merseyside

Natural England  
Customer Services  
PO Box 380, Crewe CW1 6YH  
Tel: 0300 060 0011\*  
Fax: 0300 060 1123  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

#### South East

Berkshire  
Buckinghamshire  
East Sussex  
West Sussex  
Greater London  
Hampshire  
Isle of Wight  
Kent  
Oxfordshire  
Surrey

Natural England  
Customer Services  
PO Box 2423, Reading RG1 6WY  
Tel: 0300 060 0011\*  
Fax: 0300 060 1122  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)



**South West**

Cornwall  
Devon  
Dorset  
Gloucestershire  
Somerset  
Wiltshire  
Former county of Avon

Natural England  
Customer Services  
PO Box 277, Bristol BS10 6WW  
Tel: 0300 060 0011\*  
Fax: 0300 060 1128  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

**West Midlands**

Herefordshire  
Shropshire  
Staffordshire  
Warwickshire  
West Midlands  
Worcestershire

Natural England  
Customer Services  
PO Box 530, Worcester WR5 2WZ  
Tel: 0300 060 0011\*  
Fax: 0300 060 1125  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

**Yorkshire and the Humber**

East Riding of Yorkshire  
North Yorkshire  
South Yorkshire  
West Yorkshire  
North Lincolnshire

Natural England  
Customer Services  
PO Box 798, Leeds LS1 9NA  
Tel: 0300 060 0011\*  
Fax: 0300 060 1126  
Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

**Please note:**

Calls to phone numbers marked \* above will be answered initially by an external switchboard service working on Natural England's behalf. They will then connect callers to Natural England staff who can deal with your enquiry.

In order to help the switchboard operator to direct your call accurately:

- please give the name of the specific person or team you wish to speak to, if you know this;
- otherwise, please give as much detail of the nature of your enquiry and the geographical area that it relates to, as possible.

# Appendix 2

## Useful web addresses

### Natural England application information:

Supplementary forms for Environmental Stewardship (agent authorisation, common land and shared grazing, derogation) can be found at:

[www.naturalengland.org.uk/ourwork/farming/funding/es/forms/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/es/forms/default.aspx)

For details of ELS online go to:

[www.naturalengland.org.uk/ourwork/farming/funding/es/els/online/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/funding/es/els/online/default.aspx)

Mapping software that may be helpful in measuring areas and lengths is available at:

[www.magic.gov.uk](http://www.magic.gov.uk)

### Other Natural England sources of information:

Details of ELS advice events can be obtained from:

[www.naturalengland.org.uk/ourwork/farming/landmanagementadvice/events/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/landmanagementadvice/events/default.aspx)

Advice about wildlife management and licensing is available at:

[www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx](http://www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx)

A guidance note on Environmental Stewardship for heritage properties designated under the Inheritance Tax Act 1984 (Natural England 2011) is available at:

[publications.naturalengland.org.uk/publication/35042](http://publications.naturalengland.org.uk/publication/35042)

Details of the Natural England complaints procedure can be found at:

[www.naturalengland.org.uk/about\\_us/contact\\_us/complaints.aspx](http://www.naturalengland.org.uk/about_us/contact_us/complaints.aspx)

Further information on Public Rights of Way, including the duties of landowners and occupiers of land, can be found at:

[www.naturalengland.org.uk/ourwork/enjoying/places/rightsofway/default.aspx](http://www.naturalengland.org.uk/ourwork/enjoying/places/rightsofway/default.aspx)

Advice on the management of hedgerows and hedgerow trees (including *The Hedgerow Management Cycle & Scale*) is available through the Natural England publications catalogue:

[publications.naturalengland.org.uk/publication/39004?category=9006](http://publications.naturalengland.org.uk/publication/39004?category=9006)

A wide range of information, including bird distribution maps can be found at:

[www.natureonthemap.org.uk](http://www.natureonthemap.org.uk)

The Heather and Grass Burning Code can be downloaded from:

[www.naturalengland.org.uk/ourwork/regulation/burning/default.aspx](http://www.naturalengland.org.uk/ourwork/regulation/burning/default.aspx)

Details about the Catchment Sensitive Farming programme can be found at:

[www.naturalengland.org.uk/ourwork/farming/csf/default.aspx](http://www.naturalengland.org.uk/ourwork/farming/csf/default.aspx)

### External sources of information:

Information about NDPBs and other public bodies can be found at:

[www.civilservice.gov.uk/about/resources/information-on-public-bodies](http://www.civilservice.gov.uk/about/resources/information-on-public-bodies)

Information on Felling licences including the booklet *Tree Felling – getting permission* is available at:

[www.forestry.gov.uk/forestry/INFD-6DFK86](http://www.forestry.gov.uk/forestry/INFD-6DFK86)

Code of Good Agricultural Practice can be found at:

[www.defra.gov.uk/publications/2011/06/16/pb13558-cogap](http://www.defra.gov.uk/publications/2011/06/16/pb13558-cogap)

Code of Practice for Responsible Metal Detecting in England and Wales can be found at:  
[finds.org.uk/getinvolved/guides/codeofpractice](https://finds.org.uk/getinvolved/guides/codeofpractice)

Information about archaeological features on your farm can be obtained from your local Historic Environment Record (HER) at:  
[www.heritagegateway.org.uk/Gateway/CHR](https://www.heritagegateway.org.uk/Gateway/CHR)

A leaflet entitled *Farming the Historic Landscape: Entry Level Stewardship* is available at:  
[www.helm.org.uk](https://www.helm.org.uk)

### **Rural Payment Agency's (RPA's) Customer Service Centre**

Customer Service Centre

Rural Payments Agency

PO Box 1058

Newcastle upon Tyne

NE99 4YQ

Tel: 0845 603 7777

Email: [csc@rpa.gsi.gov.uk](mailto:csc@rpa.gsi.gov.uk)

Full details about cross compliance can be found on the RPA website at:  
[www.rpa.gov.uk/crosscompliance](https://www.rpa.gov.uk/crosscompliance)

In addition, the Farming Advice Service provides advice on cross compliance and other subjects to help you improve the economic and environmental performance of your farm:  
[www.defra.gov.uk/farming-advice](https://www.defra.gov.uk/farming-advice)

*Single Payment Scheme Handbook* and supplements:  
[rpa.defra.gov.uk/rpa/index.nsf/home](https://rpa.defra.gov.uk/rpa/index.nsf/home)



# Appendix 3

## Guidance for calculating nitrogen content of fertilisers and manures

This section may help you to establish the appropriate application rates of fertilisers or manures applied under the low-input grassland and rush pasture options EK2, EK3, EK4, EL2, EL3, EL4.

### Fertilisers

The content of each nutrient in a fertiliser is given as a percentage. Therefore, 100 kg of a 20:10:10 NPK compound fertiliser will contain 20 kg of nitrogen, 10 kg of phosphate and 10 kg of potash.

The amount of fertiliser product to apply per ha is calculated as follows:

Rate of fertiliser product (kg/ha) = nutrient application rate (kg/ha) x 100 per cent nutrient in fertiliser

### Examples

- A 20:10:10 fertiliser is to be used to apply 50 kg/ha nitrogen, 25 kg/ha phosphate and 25 kg/ha potash. The required application rate of the fertiliser product is 250 kg/ha.
- A 34.5 per cent nitrogen fertiliser is to be used to apply 50 kg/ha nitrogen. The required application rate of the fertiliser product is 145 kg/ha.

### Manures

**Table 12 Typical total nitrogen content of livestock manures**

Manure type	Total nitrogen content	Application rate to supply 100 kg/ha total nitrogen
Cattle farmyard manure	6.0 kg/tonne	16 tonnes/ha
Pig farmyard manure	7.0 kg/tonne	14 tonnes/ha
Dairy cattle slurry (6% dry matter)	3.0 kg/m <sup>3</sup>	33 m <sup>3</sup> /ha
Beef cattle slurry (6% dry matter)	2.3 kg/m <sup>3</sup>	43 m <sup>3</sup> /ha
Pig slurry (4% dry matter)	4.0 kg/m <sup>3</sup>	25 m <sup>3</sup> /ha

These typical nitrogen contents are based on analyses of a large number of samples and are useful for general planning purposes. The nitrogen content of manures can be variable and analysis of individual samples will provide more reliable information. Dry matter content will affect the nitrogen content of slurries.

For full details on the nutrient content of manures, see *Fertiliser Recommendations for Agricultural and Horticultural Crops* (RB209, MAFF, seventh edition, 2000), available from the Defra website at [www.defra.gov.uk](http://www.defra.gov.uk) under 'Fertilisers' in the A–Z index.

### Conversion table for frequently used units of measurement

50 kg/ha = 40 units/acre

1 kg = 2 units (a 'unit' is 1 per cent of 1 hundredweight, or 1.12 lb)

# Appendix 4

**Table 13 Animal numbers converted into Livestock Units (LUs)**

Animal numbers are converted into Livestock Units as follows:	LUs
Dairy cow	1.0
Beef cow	1.0
Cattle over two years old	0.7
Cattle six months to two years old	0.6
Lowland ewe and lamb	0.12
Hill ewe and lamb	0.08
Ram and teg over six months old	0.15
Ewe follower and/or store lamb	0.08
Horse	1.0
Pony	0.8

These values are for medium-sized breeds. Large breeds will have approximately 20 per cent higher LU values and small breeds will be approximately 20 per cent lower, for each category.

Other grazing ruminants, such as deer or camelids, should be allocated an LU value in proportion to their liveweight, ie 60 kg animal approximately = 0.1 LU.

# Appendix 5

## List of recognised hardy native breeds of sheep

**Badger Face Welsh**

**Balwen**

**Beulah Speckled Face**

**Black Welsh Mountain**

**Border Leicester**

**Boreray**

**Castlemilk Moorit**

**Clun Forest**

**Cotswold**

**Derbyshire Gritstone**

**Devon and Cornwall**

**Longwool**

**Devon Closewool**

**Dorset Down**

**Dorset Horn**

**Exmoor Horn**

**Greyface Dartmoor**

**Hampshire Down**

**Hebridean**

**Herdwick**

**Hill Radnor**

**Jacob**

**Kerry Hill**

**Leicester Longwool**

**Lincoln Longwool**

**Llandoverly Whiteface Hill**

**Llanwenog**

**Lonk**

**Manx Loaghtan**

**Norfolk Horn**

**North Ronaldsay**

**Oxford Down**

**Portland**

**Romney**

**Ryeland (including Coloured)**



**Shetland**  
**Shetland (Island<sup>1</sup>)**  
**Shropshire**  
**Soay**  
**South Wales Mountain (Nelson type)**  
**Southdown**  
**Teeswater**  
**Welsh Hill Speckled Face**  
**Wensleydale**  
**Whiteface Dartmoor**  
**Whitefaced Woodland**  
**Wiltshire Horn**

<sup>1</sup> 'Island' means pedigree-registered animals listed as being part of the 'Island' population of that breed, usually in a separate 'closed' sub-register within the relevant breed society's herdbook.

# Appendix 6

## Glossary and list of abbreviations and acronyms

### Glossary

#### **Agreement land**

All land entered into a single Entry Level Stewardship agreement.

#### **Agri-environment schemes**

Schemes under EC Regulation 1698/2005 and Commission Regulations 1974/2006 and 65/2011 (as amended or as may be amended) that offer grants for measures to conserve and enhance the countryside.

#### **Arable land**

Land that has been in arable production, including temporary grassland and long-term set-aside, during the five years prior to the start of your agreement.

#### **Common land**

Land where management rights are vested in a number of individuals.

#### **Countryside and Rights of Way Act (CROW) 2000**

Strengthens the legislation on the protection of Sites of Special Scientific Interest (SSSI) (see below) and introduces new rights of access on foot to open countryside (mountain, moor, heath, downland) and commons.

#### **Derogation**

Agreed temporary relaxation from the specified prescriptions in an agreement.

#### **Easement**

A right enjoyed by one landowner over the land of another, for example a right of way.

#### **Environmental Impact Assessment Regulations**

The Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006.

#### **Environmental Information Map**

The map that Natural England will send to you, with your personalised application form, showing designations on your land such as SSSIs and Scheduled Monuments.

#### **Environmental Stewardship (ES)**

Replaced Environmentally Sensitive Areas and Countryside Stewardship Schemes from 2005. It has three elements – Entry Level Stewardship, Organic Entry Level Stewardship and Higher Level Stewardship. Uplands Entry Level Stewardship and Uplands Organic Entry Level Stewardship options offer a higher level of payment in return for environmental management of land within the Severely Disadvantaged Areas (SDAs).

#### **Farm Environment Record (FER)**

A simple record of the environmental features on your land, required as part of your agreement. As a condition of your agreement, you agree to retain the features identified.

#### **Field Data Sheet**

Annex 2 of the ELS application form, on which you have entered your ELS non-rotational in-field options.

#### **Force majeure**

A breach of your agreement caused by unforeseeable circumstances or events beyond your control which, in spite of the exercise of all due care, could not have been avoided except at the cost of excessive sacrifice.

**Grassland**

For the purposes of ELS, grassland is defined as land that is used to grow grasses or other herbaceous forage naturally or through cultivation and which has not been subject to cultivation for at least five years.

**Haylage**

Haylage is defined as preserved grass with a dry matter content of at least 60 per cent.

**Leaching**

The process by which percolating water removes nutrients from the soil.

**Less Favoured Area (LFA)**

An area where the natural characteristics (geology, altitude, climate etc) make farming difficult. LFAs are subdivided into Severely Disadvantaged Areas and Disadvantaged Areas.

**Livestock unit (LU)**

A measure of grazing pressure, allowing stocking rate comparison between livestock types. Grazing livestock units are calculated according to conversion factors, which vary according to the type of animal.

**Moorland Line**

The Moorland Line encloses land within England that has been defined as predominantly semi-natural upland vegetation, or predominantly of rock outcrops and semi-natural vegetation, used primarily for rough grazing. The Moorland Line encloses nearly 800,000 hectares (42 per cent) of Less Favoured Area land.

**Non-rotational options**

Management options that remain in the same place on your land for the duration of your agreement (for example, hedgerow management).

**Options Map**

The map on which you mark the management options you wish to enter into Entry Level Stewardship.

**Overgrazing**

Grazing of land which significantly reduces the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land.

**Poaching**

Damage to the sward caused by concentrations of livestock.

**Points target**

This is the number of points required for an Entry Level Stewardship application to be accepted and is based on the total area of agreement land (for example, outside of the Severely Disadvantaged Area (SDA) the points target = 30 x hectares of agreement land).

**Profit à prendre**

This gives the holder the right to take natural resources from the land of another.

**Rotational options**

Options which can be moved around your land during the course of your agreement, for example skylark plots, wild bird seed mix plots, conservation headlands.

**Rural Land Register (RLR)**

A database of land parcels and areas within England, managed by the Rural Payments Agency. For land to be eligible for Entry Level Stewardship, it must be registered on the Rural Land Register.

**Rural Payments Agency (RPA)**

An executive agency of Defra, responsible for the Common Agricultural Policy (CAP) payment functions, formerly delivered by Defra and the Intervention Board.



**Scheduled Monument**

Nationally important sites and monuments of historic interest that have been given legal protection by being placed on a list or 'schedule'. English Heritage takes the lead in identifying sites in England that should be placed on the schedule by the Secretary of State for Culture, Media and Sport.

**Scrub**

Any distinct area within a parcel (which may even amount to the entire parcel area) which is clearly capable of being grazed (ie is not too dense) is eligible for SPS, while any distinct area which is clearly incapable of being grazed (ie is too dense) should be excluded, even if such areas are adjoined. This will mean that, for example, within a grass parcel containing scrub (not thistle), those grass parts which do not have scrub growing on them are eligible for SPS, as are those parts where the scrub is short and animals can walk over them and graze on the scrub. Any area where the inspector is satisfied that animals cannot penetrate for grazing, should be deducted.

**Severely Disadvantaged Area (SDA)**

These are areas which are, in the opinion of the appropriate minister, inherently suitable for extensive livestock production but not for the production of crops in a quantity materially greater than that necessary to feed such livestock as are capable of being maintained on such land, and whose agricultural production is, in the opinion of the appropriate minister, severely restricted in its range by, or by a combination of soil, relief, aspect or climate, or situated in the Isles of Scilly. Severely Disadvantaged Areas form part of the Less Favoured Areas.

**Shared Grazing**

Shared grazing(s) are communal pasture where graziers have a legal entitlement to graze (for example, a pasture used jointly by tenants) but where the land is not registered as common land.

**Single Business Identifier (SBI)**

A unique reference number for beneficiaries of rural development schemes, including SPS, to identify the owners/occupiers of land and to aid the co-ordination of inspections, implementation of cross compliance, and declaration of total EU funding received by each beneficiary.

**Single Payment Scheme (SPS)**

A decoupled subsidy payment replacing the 10 major Common Agricultural Policy (CAP) payment schemes, one of the major reforms of the CAP, which came into effect in 2005.

**Undergrazing**

Where annual growth is not being fully utilised, or where scrub or coarse vegetation is becoming evident, and this is detrimental to the environmental interests of the site.

**Uplands Transitional Payment (UTP)**

A payment designed for farms that have Environmentally Sensitive Area or Countryside Stewardship Scheme agreements within the Severely Disadvantaged Areas. It is a payment based on the total area of your farm. The Rural Payments Agency administers the Uplands Transitional Payment.

**Vendor number**

A vendor is the name and correspondence address of a business that is entitled to receive grants and subsidies and each vendor is allocated a vendor number.

**Watercourse**

A watercourse is defined as a surface water body, whether a lake, pond, river, stream, canal, leat or ditch, which regularly contains standing or running water.

# List of abbreviations and acronyms

<b>AONB</b>	Area of Outstanding Natural Beauty
<b>BASIS</b>	British Agrochemical Standards Inspection Scheme
<b>CAP</b>	Common Agricultural Policy
<b>CPH</b>	County Parish Holding
<b>CSS</b>	Countryside Stewardship Scheme
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>ECS</b>	Energy Crops Scheme
<b>ELS</b>	Entry Level Stewardship
<b>ERDP</b>	England Rural Development Programme
<b>ES</b>	Environmental Stewardship
<b>ESA</b>	Environmentally Sensitive Area
<b>EU</b>	European Union
<b>FER</b>	Farm Environment Record
<b>FYM</b>	Farm Yard Manure
<b>GAEC</b>	Good Agricultural and Environmental Condition
<b>HER</b>	Historic Environment Record
<b>HLS</b>	Higher Level Stewardship
<b>LCA</b>	Landscape Character Assessment
<b>LU</b>	Livestock Unit
<b>MESME</b>	Making Environmental Stewardship More Effective
<b>NDPB</b>	Non-Departmental Public Body
<b>NVZ</b>	Nitrate Vulnerable Zone
<b>OELS</b>	Organic Entry Level Stewardship
<b>RDPE</b>	Rural Development Programme for England
<b>RLR</b>	Rural Land Register
<b>RPA</b>	Rural Payments Agency
<b>SAC</b>	Special Area of Conservation
<b>SBI</b>	Single Business Identifier
<b>SDA</b>	Severely Disadvantaged Area

<b>SHINE</b>	Selected Heritage Inventory for Natural England
<b>SMRs</b>	Statutory Management Requirements
<b>SPA</b>	Special Protection Area
<b>SPS</b>	Single Payment Scheme
<b>SSSI</b>	Site of Special Scientific Interest
<b>TFB</b>	Traditional Farm Building
<b>UTP</b>	Uplands Transitional Payment



## Our promise to you

As the Government's adviser on the natural environment, Natural England are committed to provide practical advice, grounded in science, on how best to safeguard England's natural wealth for the benefit of everyone.

Our remit is to ensure sustainable stewardship of the land and sea so that people and nature can thrive. It is our responsibility to see that England's rich natural environment can adapt and survive intact for future generations to enjoy.

We work with farmers and land managers, business and industry, planners and developers, national and local government, interest groups and local communities to help them improve their local environment.

Our 'Promise to you' is our public commitment to delivering excellent customer service, setting out what you can expect from our staff, our commitment to our service standards and customers, and our desire to continually learn from our customer feedback.

You can see our full 'Promise to you' online at [www.naturalengland.org.uk/about\\_us/customer](http://www.naturalengland.org.uk/about_us/customer)

For a printed copy, please call our Enquiries Team on 0845 600 3078.

Many of the ES options will reduce the Greenhouse Gas (GHG) emissions associated with your farming activities, for instance, by reducing the use of inorganic fertilisers and increasing carbon stores in soils. You can estimate the carbon footprint of your farm by logging on to the Country Land & Business Association's (CLA) Carbon Accounting for Land Managers (CALM) tool at [www.cla.org.uk/calm](http://www.cla.org.uk/calm). Natural England and the CLA have been working together to build in a specific ES element to CALM enabling you to estimate the impact of your ES option choices on your farm's carbon footprint.

**Front cover photograph:**

Tree and drystone wall in Swaledale.

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The European Agricultural  
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Europe investing in rural areas



**Natural England is here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

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