Guide to the Environmental Farming Scheme (EFS)







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Guide to the Environmental Farming Scheme

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1. Introduction to the Guide

This booklet sets out the general rules of the Environmental Farming Scheme (EFS) and how it will be administered and controlled to ensure that requirements have been met.

Detailed information on the EFS management Options and Non-productive Investments that make up the Scheme can be found on the website at;

- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-non-productive-investments-npis
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-non-productive-investments-npis

Application to the EFS is through DAERA online services. Further information on completing the EFS online application form can be found on the DAERA website at: www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance. You are advised to read the guidance and view the video before you complete your application for the Environmental Farming Scheme. If you need help to complete your application you can call us on 0300 200 7848 and our advisors will provide you with the assistance you require.

You can also access the following information which will help you complete your EFS Application form online:

• https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-questions-and-answers

All of the EFS information is intended as a guide to farmers and should not be regarded as a legal interpretation of the Regulations governing the Environmental Farming Scheme and other schemes. Successful applicants will be issued with an Agreement and Terms and Conditions, which will take precedence in any disputes.

Applicants are advised to take independent legal advice, as necessary, to ensure their interests are looked after.

1.1 Points to note before you start:

• It is planned to have more than one opportunity to apply for the Environmental Farming Scheme. If unsuccessful in this Tranche you will have other opportunities, however, if successful in this Tranche you will not be able to apply for further Tranches. The information in this booklet specifically refers to Tranche 1 which opens in 2017.

- You should read this Guide before you visit the online application available on the DAERA website at www.daera-ni.gov.uk/services/daera-online-services during the open application period.
- As the application is online only, you should ensure that you are set up to access DAERA Online services through the Government gateway in advance of the open application period.
- If you have any queries about completing the online application, contact the EFS Advisory Service on Tel: 0300 200 7848.

2. General Rules of the Environmental Farming Scheme (EFS)

2.1 Introduction

The Environmental Farming Scheme (EFS) is a voluntary scheme that will support farmers and land managers to carry out environmentally beneficial farming practices on agricultural land. Agreements will normally last for five years however the Tranche 1 agreement for EFS Wider may last 5.5 years.

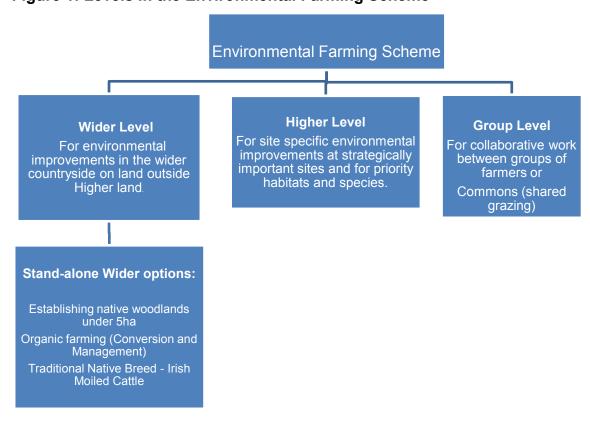
The aims of the Scheme are to:

- restore, preserve and enhance biodiversity;
- · improve water management and water quality;
- reduce soil erosion and improve soil management;
- foster carbon conservation and sequestration in agriculture; and
- reduce greenhouse gas and ammonia emissions from agriculture.

The Environmental Farming Scheme is made up of three levels:

- EFS (W), a Wider Level Scheme aimed at delivering benefits across the wider countryside outside of environmentally designated areas;
- EFS (H), a Higher Level Scheme primarily aimed at site specific environmental improvements at strategically important sites and for priority habitats and species; and
- EFS (G), a Group Level Scheme to support co-operative work by farmers in specific areas, such as river catchments, or commonages.

Figure 1: Levels in the Environmental Farming Scheme



Each scheme level contains a number of management Options and Non-productive Investments (NPIs), commonly referred to as capital items in this document. Applicants can select from these Options when applying to join the Scheme.

2.2 Who is eligible to apply for the Environmental Farming Scheme (EFS)?

EFS is open to applicants who have a DAERA Category 1 or Category 2 Business Identification Number.

Applicants must also have at least 3 ha of eligible agricultural land and have management control of the land for the duration of their agreement. If the applicant does not own the land, management control will usually mean a lease covering the five year period of the Scheme. Where leased land is entered into EFS, both the landlord and tenant are advised to seek legal advice when drawing up the lease.

In almost all circumstances, only the person actively farming the land and claiming other area-based payments will be eligible to apply to the EFS.

Land that is under an older agri-environment scheme agreement on the date by which the EFS agreement is due to commence will not be eligible.

2.3 Eligibility of land

The land area eligible for EFS will be a direct reflection of the LPIS Maximum Eligible Area (MEA), with the exception of

- (1) woodland habitats, where EFS payments will be applicable to non LPIS MEA woodland areas;
- (2) commonage or shared grazing on LPIS, which are not eligible for either EFS (W) or EFS (H); and
- (3) other areas deemed to be of environmental importance by DAERA.

Fields listed in the EFS agreements must be under the management control of the applicant for the duration of the Agreement. Ensure ALL the fields you wish to be considered for EFS are listed on your BPS form.

If the applicant's eligible agricultural land falls below 3 ha at any point during the five year term of the agreement, the EFS agreement will be terminated. Monies already paid may be recovered.

If the EFS (H) area within a LPIS land parcel (normally a field) is less than 0.10 ha, the entire land parcel is not eligible for Higher but is eligible for EFS (W). If the EFS (H) area is greater than or equal to 0.1ha or greater than or equal to 10% of the field area, then the field is eligible for EFS (H).

Applicants must refer to the 'Guide to Land Eligibility' to decide if land is eligible for EFS. It is the applicant's responsibility to ensure that they only apply on eligible land and deduct all ineligible areas irrespective of what is indicated on their DAERA farm map. Where the applicant does not have management control (owned or leased) of the land for the duration of the agreement, it is ineligible for EFS.

2.3.1 Christmas trees/Short Rotation Coppice (SRC)

Land used for growing Christmas trees or for SRC is not eligible for EFS, although the following EFS (W) Options may be claimed on the boundaries of such land if permissible; 'Creation of tree-enhanced boundaries', 'Planting new hedgerows including two protective fences', 'Hedge laying including two protective fences', 'Traditional stone wall rebuilding – single skin and double skin'. More information can be found in the individual EFS (W) Options at;

• https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-options

2.4 Dual use claims

If two claimants use the same land at the same time to claim two different schemes, for example EFS and Basic Payment Scheme (BPS), this is known as dual use.

In almost all cases, the person applying for Basic Payment Scheme (BPS) on the land will be entitled to apply for EFS funding on the same land. This is in line with the general rule of one claimant for each land parcel.

With regard to EFS and Basic Payment, dual use claims will only be permitted in certain limited circumstances, specifically on Natura 2000 or ASSI designated land and in cases where the EFS applicant can demonstrate significant environmental benefit accruing from the arrangement. Where this occurs, both beneficiaries must be able to demonstrate that they each meet the requirements of their respective Schemes.

Applicants must ensure that they will be the only claimant on each field entered into EFS for the duration of their agreement. If two businesses submit separate claims on a field, one for EFS and one for BPS, it is possible that the EFS claim will be rejected unless strict criteria have been met.

2.5 Land under current Agri-environment Schemes

Applications will not be accepted for land under current agri-environment agreement on the **start date of the EFS Agreement.** If an agreement ends on or before the date of commencement of an EFS agreement, applications to EFS for that land may be submitted.

Most existing ESA and CMS agreements will finish before the start date of the EFS agreements, however NICMS agreements run on a calendar year and current agreements finish on 31 December 2018 or 31 December 2019.

2.6 Land receiving other funding

The Environmental Farming Scheme cannot be used to pay for environmental management activities that are already being funded on the same land area by another funding source.

Applicants must check if they have land which is under contract or obligation to other schemes e.g. legacy agri-environment agreement (NICMS/NESA/CMS), Habitat Improvement Scheme, Woodland Grant Scheme, Management of Sensitive Sites scheme (MOSS), Heritage Lottery Funding or other similar schemes.

It is the responsibility of the agreement holder to ensure that double funding does not occur within an EFS agreement. Where there is evidence that an agreement holder has knowingly claimed under the Environmental Farming Scheme for management activities that have received or will receive payment from another source, this may result in the recovery of payments already made and possible termination of the EFS agreement.

EFS cannot be used to fund environmental management activities that are required by law or by any legally binding contract or obligation.

2.6.1 Planning permission and remediation

EFS must not fund works that must be undertaken as a requirement of any planning permission or fund works required to restore or remediate any works undertaken illegally.

2.6.2 Landscape features removal derogations

EFS must not fund works that must be undertaken as remedial mitigation as a result of landscape features removal derogation under Cross-Compliance GAEC 7. This mitigation work must be completed by the business at its own cost.

2.7 EFS and Greening

Under Greening rules, farmers with more than 15 hectares of arable land must have an area equivalent to at least 5% of their arable land in an Ecological Focus Area (EFA) unless they qualify for a Greening exemption. Where EFS Options are similar to measures submitted for Greening and EFA, there is a risk of double funding. The EFS Options that overlap with EFA requirements are as follows:

- Provision of winter feed crop for wild birds;
- Retention of winter stubble;
- Establishment of native woodland less than 5 ha;
- Planting native tree corridors; and
- Lapwing fallow plot.

If an EFS agreement holder uses the land included in one of the EFS Options listed above for their EFA requirement, a reduction will be applied to the EFS payment. **This can be avoided by creating the EFA in a different location to the EFS Option**.

Work carried out under the following EFS (W) Options cannot be declared as EFA in the year in which they are constructed or established:

- Planting new hedgerows including two protective fences;
- Traditional stone wall rebuilding single skin; and
- Traditional stone wall rebuilding double skin.

Field margins and buffer strips in agri-environment schemes cannot be used as Ecological Focus Areas.

2.8 EFS and BPS/ANC eligibility

Environmental management activities carried out under the EFS will not affect the eligibility of land for BPS and ANC unless specifically stated in the Option.

Detailed information on each EFS Option and associated Non-productive Investments (NPIs), also known as capital items, can be found on the DAERA website at;

- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-non-productive-investments-npis
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-non-productive-investments-npis

Land under EFS Options is eligible for BPS for the length of the EFS agreement if SFP was claimed and paid on the land in 2008.

Land within the following EFS Options will remain eligible for BPS for the duration of the EFS agreement and for a further retention period if SFP was claimed and paid on the land in 2008:

- Establishment of native woodland less than 5 ha eligible for BPS during 5 years of EFS plus 15 years retention;
- Creation of riparian buffer 2 metre width ungrazed eligible for BPS during 5 years of EFS plus 10 years retention;
- Creation of riparian buffer 2 metre width planted with native trees eligible for BPS during 5 years of EFS plus 10 years retention;
- Creation of riparian buffer 10 metre width ungrazed eligible for BPS during 5 years of EFS plus 10 years retention; and
- Creation of riparian buffer 10 metre width planted with native trees eligible for BPS during 5 years of EFS plus 10 years retention.

The Guide to Land Eligibility states: Agro-forestry occurs where agriculture and tree cultivation are carried out on the same land unit. Where land is managed for agro-forestry the tree density is usually in excess of 50 trees/ha but the planting has taken place in such a way that the area of the field is utilized for agricultural activity in the initial years of tree establishment. These areas are eligible for BPS in the initial years of tree establishment, provided agricultural activity remains predominant and is not significantly affected by the presence of trees.

Woodland habitat areas funded under EFS (H) or EFS (G) will remain ineligible for BPS.

Under the EFS (H) Level, the site specific Remedial Management Plan (ssRMP) may recommend actions to remove LPIS ineligible features, e.g. scrub, to improve habitat condition. These areas may eventually become eligible for BPS, EFS and/or ANC if the business completes and submits a 'Farmer Notified Change (FNC)' form to DAERA to amend the MEA of the field

2.9 Cross-Compliance

Cross-Compliance applies to all Area-based Schemes including EFS. Scheme participants must meet the Cross-Compliance verifiable standards on all the agricultural area of their holding. Failure to meet the Cross-Compliance requirements could lead to the application of penalties to all Area-based Schemes including EFS. Further details on Cross-Compliance can be found on the DAERA website: www.daera-ni.gov.uk/publications/cross-compliance-verifiable-standards

2.10 Integrated Pest Management (IPM)

Scheme participants must implement Principles 2 and 8 of Directive 2009/128/EC, Establishing a Framework for Community Action to achieve the Sustainable Use of Pesticides (Integrated Pest Management (IPM)).

Principle 2 states that harmful organisms must be monitored by adequate methods and tools, where available. Such adequate tools should include observations in the field, scientifically based warning, forecasting and early diagnosis systems, where feasible, as well as the use of advice from professionally qualified advisors.

Principle 8 states that based on the records on the use of pesticides and on the monitoring of harmful organisms, the professional user should check the success of the applied plant protection measures.

Table 1: Methods of Integrated Pest Management

IPM Section	Methods		
Section 2: Monitoring of Harmful	Use early warning/weather forecasting systems		
Organisms	Use weather forecast to aid decisions		
	Accurate pest and disease identification		
	Monitor crops for pests/diseases		
	Adviser monitors crops		
	Use traps/sticky pads/lures		
	Other (please specify):		
Section 8: Checking and recording	Success or failure of intervention measured		
the success of the applied crop protection measures	Crop yields /disease and pest incidences recorded		
	Member of discussion group		
	Success or failure of intervention recorded		
	Results discussed with adviser		
	Other (please specify):		

It is the agreement holder's responsibility to keep accurate and up to date evidence that they have implemented Principles 2 and 8 of IPM. The evidence for all years of the Scheme must be available for an inspector to check at any time.

An example of Integrated Pest Management (IPM) from the EFS (W) record sheet is shown in Figure 2.

Figure 2: Record sheet for Integrated Pest Management

Integrated Pest Management	Completed (V)
Harmful organisms monitored	
Crop protection measures checked and recorded	

2.11 Record keeping

An agreement holder must keep and maintain records relating to the Scheme, as stated in the 'Requirements and Controls' for each Option and capital item. One record sheet is required for each field where an Option(s) and/or NPI(s) have been implemented. Individual field records must be kept up to date throughout the period of the contract and the agreement holder must retain all records throughout the period of the contract.

Records must be available to DAERA at any time of the year. If DAERA completes an EFS inspection, the inspector will check that the records are accurate and up to date. The inspector will also check that the information entered in the records confirms that the correct management has been undertaken. Failure to keep complete and accurate records may lead to a reduction or recovery of payments.

You may use your own preferred format to record the required information as detailed in the EFS (W) templates for Options and / or NPIs 'Requirements and Controls' section. An example of the type of records required is shown in Figure 3 below. If using this format, simply download and print from the DAERA website.

Figure 3: Example of EFS (W) Field Record Template

Business ID	<u>60000</u>
Agreement start date	<u>1/7/17</u>
Calendar period	<u>1/7/2017-31/12/18</u>
Farm Survey number (FSN)	<u>7/1/7</u>
<u>Field number</u>	<u>5</u>

Date completed	Option/NPI	Option/NPI Code	Location in field	Activity	Length/area/rate/quantity	Other
1/2/18	Planting new hedgerows including two protective fences	PNH	All planting is along the Northern boundary marching field 3	Hedge planting and erecting two protective fences	205m completed	N/A
5/2/18	Establishment of native woodland less than 5 hectares	ENW	Western boundary marching field 3	Tree planting including erecting tree guards and canes as necessary	0.2 ha planted 256 trees planted	Wet woodland 112 willow, 64 alder, 48 birch and 32 oak (unplanted area 20%)
7/2/18	Stock-proof fencing	SPF	Western boundary marching field 3	Fencing	155m completed	Fencing to protect 'Establishment of native woodland less than 5 ha'

This template and instructions for EFS record keeping can be downloaded from the DAERA website.

2.12 Training

EFS Agreement holders must complete Option-specific training in order to demonstrate their understanding of the management activities associated with each Option. All Options will have on-line training available, with some offering on-farm courses as well. Scheme participants must complete each course associated with the EFS Options and NPIs that are included in their Scheme agreement.

Training must be completed before the first claim. Scheme participants must have an email account in order to complete the online training.

2.13 Consents and Permissions

Special consent or permission is required before any work can be carried out in the following circumstances:

2.13.1 Designated site

Consent is required from DAERA before any works are carried out within a European designated site (Ramsar, SPA, SAC) or within a site protected at national level (ASSI, NNR) or along the designated site boundary. Written consent must be in place before any works are commenced. However consent to carry out work in a designated site under an EFS agreement will normally be provided as part of your agreement. However <u>any</u> other work within the area which is not specified on your agreement still requires consent from DAERA.

2.13.2 Field boundaries close to historic monuments

Work agreed under the EFS cannot be carried out on an historic monument site or within its protection zone, which normally extends 10 m immediately surrounding the monument, but in some cases may be greater. It is the responsibility of the agreement holder to liaise with the Department for Communities (DfC) prior to the commencement of any works to ensure that the EFS Option and capital works are not located on an historic monument site or within its protection zone.

2.13.3 Land drainage and reclamation work

Land drainage and reclamation work is not permitted on land parcels entered into EFS(H) and EFS(G) unless prior approval has been obtained from DAERA and recorded on a site specific Remedial Management Plan (ssRMP).

Within EFS (W), if existing drains become blocked, they may be cleaned and/or repaired with minimum disturbance to the habitat. Prior approval must be obtained from DAERA before starting any repair work to existing drains. No new drainage work is permitted without approval.

2.13.4 Public Right of Way

Consent is required from local councils prior to the commencement of any works which are in the vicinity of a Public Right of Way.

2.13.5 Roadside field boundaries

Approval should be sought from TransportNI (Department for Infrastructure) before any works are undertaken on roadside field boundaries including the erecting of new stock-proof fences alongside roadways. It is the agreement holder's responsibility to contact their local Transport NI office and obtain written permission to carry out the works.

2.13.6 Extraction of peat, sand or gravel

The extraction of sand or gravel is not permitted on land subject to any EFS Options or NPIs. Peat cutting is prohibited, except where consented by DAERA and/or DAERA consented existing turbary rights.

3. Making an application to the Environmental Farming Scheme

3.1 The application process

Applications are made on-line ONLY through the Government Gateway in the 'open for applications' period.

Completing the EFS application online through DAERA online services allows all applicants to view their land, select appropriate options for the EFS Wider Level and establish if they can apply for EFS Higher Level. The EFS online application form helps applicants avoid mistakes; the system warns an applicant if they have missed part of the application process. Applicants also receive an instant receipt and summary of their application.

If you are already registered with DAERA online services:

- go to www.daera-ni.gov.uk/services/daera-online-services. At the first screen presented, click "LOGIN". At the next screen, enter your Government Gateway User ID and password and then click "Log in".
- from the list of "Services" select 'Environmental Farming Scheme" to start your application.
- if you need help, at any stage of the process, please select from the help methods available, which include the option to phone us on 0300 200 7848 and ask to speak to our EFS Advisory team.

If you are new to DAERA online services:

- call 0300 200 7848
- text EASY to 67300
- go to https://www.daera-ni.gov.uk/articles/how-apply-daera-online-services

You will receive instructions on how to register with the Government Gateway to use DAERA online services.

You must be registered with the Government Gateway to use DAERA Online Services. If you are not already registered, you can register by providing a name, a password and an e-mail address. When you do this, you will then be given a 12 digit number – this is your Government Gateway User ID. You will be able to use these login details to access many services across a range of government

You can authorise another person, such as an agent or a family member, to submit your on-line application. You will also need to provide an email address for us to contact you. Once registered, you will be given instructions on how to access our on-line services, including the EFS Application online.

3.2 How the Environmental Farming Scheme works

The Environmental Farming Scheme is a voluntary scheme with agreements that normally run for five consecutive years. However the Tranche 1 EFS Wider agreement may run for 5.5 years.

Some options include a retention period of 10 or 15 years after the end of the agreement and during this time the area can be claimed for BPS, provided SFP was claimed and paid on the land in 2008.

- EFS (W), a Wider Level Scheme aimed at delivering benefits across the wider countryside outside of environmentally designated areas;
- EFS (H), a Higher Level Scheme primarily aimed at delivering site specific environmental improvements at strategically important sites for priority habitats and species; and
- EFS (G), a Group Level Scheme to support co-operative work by farmers in specific areas, such as river catchments, or commonages. All Group members will have individual EFS agreements.

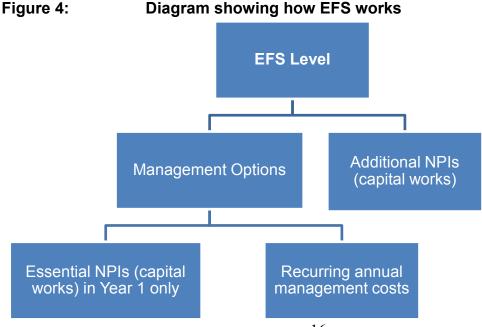
Applicants must own or have management control of at least 3 ha of eligible agricultural land, which can be a combination of fields within the Higher, Wider and Group Levels. Fields listed in the EFS agreements must be under the control of the applicant for the duration of the Agreement.

Each EFS scheme level has a suite of management Options, with additional Non-productive investments (NPIs) or capital items.

Management Options may be made up of:

- essential capital items (NPIs) carried out to establish the Option, and / or
- <u>recurring annual management requirements</u> to ensure successful establishment, retention and maintenance of the Option.

Payment for the essential NPIs is included in the Option payment for Year 1 of the agreement. Some Options contain only recurring annual management requirements.



For example, in EFS (W), the Option 'Creation of arable margin 6 metre width – rough grass' requires NPIs, such as sowing and cultivating the grasses, to establish the margin by 1st September in the Year 1 period of the EFS Agreement. In each of the following four years the agreement holder must carry out annual work to retain and manage the margin in the same location.

There is also a suite of additional NPIs, which can be carried out to complement certain Options. Payment for these is in addition to the Option payment for essential NPIs.

The agreement holder must complete the approved area / length / units for all EFS Options and additional NPIs to the standards set out by the Department in the 'Requirements and Controls' table of the Option. Details of each Option can be found at the following links;

- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-non-productive-investments-npis
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-non-productive-investments-npis

All EFS Options must be situated on land or its boundaries that is entered into the Scheme.

As most essential and additional NPIs must be carried out in the first year of the EFS agreement, applicants should be confident that they can complete all the Options they apply for within the required timescale.

Agreement holders must complete all of each level's Options and NPIs (capital items) to the standards set out in the 'Requirements and Controls' sections of the Option and NPI information sheets. Note, if you do not complete all work in your agreement in the appropriate timescale, financial penalties may be applied.

Work started or completed before the scheme level Start Date is not eligible for payment.

If the number of applicants for both EFS (W) and EFS (H) exceeds the funding available for that application period, prioritisation mechanisms will be applied, based on environmental benefit.

Fields that were entered in the applicant's previous SAF will be listed in the EFS online 2017 application, separated into fields eligible under the Wider and Higher levels. Any fields that are not classified as Wider or Higher, such as commons, will not be displayed.

Where a Business ID manages a number of individual farms as a single unit, these farms will comprise one farm business.

3.3 EFS Wider Level, EFS (W)

The EFS (W) level can apply on all eligible land which does not fall within the land areas defined by the Higher Level element of EFS or common land.

EFS (W) is not a whole farm scheme so applicants can select which Options to undertake on which land parcels.

The Options in the EFS (W) Level, which focus on biodiversity, climate and water management, are listed in **Table 2: EFS Wider Level Options and Payment Rates.** EFS (W) applicants can select from these when making their online application.

There are three stand-alone Options, included in Table 2, which can be applied for individually:

- Establishment of Native Woodland less than 5ha,
- Traditional Native Breed Irish Moiled Cattle,
- Organic Conversion or Organic Management.

The application process is underpinned by mapping data which determines where Options may be undertaken. Not all EFS (W) Options will be available in all field parcels. For example, 'Creation of riparian buffers' cannot be selected if there are no watercourses within the field parcel selected. When you are completing the online application form, the Options available for each Wider Level field will be shown in order of environmental priority.

Under the EFS (W) level, applicants must carry out between **one** and **four** EFS (W) Options. One Option can be selected on several different field parcels, if necessary, and is counted as one Option.

There are minimum and maximum areas / lengths / units for each EFS (W) Option and these limits are built into the EFS online application. A warning will appear on the screen if the applicant is breaching these limits. Details of the work to be carried out under these Options, including the maximum and minimum thresholds, can be found at;

- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-non-productive-investments-npis

It is recommended that applicants read the information and know which Options they want to apply for, before starting the online application. Applicants should also be confident that they can complete all the Options they apply for within the required timescale.

Table 2: EFS Wider Level Options and Payment Rates

Focus Area	Description of Option		Code	Payment Rate (per ha unless stated otherwise)		
Alea					Year 1	Years 2-5
	Creation of tree enhanced boundaries			TEB	£1.28 / m	£0.00 / m
	Hedge laying including two protective fences				£16.04 / m	£0.00 / m
	Traditional dry stone wa	Single skin	SSW	£13.02 / m	£0.00 / m	
	rebuilding		Double skin	DSW	£22.95 / m	£0.00 / m
sity	Creation of pollinator	10 m	Pollen and nectar	PAN	£465.00	£465.00
Biodiversity	margins	width	Annual wildflower	WFM	£2,530.00	£2,530.00
Bioc	Creation of arable margins	6 m width	Rough grass	RGM	£841.50	£707.00
			Cultivated uncropped	CUM	£702.00	£702.00
	Provision of winter feed crop for wild birds			WFC	£ 590.00	£ 590.00
	Retention of winter stubble			RWS	£85.00	£85.00
	Creation of traditional orchard			СТО	£3,832.68	£110.00
	Establishment of agro-forestry			EAF	£1,637.00	£65.00
ate	Natural regeneration of native woodland			NRW	£360.00	£360.00
Climate	Planting native tree corridors			NTC	£2146.90	£465.00
	Planting new hedgerows including two protective fences			PNH	£15.83 / m	£0.00 / m
± t	Watercourse stabilisation with fencing			WSF	£6.00 / m	£0.00
Water Management	Creation of riparian	2 m	Ungrazed	RBS	£6.07 / m	£0.07 / m
l anag		width	Planted with native trees	BNT	£6.31 / m	£0.07 / m
ater N	buffers	10 m width	Ungrazed	RBW	£7.63 / m	£0.36 / m
X			Planted with native trees	BWT	£8.13 / m	£0.36 / m

Description of Option			Code	Payment Rate (per ha unless stated otherwise)		
					Year 1	Years 2-5
	Traditional native breeds (Irish moiled Cattle)			IMC	£95.00 / Livestock Unit	£95.00 / Livestock Unit
	Establishment of native woodland less than 5 ha			ENW	£2625.00	£516.00
		Arable	3.00 ha - 60.00 ha	OCA	£149.00	£149.00*
		7 ti dibio	Over 60.00 ha	00/1	£45.00	£45.00*
		Grassland	3.00 ha - 60.00 ha	OCG	£144.00	£144.00*
	Organic	Orassiana	Over 60.00 ha	000	£45.00	£45.00*
SI	conversion	Horticulture	1.00 ha - 3.00 ha	ОСН	£358.00	£358.00*
tior			Over 6.00 ha		£149.00	£149.00*
Je Op		Horticulture Top fruit	1.00 ha - 3.00 ha	ОСТ	£358.00	£358.00**
alor			Over 6.00 ha	001	£149.00	£149.00**
Stand-alone Options		Arable -	3.00 ha - 60.00 ha	OMA	£53.00	£53.00
S			Over 60.00 ha	OIVIA	£20.00	£20.00
		Grassland	3.00 ha - 60.00 ha	OMG	£53.00	£53.00
	Organic		Over 60.00 ha	OWIO	£20.00	£20.00
	management	Horticulture	1.00 ha - 3.00 ha	ОМН	£197.00	£197.00
			Over 6.00 ha	OIVIII	£53.00	£53.00
		Horticulture Top fruit	1.00 ha - 3.00 ha	OMT	£197.00	£197.00
			Over 6.00 ha	OMT	£53.00	£53.00

^{*}Organic conversion payments rates only applicable to Arable and Grassland Options for Years 1 - 2. Area will be eligible for Organic management payment rates in Years 3 - 5 subject to organic certification being in place.

^{**} Organic conversion payments rates only applicable to Horticulture Options for Years 1 - 3. Area will be eligible for Organic management payment rates in Years 4 - 5 subject to organic certification being in place.

Some of the EFS (W) Options contain essential Non-productive Investments (NPIs), which must be carried out within Year 1 of the scheme. These are listed in **Table 3: Essential NPIs included in EFS Wider Options.** For example, in the Option 'Planting native tree corridors,' the planting of native trees and erection of tree guards and canes must be carried out by 1 June in the first year of the EFS Agreement. Payment for these NPIs is included in the Option payment for the first year of the scheme. Failure to complete these NPIs within the required timeframe may result in penalties.

Table 3: Essential Non-productive Investments included in EFS Wider Options

Creation of Tree-enhanced Boundaries Moodcrete bat boxes Native tree planting	Option	Essential NPIs included
Hedge laying including 2 protective fences Hedge laying including 2 protective fences Planting hedgerow trees with 1.2m tree guards Firaditional dry stone wall rebuilding − Single skin Traditional dry stone wall rebuilding − Double skin Creation of arable margins − 6m wide − rough grass Creation of traditional orchard Fixing tree planting Planting native tree corridors Native tree planting Hedge laying Hedge	Creation of Tree-enhanced Boundaries	➤ 1.2m tree guards
Hedge laying including 2 protective fences Hedge laying Planting gaps Planting hedgerow trees with 1.2m tree guards Erection of 2 protective fences		Woodcrete bat boxes
 Interplanting gaps Planting hedgerow trees with 1.2m tree guards Erection of 2 protective fences Traditional dry stone wall rebuilding – Single skin Traditional dry stone wall rebuilding – Double skin Creation of arable margins – 6m wide – rough grass Creation of traditional orchard Establishing the rough grass margin (cultivation and sowing the grasses) Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Establishment of agroforestry Planting the trees Erecting tree guards Anchor pegs and stakes Planting native trees Erecting tree guards and canes Planting new hedgerows including 2 Planting new hedge including trees 		Native tree planting
 Planting hedgerow trees with 1.2m tree guards Erection of 2 protective fences Traditional dry stone wall rebuilding –	Hedge laying including 2 protective fences	➢ Hedge laying
Frection of 2 protective fences Traditional dry stone wall rebuilding − Single skin ➤ Rebuilding single skin stonewall Traditional dry stone wall rebuilding − Double skin ➤ Rebuilding double skin stonewall Creation of arable margins − 6m wide − rough grass ➤ Establishing the rough grass margin (cultivation and sowing the grasses) Creation of traditional orchard ➤ Fruit tree planting ➤ Protection with spiral guards ➤ Fixing trees to a stake with tie Establishment of agroforestry ➤ Planting the trees ➤ Erecting tree guards ➤ Anchor pegs and stakes Planting native trees ➤ Planting native trees ➤ Erecting tree guards and canes Planting new hedgerows including 2 ➤ Planting new hedge including trees		Interplanting gaps
Traditional dry stone wall rebuilding – Single skin Traditional dry stone wall rebuilding – Double skin Creation of arable margins – 6m wide – rough grass Creation of traditional orchard Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Establishment of agroforestry Planting the trees Frecting tree guards Anchor pegs and stakes Planting native tree corridors Planting new hedgerows including 2 Planting new hedge including trees		Planting hedgerow trees with 1.2m tree guards
Single skin Traditional dry stone wall rebuilding – Double skin Creation of arable margins – 6m wide – rough grass Creation of traditional orchard Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Establishment of agroforestry Planting the trees Erecting tree guards Anchor pegs and stakes Planting native tree corridors Planting new hedgerows including 2 Planting new hedge including trees		Erection of 2 protective fences
Traditional dry stone wall rebuilding − Double skin Creation of arable margins − 6m wide − rough grass Creation of traditional orchard Creation of traditional orchard Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Establishment of agroforestry Flanting tree guards Anchor pegs and stakes Planting native tree corridors Planting new hedgerows including 2 Passiblishing the rough grass margin (cultivation and sowing the grasses) Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Planting tree guards Planting native trees Planting native trees Planting new hedgerows including 2	Traditional dry stone wall rebuilding –	Rebuilding single skin stonewall
Double skin Creation of arable margins − 6m wide − rough grass ➤ Establishing the rough grass margin (cultivation and sowing the grasses) Creation of traditional orchard ➤ Fruit tree planting Protection with spiral guards ➤ Fixing trees to a stake with tie Establishment of agroforestry ➤ Planting the trees ➤ Erecting tree guards ➤ Anchor pegs and stakes Planting native trees ➤ Erecting tree guards and canes Planting new hedgerows including 2 ➤ Planting new hedge including trees		
Creation of arable margins – 6m wide – rough grass Creation of traditional orchard Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Establishment of agroforestry Planting the trees Erecting tree guards Anchor pegs and stakes Planting native tree corridors Planting native trees Erecting tree guards and canes Planting new hedgerows including 2 Planting new hedge including trees		Rebuilding double skin stonewall
rough grass Creation of traditional orchard Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Establishment of agroforestry Planting the trees Erecting tree guards Anchor pegs and stakes Planting native tree corridors Planting native trees Erecting tree guards and canes Planting new hedgerows including 2 Planting new hedge including trees		
Creation of traditional orchard Fruit tree planting Protection with spiral guards Fixing trees to a stake with tie Establishment of agroforestry Planting tree guards Anchor pegs and stakes Planting native tree corridors Planting native trees Erecting tree guards and canes Planting new hedgerows including 2 Planting new hedge including trees		
 ➢ Protection with spiral guards ➢ Fixing trees to a stake with tie Establishment of agroforestry ➢ Planting the trees ➢ Erecting tree guards ➢ Anchor pegs and stakes Planting native trees ➢ Erecting tree guards and canes Planting new hedgerows including 2 ➢ Planting new hedge including trees 		
 ➢ Fixing trees to a stake with tie Establishment of agroforestry ➢ Planting the trees ➢ Erecting tree guards ➢ Anchor pegs and stakes Planting native tree corridors ➢ Planting native trees ➢ Erecting tree guards and canes Planting new hedgerows including 2 ➢ Planting new hedge including trees 	Creation of traditional orchard	·
Establishment of agroforestry Planting the trees Erecting tree guards Anchor pegs and stakes Planting native tree corridors Planting native trees Erecting tree guards and canes Planting new hedgerows including 2 Planting new hedge including trees		•
 ➢ Erecting tree guards ➢ Anchor pegs and stakes Planting native tree corridors ➢ Planting native trees ➢ Erecting tree guards and canes Planting new hedgerows including 2 ➢ Planting new hedge including trees 		
 ➢ Anchor pegs and stakes Planting native tree corridors ➢ Planting native trees ➢ Erecting tree guards and canes Planting new hedgerows including 2 ➢ Planting new hedge including trees 	Establishment of agroforestry	
Planting native tree corridors ➤ Planting native trees ➤ Erecting tree guards and canes Planting new hedgerows including 2 ➤ Planting new hedge including trees		
▶ Erecting tree guards and canes Planting new hedgerows including 2 ▶ Planting new hedge including trees		
Planting new hedgerows including 2 Planting new hedge including trees	Planting native tree corridors	
protective teneds		
	protective fences	> 1.2m guards and stakes for trees
➤ Erecting 2 protective fences		
Watercourse stabilisation with fencing ➤ Erecting the watercourse stabilisation fencing	Watercourse stabilisation with fencing	➤ Erecting the watercourse stabilisation fencing
Creation of riparian buffers – 2m wide - ➤ Erecting protective fence	·	➤ Erecting protective fence
ungrazed		
Creation of riparian buffers – 2m wide – Erecting protective fence		
planted with native trees Planting native trees and shrubs	planted with native trees	
Erecting tree guards and canes		
Creation of riparian buffers – 10m wide - Erecting protective fence		
ungrazed > Erecting access gate(s) and gate posts	ungrazed	Frecting access gate(s) and gate posts
Creation of riparian buffers – 10m wide – Erecting protective fence	Creation of riparian buffers – 10m wide –	Erecting protective fence
planted with native trees Erecting access gate(s) and gate posts		
➤ Planting native trees and shrubs		
➤ Erecting tree guards and canes		▼ · · · · · · · · · · · · · · · · · · ·
Establishment of native woodland less than Planting native trees and shrubs and erecting	Establishment of native woodland less than	
5 ha tree guards and canes as necessary	5 ha	

Each EFS (W) Option selected may offer other NPIs which can be undertaken to further improve the environmental benefit.

When selecting an Option during the online application process, a list of these additional NPIs or capital items will be available and applicants can choose if they want to add one or more of these to their form.

The value of these NPIs is added to the Agreement Value. If selected, these NPIs must be completed within the same timeframe as the essential capital items.

The NPIs available can be found in **Table 4**: **EFS Wider Level Non-Productive Investments and payment rates.**

Table 4: EFS Wider Level Non-Productive Investments (NPIs) and payment rates

These are one-off requirements undertaken in the first year of the Scheme.

		One-off payment
EFS Wider Level Non-Productive Investments	Code	rate
Stock-proof fencing	SPF	£6/m
Permanent electric fencing (including energiser)	PEF	£5/m
Gate and 2 gate posts – stock-proof fence	GPS	£190.44/gate + 2 posts
Drinking Trough	DTR	£41.00 each
Drinking Trough Base	DTB	£30.54 each
Water trough pipe work	DTP	£7.77/m
Pasture Pump and associated pipe work	PAP	£285/pump
Parkland/Fruit/ Standard native tree guard	SNT	£143.40/guard
Parkland/Fruit / Standard native tree stake	SNS	£4.50/ stake

3.3.1 Minimum and Maximum EFS (W) Agreement Values

The minimum EFS (W) agreement value must be at least £2,500 over the duration of the (normally) 5 year agreement.

The maximum EFS (W) agreement value on farms up to 25ha is £12,500. For larger farms the maximum £12,500 agreement value is increased by £26.67 per hectare for each additional hectare above 25ha, up to a maximum of £20,000 over the duration of the agreement.

The payment rates for additional NPIs count towards the overall maximum agreement value. These thresholds are to ensure that spend remains within budget and may be amended in further tranches of EFS.

The value of the Stand-alone Options is NOT included in these thresholds.

3.3.2 Minimum Annual Claim Value

All NPIs and annual management must be carried out as stated in your agreement. Financial penalties may be applied if you claim for less than the works and annual management approved in your agreement.

3.3.3 Prioritisation of EFS (W) applicants

If the number of applications for the general EFS (W) Options exceeds the funding available for that application period, a prioritisation mechanism will be applied. EFS (W) Options have been allocated points based on their environmental benefit.

Applications will be ranked by total points scored in decreasing order. As the application for EFS (W) is being completed online, applicants will be able to see how many points they have accrued from their Options and amend, if necessary, to maximise the points they accrue. Options will be listed in order of points with those providing the highest number of points first.

Stand-alone Options are not included in the EFS (W) prioritisation as they have their own individual prioritisation and selection criteria.

DAERA reserves the right to amend or reject any EFS application where the selected Options may produce an outcome contrary to the objectives of the scheme or where net environmental damage may occur.

3.4 Stand-alone Options

The stand- alone Options are not included in this minimum/maximum agreement value limits as they have their own individual prioritisation and selection criteria.

The three stand-alone Options are:

- Establishment of native woodland less than 5ha,
- Traditional Native Breed Irish Moiled Cattle.
- Organic Conversion or Organic Management.

3.4.1 Establishment of Native Woodland less than 5ha

This Option aims to ensure the successful establishment, retention and maintenance of native woodland. A minimum of 0.1ha and a maximum of 4.99 ha must be completed in the first year of the EFS agreement, made up of one or more individual woods. Trees may be planted on land declared as eligible agricultural area on a SAF by the farm business but must not be planted on priority habitats such as species rich grassland, heath or bog.

Permanent Grassland Sensitive (PGS) fields and breeding wader habitats are also unsuitable. A woodland creation plan (WCP) approved by DAERA, is a requirement of this Option.

Applicants must be prepared to retain native woodland established under this Option for a period of 15 years after the scheme. EFS payments will be made for the successful establishment and management of the woodland in its first 5 years.

Provided SFP was claimed and paid on the land in 2008, land planted in this manner is eligible for BPS for the 5 years of the EFS agreement and a further 15 years retention period.

In the event of oversubscription to the Woodland Options, it may be necessary to apply the following selection criteria to all eligible applications:

- Prioritisation of location, based on environmental benefit;
- Prioritisation of larger woodland areas.

Selection, prioritisation and scoring criteria may vary for each new application period.

DAERA may reject applications or require them to be varied if, in its opinion, they are not likely to contribute to the objectives of the Option.

The submission of a valid application does not guarantee entry under the EFS Woodland Option. Successful applicants will be notified in writing of their acceptance into the EFS Woodland Option and the commencement date of their agreement. For more information on the EFS (W) Option "Establishment of Native Woodland less than 5ha" view the associated information sheet at:

• https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options

3.4.2 Traditional Native Breed – Irish Moiled Cattle

This standalone Option aims to help ensure the survival of the Irish Moiled traditional breed. Female Irish Moiled animals aged 6 months or over on 1st January in the claim year are eligible for payment. For EFS (H) sites, the 'Traditional native breeds' Option is eligible where it will maintain and enhance the biodiversity value of these sites and is included in the site specific Remedial Management Plan (ssRMP).

Applications will not be accepted from farm businesses which are already receiving support for Irish Moiled Cattle under a legacy agri-environment agreement (NICMS) unless the legacy agri-environment agreement ends on or before the EFS agreement start date.

In the event of oversubscription to the Traditional Native Breed Option, it may be necessary to apply the following selection criteria to all eligible applications:

- Prioritisation of smaller herds over larger herds;
- Prioritisation of location: herds that are geographically isolated from other herds will be prioritised for funding. This will aim to mitigate the potential spread of diseases which could reduce Irish Moiled Cattle numbers.

Selection, prioritisation and scoring criteria may vary for each new application period.

DAERA may reject applications or require them to be varied if, in its opinion, they are not likely to contribute to the objectives of the Option.

The submission of a valid application does not guarantee entry under the EFS Traditional Native Breed Option.

Selected successful applicants will be notified in writing of their acceptance into EFS Traditional Native Breed Option and the commencement date of their agreement. For more information on Traditional Native Breeds then view the information sheet at:

• https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options

3.4.3 Organic Conversion

Organic Conversion will provide payments to help farmers with the additional costs and loss of income that occurs during the conversion period to organic production. It will protect and enhance the rural environment, and help producers meet consumer demand for organic produce.

All eligible horticultural, horticultural top fruit, arable and grassland on a farm can be entered into the Scheme. It is possible to convert only part of a farm, a land parcel, as long as conventional and organic production is kept sufficiently separate. The acceptability of this separation will be determined by the organic certification body when agreeing a conversion plan. In addition, certain minimum area thresholds must be met.

Details of the Organic certifying bodies can be found on the DAERA website: https://www.daera-ni.gov.uk/publications/approved-uk-organic-control-bodies

Scheme participants enter into a five year agreement for each land parcel 'in conversion'. A land parcel is that area which begins conversion in a particular year. In order to claim an EFS Organic payment for a land parcel, it must have begun conversion before the claim is made, but not before 1 January 2016. The five year agreement will be made up of up to 2 or 3 years conversion payments followed by 3 or 2 years EFS Organic Management once the land has been certified as fully organic.

Land that is, or has previously been, certified as fully organic at application is not eligible for EFS Organic Conversion.

3.4.4 Organic Management

Organic Management will encourage the continuation of organic farming systems for land that is fully converted to organic production. It is also designed to provide an improved incentive to those considering conversion to organic status by offering continued financial support at the end of conversion agreements.

All eligible horticultural, horticultural top fruit, arable and grassland on a farm can be entered into the Scheme.

Scheme participants enter into a five year agreement for each land parcel certified as fully organic. In order to claim an EFS Organic payment for a land parcel, it must be registered as fully organic and remain certified as fully organic by a registered organic sector certification body. Land that has not already been certified as fully organic at application is not eligible for the EFS Organic Management.

More information on Organic Management and Organic Conversion can be found at;

• https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options

For arable or grassland conversion or management, the minimum area of certified organic land under EFS agreement must be 3ha of LPIS MEA land.

For horticulture, including Top Fruit, organic conversion or management, there must be a minimum of 1ha of LPIS MEA land under EFS agreement.

In the event of oversubscription to the Organic Options, it may be necessary to apply the following selection criteria to all eligible applications:

- Prioritisation of total farm conversion over partial farm conversion;
- Prioritisation of larger organic areas over smaller organic areas;
- Prioritisation of mixed farms over monoculture farms;
- Prioritisation to help achieve sectoral balance across horticultural, livestock and cereal;
- Prioritisation of farms located in an area of intensive agricultural land use with river bodies failing to meet WFD "good status".

Selection, prioritisation and scoring criteria may vary for each new application period.

DAERA may reject applications or require them to be varied if, in its opinion, they are not likely to contribute to the objectives of the Option.

The submission of a valid application does not guarantee entry under the EFS Organic Option. Successful applicants will be notified in writing of their acceptance into EFS Organic Option and the commencement date of their agreement.

If Organic applicants also apply to carry out additional EFS Options, they will be entered into the EFS prioritisation process for the other Options.

There cannot be an overlap of organic options and other EFS Options on the same area, to prevent double funding.

The Creation of EFS funded Margins or buffers can be completed by an organic farmer if he wishes to do so, but the margin/buffer areas would not be eligible for organic funding. This is to ensure there is no double funding on the margin / buffer areas.

All other boundary options can be claimed on land registered as organic / in conversion since the options are sited on the field boundary and therefore do not overlap with the agricultural operations compensated for by the organic payment.

Woodland options cannot be claimed on land registered as organic/in conversion. This would not prevent an organic farmer from selecting any of these options on his farm, but the woodland option areas would not be eligible for organic funding.

For EFS (H), organic options will be eligible where it will maintain and enhance the biodiversity value of the sites and is included in the Site Specific Remedial Management Plan.

However, there cannot be an overlap of organic options and remedial management options on the same area. Application of an EFS Higher level remedial management option precludes an organic option on the same area. This is to ensure that there is no double funding.

3.5 EFS Higher Level

Applicants can apply to the EFS (H) Level for agricultural land that is within environmentally designated sites or contains priority habitats or species. The EFS (H) areas consist of both European and national environmentally designated sites and some non-designated land notable for its particular habitats and species.

EFS Higher level land is split into three Tiers of land, depending on which designated site or priority site it falls into. EFS (H) Tier 1 includes those fields that are within sites designated as Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR sites. EFS (H) Tier 2 land includes those fields that are within sites designated as biological Areas of Special Scientific Interest (ASSI). EFS (H) Tier 3 land includes Northern Ireland priority habitats and species areas outside designated sites.

If the EFS (H) area within a LPIS land parcel is less than 0.1ha or less than 10% of the land parcel, the entire land parcel is not eligible for EFS (H) but is eligible for EFS (W).

3.5.1 Applying for the EFS Higher Scheme

Fields entered on the applicant's 2016 SAF plus any further changes to LPIS up to 5 December 2016 will be listed in the EFS online application, separated into Wider and Higher land. Any fields that are not classified as Wider or Higher, such as commons, will not be displayed.

Applicants can view which, if any, of their fields are eligible for EFS (H) level and indicate if they would like to apply for the EFS (H) scheme.

Applicants must include all Higher fields over which they have management control for the duration of the EFS agreement in their application..

3.5.2 Prioritisation of EFS (H) applicants

After an applicant completes the initial EFS online application and indicates that they would like to apply for the EFS (H) level scheme with their EFS (H) fields, a prioritisation process is implemented, based on environmental benefit.

The EFS (H) Level will target funding to areas where most environmental benefit can be achieved, addressing the requirements of the Habitats and Birds Directives, in particular Natura 2000 sites, to halt biodiversity loss on farmland.

EFS (H) applications will be ranked in a three tiered order;

- Tier 1 SAC, SPA and RAMSAR sites
- Tier 2 Biological ASSI sites
- Tier 3 NI priority habitats and species areas outside designated sites

Entry into the EFS (H) level scheme will depend on which Tier the applicant's land falls into, with priority being placed on the Tiers in descending order and, in particular, on Tiers 1 and 2.

Tier 3 land will not be prioritised for the first intake of EFS Higher applications. This may change in future tranches. Budgetary constraints may also mean that not all Tier 1 and Tier 2 land may be accepted in Tranche 1.

The Department will inform EFS (H) applicants if their Higher level application has been successful. Successful applicants will receive a letter of offer, advising of the EFS Higher Level requirement to submit a site specific Remedial Management Plan (ssRMP). The applicant may then proceed to the next stage, which is the submission of a site specific Remedial Management Plan (ssRMP).

3.5.3 Site specific Remedial Management Plan

EFS (H) applicants will submit a site specific Remedial Management Plan (ssRMP), which details the management Options and Non-productive investments, otherwise known as capital items, required for each management unit within the EFS (H) agreement. A management unit is a group of fields which are managed as one unit by the farmer, for example, a group of fields grazed together.

Successful EFS (H) applicants with appropriate qualifications may produce an ssRMP themselves or engage the services of another individual (a planner) to develop and submit a plan for them.

For prospective planners, further information can be obtained by contacting DAERA on email: EFSPlannerinfo@daera-ni.gov.uk or by calling Tel: 028 8675 7524.

The planner will assess each field included in the EFS (H) application using the EFS Rapid Assessment and determine the habitat type(s) present. They will then use the findings of the Rapid Assessment to determine management solutions linked to the appropriate selection of EFS Options and NPIs for the habitats within the field. The purpose of the selected Options and NPIs is to bring the field under favourable management.

Depending on what is appropriate for their land and habitats, planners and applicants to EFS (H) can select from a wide range of Higher Level management Options (**Table 6**) and Higher Level Non-productive Investments (**Table 7**), which will be included in the site specific Remedial Management Plan (ssRMP). EFS (H) applicants can also select from the EFS (W) management Options and NPIs (**Tables 2 and 4**). These MUST be on their ssRMP to be eligible. If a field is allocated an EFS (H) management Option, it cannot receive EFS Organic support. This is to prevent double funding.

In consultation with the applicant, the planner will complete the detailed site specific Remedial Management Plan (ssRMP) for land within the EFS (H) Level.

The ssRMP details the EFS Remedial Management Options and NPIs required for each field and management unit.

These may include management requirements, such as; timing of grazing, an average stocking rate, scrub control, rush control, erection of protective fencing and gates. It will be possible to fund NPIs, such as Scrub Control, on ineligible features as these items will assist in bringing the EFS (H) land under favourable management.

Applicants must enter all eligible agricultural land within the EFS (H) Tier 1 and Tier 2 areas into the EFS (H) agreement. Tier 3 land will not be prioritised for the first tranche of EFS (H) applications.

Table 6: EFS (H) Remedial Management Options for Priority Habitats and Species

These management activities occur each year of the agreement and are paid each year. These must be included in the ssRMP for the Higher level scheme to be eligible for payment.

Description of Option - Remedial Management Plans	Code	Annual
		Payment (/ha)
Moorlands (Upland heath) remedial management	UHG	£40.00*
Moorlands (Lowland heath) remedial management	LHG	£40.00*
Moorlands (Montane heath) remedial management	MHG	£40.00*
Moorlands (Blanket bog) remedial management	BBG	£40.00*
Moorlands (Intact Lowland raised bog) remedial management	ILR	£40.00*
Purple Moorgrass and rush pasture remedial management	PRG	£180.00
Calcareous grassland remedial management (all year grazing)	CAG	£230.00
Calcareous grassland remedial management (restricted grazing)	CRG	£195.00
Limestone pavement remedial management (all year grazing)	LPA	£230.00
Limestone pavement remedial management (restricted grazing)	LPR	£195.00
Lowland meadow remedial management (all year grazing)	LMA	£230.00
Lowland meadow remedial management (restricted grazing)	LMR	£195.00
Lowland dry acid grassland remedial management (all year grazing)	LDA	£260.00
Lowland dry acid grassland remedial management (restricted grazing)	LDR	£230.00
Coastal sand dunes remedial management	CSD	£235.00
Coastal salt marsh remedial management (restricted grazing)	CSM	£45.00
Coastal and flood plain grazing marsh remedial management (restricted grazing)	CFR	£180.00
Maritime cliff and slope remedial management (all year grazing)	MCA	£55.00
Maritime cliff and slope remedial management (restricted grazing)	MCR	£80.00
Parkland remedial management	PKG	£45.00
Ungrazed mixed ash woodland remedial management	WAU	£65.00+
Ungrazed oak woodland remedial management	WOU	£65.00+
Ungrazed wet woodland remedial management	WWU	£65.00+
Grazed mixed ash woodland remedial management	WAG	£65.00+
Grazed oakwood remedial management	WOG	£65.00+
Grazed wet woodland remedial management	WWG	£65.00+
Breeding wader remedial management	BWG	£195.00
Reedbed remedial management	RBG	£50.00
Fen remedial management	FNG	£50.00
Lowland meadow and purple moorgrass rush pasture - cut for hay	HAY	£230.00
Lapwing fallow plot	LFP	£699.00
*£40/ha up to 50 ha £20/ha from 50 01 – 100ha and £10/ha >100	ha	

^{*£40/}ha up to 50 ha, £20/ha from 50.01 – 100ha and £10/ha >100ha +£65/ha up to 10ha, £40/ha from10.01 – 20ha and £20/ha >20ha

Non-productive investments (NPIs) are also available along with all remedial management plan Options. These are listed in Table 7 below.

Table 7: EFS Higher Level Non-Productive Investment s (NPI) items

NPIs available for EFS Higher Level	Code	Payment
Scrub control light, machine cut, stems <7cm diameter*	SLM	£979.13/ha
Scrub control light, manual cut, stems <7cm diameter*	SLH	£1271.83/ha
Scrub control heavy, machine cut, stems >7cm diameter*	SHM	£1942.80/ha
Scrub control heavy, manual cut, stems >7cm diameter*	SHR	£2528.20/ha
Scrub control – follow-up treatment –	SLF	£104.85/ha
stems <7cm diameter*		
Scrub control – follow-up treatment –	SHF	£183.49/ha
stems >7cm diameter*		
Tree felling for biodiversity	TFB	£600.00/ha
Primary Rush control *	PRC	£89.34/ha
Follow-up rush control (Year 2 – 5)	RFC	£35/ha/year
Primary treatment of bracken – mechanised	BPT	£216.35/ha
or chemical		
Follow-up treatment of bracken – mechanised	BFU	£108.30/ha
or chemical		
Rhododendron and laurel – primary control *	RLP	£5049.57/ha
Rhododendron and laurel control - Follow-up spraying	RLF	£90/ha/ application
regrowth control		
Rhododendron and laurel control –	ARI	Actual costs
control by stem injection*		
Primary or follow-up treatments of invasive	AJK	Actual costs
non-native plants – Japanese knotweed*		
Primary or follow-up treatments of invasive	AGH	Actual costs
non-native plants – Giant hogweed*	ALID	
Primary or follow-up treatments of invasive	AHB	Actual costs
non-native plants – Himalayan balsam*	A)A/O	A - 1 - 1 1 -
Creation of wetlands	AWC	Actual costs
Creation of scrapes	COS	£2.77/m²
Bankside reprofiling	ABR	Actual costs
Structures/work to raise water levels	ARW	Actual costs
Ditch blocking – plastic piling dams (small)	DBS	£62/dam
Ditch blocking – plastic piling dams (medium)	DBM	£151/dam
Ditch blocking – plastic piling dams (large)	DBL	£385.16/dam
Heather regeneration - Controlled burning*	HRB	£142.30
Heather regeneration – Flailing*	HRF	£58.68

NPIs available for EFS Higher Level	Code	Payment
Predator Perch removal	APR	Actual costs
Predator control trap (Larsen trap)	PCT	£82.00/trap
Machinery for management of fen & reedbed tall vegetation	AMT	Actual costs
Restorative pruning of traditional orchards	ARP	Actual costs
Tree surgery	ATS	Actual costs
Tree pollarding	ATP	Actual costs
Post and rail fencing	PRF	£18.00/m
Rabbit proof fencing	RPF	£5.90/m
Deer fence	DEF	£8.50/m
Fence removal	FRL	£2.50/m
Gate and 2 gate posts - deer fence	GPD	£215/gate + 2 posts
Outrigger electric fence for stock fence	OEF	£0.85/m
Solar powered energiser for electric fence	SPE	£352.26/energiser
Standard parkland tree	SPT	£25/tree
Standard fruit tree	SFT	£15.06/tree
Native tree whip	NTW	£0.86/whip
1.2 m tubular tree guard and stake	TGS	£4.02/guard
Spiral tree guard and cane	TGC	£0.39/guard and cane
Woodcrete bat box	BAT	£60.00/box
Red squirrel feeder	RSF	£84/feeder
Large bird box	BBL	£15/box
Small bird box	BBS	£12/box
Barn owl box	BOB	£15/box
Solitary bee box	SBO	£30.00/box
Stock bridge	ASB	Actual costs

^{*} These capital items are area-based and may be claimed on current ineligible areas within a field. This may increase the MEA of the field parcel and this can be subsequently recorded on LPIS and in future claims.

Wider level Options in Table 2 and NPIs in Table 4 are also available for higher level participants, if stated on their ssRMP.

3.5.4 Maximum EFS (H) Agreement Values

Although there is no maximum limit on the area/length/quantity of an Option that can be included in an ssRMP, any EFS(H) agreement with a total value greater than £40,000 over the 5 year period must be referred to the Scheme Manager for prior approval before a Scheme agreement can be issued.

DAERA may reject or revise any EFS(H) ssRMP which it does not deem to meet Scheme objectives and priorities and therefore does not represent value for money.

3.5.5 Minimum Annual Claim Value

All NPIs and annual management must be carried out as stated in your agreement. Financial penalties may be applied if you claim for less than the essential items and annual management approved in your agreement.

3.5.6 Consents and permissions for EFS (H)

The special consents or permissions listed on pages 14 and 15 apply to both EFS Wider and EFS Higher level land.

3.6 EFS Group Level

This Level is group collaboration under the EFS. Collaboration will involve a group of farmers working together to deliver environmental benefits at the landscape scale. Each group will be co-ordinated by a facilitator. Members within a group will have their own individual EFS agreement. The facilitator will assist group members with applications, training and guidance to meet scheme requirements.

DAERA intend to run pilot group projects initially before rolling out the group element in future tranches. Further details will be released after the pilots have been evaluated.

3.7 Issue of EFS Agreement

All successful EFS (H) applicants will be offered an agreement commencing on the subsequent 1 January. For EFS (W) Tranche 1, agreements will commence on 1 July 2017.

Two copies of the Agreement Document will be issued to the Business ID. One copy is for the applicant to keep and the other must be signed and returned within 28 calendar days from the date of issue as stated on the accompanying letter. The final date for return of the signed Agreement Document will be specified in the accompanying letter.

If the signed Agreement Document is not returned within 28 calendar days from the date of issue, the application will be cancelled

4. EFS Payments

Payments are made under the Scheme for EFS Options and Non-productive Investments (NPIs).

4.1 EFS Options

The following examples explain how the establishment and payment of Options and NPIs operate in practice.

- (i) When an Option contains no NPIs and has the same annual recurring management payment, for example, in 'Provision of winter feed crop for wild birds';
 - this has to be established in each year of the Scheme; and
 - the payment for this EFS Option is the same annual recurring management payment of £590/ha in each of the 5 years of the Scheme to cover annual costs and income foregone.
- (ii) When an Option contains NPIs only and no recurring annual management cost, for example, in 'Watercourse stabilisation with fencing';
 - an essential NPI payment of £5.25/m will be paid for Year 1; with
 - no payments in years 2 5. However, the stock-proof fence along the watercourse must be retained for the duration of the Scheme.
- (iii) When an Option contains a combination of essential NPIs and annual recurring management costs, for example, in 'Establishment of native woodland less than 5ha';
 - a payment of £2625/ha in Year 1 includes the cost of essential NPIs such as planting native trees and shrubs and erecting tree guards and canes as necessary, as well as recurring management costs, such as weed control, replacing dead trees and the loss of income foregone; with
 - a payment of £516/ha/yr in Years 2-5 for loss of income foregone and annual recurring management costs for work such as weed control and replacing dead trees.

4.2 Non-productive Investments (NPIs)

Some Options contain NPIs as essential capital items. Additional NPIs, for example, 'Drinking trough' and 'Water trough pipe work', are available in association with the EFS Options. The additional NPIs may be required to protect or enhance newly created EFS Options. For example, erecting the NPI 'Stock-proof fencing' alongside the EFS (W) Option 'Creation of Tree-enhanced Boundaries'.

Additional NPIs may be required to meet the requirements of a site specific Remedial Management Plan (ssRMP) in EFS (H) or to protect or enhance newly created EFS Options. Thus Scrub control or Rush control may be included in an ssRMP. Erecting a bird box or a solitary bee box are additional NPIs that may enhance newly created EFS Options.

Works started or completed before the notified Scheme Start Date are not eligible for payment.

It is the responsibility of the agreement holder to ensure that the Option and NPI area / length / units that they have entered to the Scheme meet the stated 'Requirements and Controls'. An agreement holder must keep and maintain records for all works carried out under the Scheme.

NPIs must be completed to the standard and timeframes detailed in the associated 'Requirements and Controls'. References to relevant British Standards refer to the current up to date version of the appropriate standard. Completed NPIs must be retained and maintained for the duration of the Scheme.

EFS (W) NPIs are paid on a 'standard cost' basis. In EFS (H) most NPIs are paid on standard costs but some are paid on an 'actual cost' basis (See Table 7).

For both standard and actual cost NPIs, claims are only permitted for the area / length / units actually completed and claims cannot exceed the amounts approved. Claims for work that has not been completed will be considered by DAERA as an over-declaration and penalties will apply. Most NPIs are claimed and paid for in Year 1, with the exception of follow up treatment which is claimed and paid in Years 2-5.

Receipts or invoices for materials purchased for the implementation of NPIs must be retained and made available when requested.

5. Applying for EFS payment

5.1 How to apply for payment

The claim year for the Environmental Farming Scheme is normally 1 January to 31 December, however in Tranche 1, the Wider agreement will run from 1 July 2017 to 31 December 2018.

An annual claim for payment of EFS Options and additional NPIs must be submitted on a Single Application Form (SAF) by the deadline for SAF submission. Where the SAF is submitted after the closing date, a late submission penalty will be applied to the EFS claim. Details of the penalties for late applications are provided in the 2017 Guide to the Basic Payment Scheme. Claims returned after the final date for receipt of claims with penalty will be deemed invalid.

Each year the EFS Options and additional NPIs in the agreement must be claimed for in the appropriate fields. The computer will calculate payment.

Where an EFS Option contains essential NPIs, payment for these will be included in the Year 1 payment for the EFS Option. A separate application for these essential NPIs is not required. Where a Business inadvertently submits a claim in Years 2-5 claims for an Option that contains essential NPIs only (no annual recurring management), the relevant section of the claim will be reduced to zero and no penalty will be applied

Failure to make an EFS claim for two consecutive years may result in termination of the relevant EFS level agreement. Recovery of payments already made may be required.

The EFS claimed area / length / units in the annual SAF are deemed to be the area/ length / units <u>claimed</u> for payment. Where the claim is subject to inspection, the area/ length / units found are the <u>determined</u> area / length / units. Where the EFS area / length / units completed are greater than the area / length / units claimed for on the SAF, payment will be calculated on the lesser of the claimed or determined amount.

5.2 Checking Scheme compliance

Checking for scheme compliance will be carried out, as detailed in the EFS Terms and Conditions and in the 'Requirements and Controls' section of each EFS Option or NPI information sheet. When implementing an EFS Option or NPI, it is the Scheme participant's responsibility to ensure that they satisfy all the 'Requirements and Controls' and the 'Terms and Conditions' for the Scheme

The EFS Options and NPIs in an EFS Agreement are claimed as part of the Single Application Form (SAF) and therefore must comply with the rules of the SAF. By submitting a Single Application, the claimant agrees to permit DAERA to carry out an Onthe-Spot Check (OTSC) for eligibility with or without prior notice at any reasonable time. No payment will be made if the claimant, or others acting on their behalf, prevent any of these checks from taking place.

All claims will be subject to a range of checks, before payment can be processed, which may include:

5.2.1 Administrative checks

Administrative checks will include cross checks with SAF, LPIS and GIS databases, APHIS/NIFAIS and IMC Breed Register and checks on additional information submitted with a claim, e.g. invoices, receipts and proof of payment. Scheme records may be checked for all EFS Options and NPIs.

In addition to administrative checks, DAERA is obliged to carry out on-the-spot-checks (OTSCs) on at least 5% of claims. DAERA will carry out random, targeted and appropriately timed OTSCs, including visual inspection and GPS measurement supported by inspector checklists, which will record individual compliance with the 'Terms and Conditions' and the 'Requirements and Controls' of the EFS Options and NPIs in the agreement. The 'Requirements and Controls' section of each Option provides guidance on specification and the control type which may be used, e.g. administrative, control with remote sensing (CwRS) and / or OTSC.

5.2.2 Classic On-the-Spot Check (OTSC)

A percentage of claims will receive a classic OTSC on-farm visit, carried out by an Inspector, who will check compliance with the EFS 'Requirements and Controls' found on the information sheets of the EFS Options and NPIs. For Health and Safety reasons the inspector will attempt to contact the Scheme participant prior to the visit, usually by phone, advising them of the proposed time and date. The check may go ahead if contact cannot be made. Scheme records must be presented and will be checked.

5.2.3 Control with Remote Sensing (CwRS) OTSC

Many OTSCs are completed using remote sensing techniques. This involves interpreting ortho-images produced from satellite and/or aerial photographs of fields/features/capital items in relation to a claim. Follow up checks in the form of a Rapid Field Visit (RFV) can be carried out by an inspector if necessary.

The information sheet of each Option and NPI provides guidance on specification and the 'Control type' which may be used, e.g. administration, control with remote sensing (CwRS) and / or OTSC. Information sheets can be found at the following sites;

- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-stand-alone-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-wider-non-productive-investments-npis
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-options
- https://www.daera-ni.gov.uk/publications/environmental-farming-scheme-higher-non-productive-investments-npis

A final report will be prepared for every inspection (OTSC and CwRS). Where irregularities have been identified, the claimant will be given the opportunity to make comments on the inspection findings. It is not possible for an inspector to provide advice on the effect on the claim of ineligible areas claimed for or non-compliances detected at inspection. If penalties are to be applied to your claim, the claimant will be notified in writing by Area-Based Schemes Payment Branch.

5.3 Non-Compliance

If it is discovered that the 'Terms and Conditions' and 'Requirements and Controls' of the Scheme are not met, this is called a non-compliance which will result in the relevant penalty or sanction being applied.

5.4 Types of non compliance and penalties applied

The main types of non-compliance with regard to EFS agreements are:

- (i) Breach of Cross-Compliance;
- (ii) Over-declaration of Options;
- (iii) Over-declaration of NPI expenditure;
- (iv) Breach of Agreement or other Obligations;
- (v) Under-declaration of land.

5.5 Repayment

If the agreement holder breaches the terms of the EFS agreement or if there is a change in circumstances affecting the agreement holder's eligibility to receive grant, DAERA reserves the right to withhold, or require repayment of, monies. As mentioned above, if the agreement holder is non-compliant with the terms of the Agreement, penalties will be applied.

If the agreement holder receives any overpayment or any payment to which he / she is not entitled, including as a result of a DAERA administrative error, the undue amount must be repaid. It is the agreement holder's responsibility to check all payments received from the Paying Agency (DAERA) and notify the Paying Agency immediately if there is any reason to believe that an error has been made.

If any sum becomes repayable, it shall be treated as a debt owing by the agreement holder to the Paying Agency until such time as the outstanding amount is repaid. A recovery order will be issued to the agreement holder specifying the amount to be repaid and the date by which repayment must be made.

5.6 Obtaining payment by deception or fraud

DAERA has a zero tolerance approach to fraud and when detected, it will pursue it vigorously and, if necessary, prosecute to deter reoccurrence.

Where any person, with a view to obtaining a payment of grant to himself or any other person makes any statement or provides any information which is false or misleading, the Department may withhold the whole or any part of any payments of grant payable thereunder to that person or such other person, and may recover the whole or any part of any sums already paid by way of grant thereunder to that person or such other person:

- where they have failed to do something which they undertook to do if the grant
 was made or where they are in breach of any conditions subject to which the grant
 was made, the Department may withhold the whole or any part of any grant
 payable to them and recover the whole or any part of any grant already paid;
- where the Department has to take any step specified in the above paragraphs, it may also treat the agreement as having been terminated.

6. Amendments to and withdrawal from the Environmental Farming Scheme

6.1 Transfer of land under EFS agreement

DAERA will consider requests by the agreement holder to transfer the agreement, or part of the agreement, to another party as a result of: a change in business structure; death; inheritance; sale or lease of land.

It is the responsibility of the agreement holder to inform the prospective occupier about the EFS commitment before transferring or selling any land under agreement. If the new Business ID with management control of the land does not take over the agreement on that land you may be required to repay all EFS monies made in relation to that land.

You must notify DAERA of any proposed transfer or sale at the first opportunity.

6.2 Scission of a Business with an EFS agreement

Where a Business is subject to a scission or split, the EFS options will remain with the land parcel(s) on which they are established and will transfer to the associated split businesses. Two or more new EFS agreements will be formed and signed by the member(s) of the new businesses and will continue for the remaining term of the original agreement. It will not be permissible to add new options to the agreement following scissions. Each of the split businesses will have to meet the EFS eligibility criteria.

If, after a land transfer or scission, any of the new Business IDs subsequently do not meet the EFS(W) eligibility requirements, the EFS(W) agreement will be terminated and monies may be recovered.

6.3 Merger of one or more Businesses with an EFS agreement

Where one or more Business IDs merges to form a new business, and one or both of the merging businesses have an EFS agreement, these commitments may be transferred to the new merged Business ID. If more than one of the original Businesses has an EFS agreement, it will be permissible for the total EFS scheme value for the merged business ID to exceed the area and monetary thresholds applicable to the original EFS agreement(s). All partners in the new merged business will be required to sign a new EFS agreement to include the options within the original agreements. Additional options cannot be included at merger.

If the merger brings together two EFS agreements with different 'Start dates', the new business will continue to implement these commitments for the remaining duration of each respective agreement.

6.4 Variation of agreement by DAERA

It may be necessary for DAERA to vary the agreement in line with changes to legislation and in other exceptional circumstances. In applying for the Scheme, the agreement holder accepts that such changes may be made at any time. DAERA will make information on such changes available on its website. Where the changes are significant, DAERA will give the agreement holder notice in writing. If the agreement holder chooses not to accept the revised agreement, the agreement will be terminated and no monies will be recovered.

6.5 Death of a single member business Agreement holder

Where a single member business EFS agreement holder dies during the period of the agreement, it is important that the Personal Representatives of the business contact DAERA as soon as possible. The EFS agreement may continue where the Personal Representatives accept the Terms and Conditions of the agreement. Where the Personal Representatives do not accept the Terms and Conditions of the agreement, the agreement will be terminated. In these circumstances, there will be no recovery of payments already made.

In a multi member business, the agreement will continue as normal after the death of one member.

6.6 Withdrawal from the Scheme

If a Scheme participant wants to withdraw from the Scheme altogether or discontinue with an EFS Option or Options, they must write to their local DAERA office immediately explaining why.

Scheme participants can withdraw from the Scheme completely at any point prior to submitting a first claim as long as DAERA has not informed the Scheme agreement holders of any errors in their application or informed them of an inspection which subsequently reveals errors in respect of the withdrawn information. All applications to withdraw from the Scheme must be made **in writing** to the Scheme Manager.

If a Scheme participant terminates their agreement after receiving one or more EFS payments, they will have to repay any monies received plus interest, unless the termination relates to the following circumstances:

- Changes to the baseline;
- Changes due to adaptation to the new legal framework;
- Transfer of all or part of the land under commitments:
- Reparcelling or public land consolidation; or
- Cases of force majeure and exceptional circumstances.

DAERA will consider the facts on a case-by-case basis in deciding whether these circumstances apply.

7. Force Majeure/Exceptional circumstances

7.1 Definition of force majeure

Force majeure or exceptional circumstances is defined as 'unusual circumstances, outside the control of the trader, the consequences of which, in spite of the exercise of all due care, could not have been avoided except at the cost of excessive sacrifice'. A farmer may experience a force majeure incident or exceptional circumstance that impacts on his ability to meet the requirements of the Environmental Farming Scheme.

You must inform the Department in writing of the circumstances within fifteen working days from the date on which you are in a position to do so. In the case of death of the agreement holder, their personal representatives must notify the Department.

Cases of force majeure are determined against their particular circumstances and on an individual basis

8. Review of Decisions

Under the Review of Decisions procedure, agreement holders have a right to request a review of a decision made by the Department in relation to their area-based scheme claims. This procedure includes the Environmental Farming Scheme.

DAERA recommend that before requesting a formal review, the Scheme participant contacts Scheme staff to discuss the case. The Scheme staff will be able to provide a fuller explanation either over the telephone, in person or in writing, which may allow the matter to be resolved without the need to request a formal review.

Using this option does not affect the Scheme participant's right to proceed with a formal review but the deadlines for return of the application for a review will not be extended.

The review process is intended to provide applicants with a fair, impartial and transparent assessment of the Department's decision against the framework of EU and National Regulations and Scheme Rules. The aim of the procedure is to ensure that the decision made is correct and in line with the appropriate Regulations and Scheme rules.

More information about the Review of Decisions can be found on the DAERA website at;

https://www.daera-ni.gov.uk/publications/review-decisions-procedure

The Review of Decisions process is currently under review and will be up-dated in 2017.

9. How we use your information

The Department takes data protection, freedom of information and environmental information issues seriously. It takes care to ensure that any personal information supplied to it is dealt with in a way which complies with the requirements of the Data Protection Act 1998. This means that any personal information you supply will be processed principally for the purpose for which it has been provided. However, the Department is under a duty to protect the public funds it administers, and to this end may use the information you have provided for this purpose.

It may also share this information with other bodies responsible for the audit or administration of public funds, in order to prevent and detect fraud. In addition, the Department may also use it for other legitimate purposes in line with the Data Protection Act 1998, Freedom of Information Act 2000 and Environmental Information Regulations 2004.

These include:

- administration of the Common Agricultural Policy and other aid schemes
- administration of the Common Fisheries Policy
- the production and safety of food
- · management of land and other environmental controls
- animal health and welfare
- occupational health and welfare
- the prevention and detection of fraud or maladministration (E.g. The Comptroller & Auditor General and HM Revenue & Customs.)
- compilation of statistics
- disclosure to other organisations when required to do so
- disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 where such disclosure is in the public interest

Legislation introduced by the European Commission in 2014 requires member states to publish details of the amounts paid to CAP beneficiaries. Data will be published for all beneficiaries on a searchable website and will include the name and locality of the beneficiary and details of the amounts and schemes for which subsidy has been paid. However, for those receiving less than the equivalent of E1250 in subsidies the name of the beneficiary will be withheld. Data will be made available from 31st May each year and will cover all payments made in the previous EU financial year (October to October). The data will be updated annually and remain available for two years from the date it is published.

10. State Aid

Aid for the establishment of native woodland of less than 5 hectares and aid for agroforestry systems are subject to European Commission State Aid rules and all applications will be assessed for compliance with Articles 32 and 33 of Commission Regulation (EU) 702/2014 [Official Journal of the European Union L 193/1 – 75, 1 July 2014]"

11. Glossary of Terms and abbreviations

For the purposes of the scheme:

Additional Capital items: available to complement certain management options

Agreement Document: the document accompanying these Terms and Conditions which describes the Grant to be paid to the Agreement Holder and the EFS Options and / or NPIs to be undertaken

Agreement End Date: the date on which the Agreement comes to an end, as set out in the Agreement Document.

Agreement Holder: the member or members of the DAERA farm business identified as the Agreement Holder(s) in the Agreement Document.

Agreement Land: the land described in the Agreement Document and identified on the Agreement Map(s).

Agreement Start Date: the date on which the Agreement commences, as set out in the Agreement Document.

Agricultural land: any area of land in Northern Ireland which is registered as a parcel on the Land Parcel Identification System (LPIS). These areas may include land which is deemed to be ineligible for the Basic Payment Scheme.

Annual Payment Claim: refers to a claim for EFS payment submitted under the Basic Payment Scheme Application in accordance with Articles 12 to 14 of Commission Regulations (EU) No) 809/2014.

Agroforestry: is a land management system which integrates trees with crops and/or livestock on the same plot of land.

Area of Special Scientific Interest (ASSI): designated sites that are protected under Northern Ireland for their nature and earth science value. They are selected based on specific qualifying features, which include earth science, habitats and species.

Authority: Department of Agriculture, Environment and Rural Affairs (DAERA).

Biodiversity: The variety of life on earth.

Breach of agreement: is a failure to adhere to the conditions of the agreement and/or failure to carry out something on which grant is/ was paid.

Capital items: are made up of those which are 'essential Capital item(s)' and those which are 'additional Capital item(s)'. Capital items are also known as Non-productive Investments (NPIs).

Controls: refer to the method of checking EFS requirements compliance. Checking may be carried out by administration, Control with Remote Sensing (CwRS) or by Onthe-Spot Checks (OTSC).

Ecological Focus Areas (EFAs): a greening requirement for farmers with more than 15 hectares of arable land who submit a claim under the Basic Payment Scheme.

Eligibility: refers to the elements which are essential to allow an agreement to take place, the disrespect of which will result in the exclusion from the Scheme

Eligibility criteria: the requirements that the beneficiaries have to respect usually at the stage of entering into support measure and throughout the duration of the support, but for which they are not paid for.

Essential Capital items: a term used to describe the work that an Agreement Holder is required to undertake as set out in the Agreement Document to establish the EFS Option. Essential Capital items are also known as Essential Non-productive Investments (NPIs).

Field boundaries: includes dry stone walls, ditches, earth banks, hedges and rows of trees.

Government Gateway account: An account held on the online system used for a range of Government services.

Greening: a term used to describe the suite of agricultural practices that Basic Payment Scheme applicants have to comply with in order to receive the Greening Payment. The greening practices include crop diversification, ecological focus areas, retention of permanent grassland and the protection of environment sensitive permanent grassland.

Habitat: the natural home or environment of an animal, plant or other organism.

Herbicides: a pesticide that is a chemical substance used to control unwanted plants

Integrated Pest Management (IPM): is a process used to solve pest problems while minimising the risk to people and the environment

Livestock unit (LU): refers to a unit of measurement for livestock numbers.

Dairy cow: 1
Beef cow: 0.8
Breeding Bull: 1
Calf ,1yr: 0.4
Ewe: 0.15

Ewe and Lamb: 0.20 Sheep>1yr old: 0.20

Non-Productive Investments (NPIs): are Capital items

Noxious weeds: are listed under the Noxious Weeds Order 1977 and include wild oat (*Avena fatua* L.); thistle (Cirsium vulgare (Savi) Ten.); *Cirsium arvense* (L.) Scop.), dock (*Rumex obtusifolius* L; *Rumex crispus* L.) and ragwort (*Senecio jacobaea* L.)

Pesticides: a chemical used to kill harmful pests. These include insecticides, herbicides, molluscicides and fungicides.

Protection zone: a specified area around an important site. Activities within these areas are restricted.

RAMSAR: a wetland site of international importance designated under the Ramsar Convention

Riparian buffer: the marginal area along a waterway and standing waters, such as lakes and ponds.

Short Rotation Coppice (SRC): an energy crop which usually consists of densely planted, high yielding varieties of popular or willow.

Special Area of Conservation (SAC): a site designated under the Habitats Directive (1992/43/EEC).

site specific Remedial Management Plan (ssRMP): a plan completed for land managed under the EFS Higher and EFS Group which shall take into consideration local site conditions and be tailored to the needs of the site.

Special Protection Area (SPA): a designation under the Birds Directive (2009/147/EC)

Uncultivated land: land which has not been cultivated in the previous 15 years.

Waterway or Watercourse: a dry sheugh, wet sheugh, stream, river, lake or waterway which is at least 1 metre wide.

Working day: any day other than a Saturday, a Sunday or a public holiday in Northern Ireland.

Abbreviations

ASSI: Area of Special Scientific Interest

BPS: Basic Payment Scheme

CwRS: Control with Remote sensing

DUC: Dual Use Claim

EFA: Ecological Focus Area

EFS: Environmental Farming Scheme

EIA: Environmental Impact Assessment

GPS: Global Positioning System

IPM: Integrated Pest Management

LPIS: Land Parcel Identification System

MEA: Maximum Eligible Area

NICMS: Northern Ireland Countryside Management Scheme

NPI: Non-Productive Investment

NNR: National Nature Reserve

OTSC: On-the-Spot-Check

ssRMP: site specific Remedial Management Plan

SAC: Special Area of Conservation

SAF: Single Application Form

SPA: Special Protection Area

SRC: Short Rotation Coppice

12. Contact details

Contact Us:

If you have a specific query you can contact us using the email addresses or telephone number below. If you have a Farm Business Identification Number (6XXXXX) please quote it on all correspondence or have it to hand before you call.

Email:

Grants and Funding: areabasedschemes@daera-ni.gov.uk

Telephone:

Grants and Funding: 0300 200 7848

Useful Addresses:

If you wish to send your query by post you should send it to:

Area-Based Schemes Payment Branch Orchard House 40 Foyle Street Derry/Londonderry BT48 6AT

Or you can visit your local DAERA Direct Office as listed below:

DAERA Direct Public office opening hours Monday to Friday: 10.00am – 12.30pm 1.30pm – 4pm

Armagh	Ballymena	Coleraine
Atek Building	Academy House	Crown Buildings
Edenaveys Industrial Estate	121A Broughshane Street	Artillery Road
Newry Road	Town Parks	Millburn
Edenaveys	Ballymena	Coleraine
Co. Armagh	Co. Antrim	
BT60 1NF		Co. Derry/Londonderry BT52 2AJ
	BT43 6HY	Enniskillen
Downpatrick	Dungannon	
Rathkeltair House	Crown Buildings	Innishkeen House
Market Street	Thomas Street	Killyhevlin
Demesne of Down Acre	Drumcoo	Enniskillen
Downpatrick	Dungannon	Co. Fermanagh
Co. Down	Co. Tyrone	BT74 4EJ
BT30 6LZ	BT70 1HR	
Mallusk	Magherafelt	Newtownards
Castleton House	Units 36-38	Sketrick House
15 Trench Road	Meadowlane Shopping	16 Jubilee Road
Grange of Mallusk	Centre	Corporation South
Mallusk	Moneymore Road	Newtownards
Newtownabbey	Townparks of Magherafelt	Co. Down
Co. Antrim	Magherafelt	BT23 4YH
BT36 4TY	Co. Derry/Londonderry	
	BT45 6PR	
Newry	Omagh	Strabane
Glenree House	Sperrin House	Government Offices
Unit 2, Springhill Road	Sedan Avenue	18 Urney Road
Carnbane Industrial Estate	Lisnamallard	Strabane
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Co. Down	Co. Tyrone	
BT35 6EF	BT79 7AQ	
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