

2017

Single Application and Maps Q&A



Department of
**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk



**INVESTORS
IN PEOPLE**

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Section 1: How to apply to Area-Based Schemes in 2017

1. What schemes can I claim on the 2017 Single Application Form?

You can apply for the following area-based schemes on the Single Application Form:

- Basic Payment Scheme (BPS) and Greening Payment
- Young Farmers' Payment (YFP)
- Regional Reserve Entitlement allocation or top up (as a Young Farmer or New Entrant)
- Areas of Natural Constraint Scheme (ANC)
- NI Countryside Management Scheme (NICMS)
- Farm Woodland Premium Scheme (FWPS)
- Farm Woodland Scheme (FWS)
- Forest Expansion Scheme (Annual Premia)

2. Will I receive a Single Application pack including a Single Application Form (SAF)?

Pre-printed SAF packs will not automatically be issued in 2017. You will be able to make your Single Application online from 1 March 2017.

3. What help can I get to complete my Single Application and Map?

There are a range of options available if you need information or assistance with completing and submitting your 2017 Single Application.

Online Help:

You should use the booklet 'How to Complete your Single Application online in 2017' and the helpful 'How to' video also shows you how to complete your application online. These are available on the Departments website and will provide you with information on how to complete your application accurately and tell you where to get more detailed information if required.

Go to: www.daera-ni.gov.uk/topics/grants-and-funding/area-based-schemes-2017

The full list of Scheme booklets and guidance is listed below. It is important that you read this information and understand the eligibility requirements of the schemes you wish to apply for as well as the rules for cross-compliance, business changes and land eligibility.

- Guide to the Basic Payment Scheme.**
- Guide to the Greening Payment.**
- Guide to the Young Farmers' Payment/Regional Reserve.**

- **Guide to the Areas of Natural Constraint Scheme.**
- **Forestry Grant Schemes Information Booklet.**
- **Guide to Land Eligibility.**
- **Guide to Business Changes.**
- **Guide to Transfer of BPS Entitlements**
- **Cross-Compliance Verifiable Standards Booklets - Full Version and Summary**
- **Online “How to...” videos**

Email:

If you have a query you can email us on areabasedschemes@daera-ni.gov.uk.

Phone:

You can call the SAF Advisory Service on **0300 200 7848** and our advisors will provide you with the information and assistance you need to complete your application.

Appointment:

We can arrange a face-to-face appointment for you at your local DAERA Direct Office where one of our team will assist you with completing your application online. You will need to bring either your DAERA Access Key or your Government Gateway ID and Password. You are advised to contact us as soon as possible in the application period if you think you need an appointment as availability may be limited.

Give Permission for someone else to complete your application for you:

You can arrange for someone else, such as a family member, friend or agent to complete your application on your behalf. To do so, complete a Nomination of an Authorised Person Form available [here](#). The person acting on your behalf will only have access to information about those area-based schemes claimed on your Single Application. It is in your interest to check that any agent acting on your behalf has appropriate indemnity insurance.

Single Application Awareness Sessions:

We will be holding awareness sessions to demonstrate the Single Application and Map Service. If you attend and have your Government Gateway ID and Password

you may be able to complete your application there and then. You can book by calling **028 71 319955**. Do this early to avoid disappointment as places are limited.

4. What are the benefits of applying online?

Completing your application form online is safe and secure. As well as this, the 2017 online Single Application service offers a number of advantages:

- It's fast and easy to use
- You can view and make changes to your map as you complete your online application without the need of a LPIS Change Form in most circumstances.
 - You can add, remove, split and merge fields
 - You can add, remove and amend features
 - You can add, remove and amend field boundaries
- Changes made to your map automatically update your field data tables
- It will automatically determine if you have a Greening requirement and if you meet this.
- It features on-screen alerts which will advise you if you haven't answered a question or if you claim more than we think you should. These simple mistakes can delay your payment and may result in financial penalties.
- It has help buttons and web chat which will help answer any queries you may have.
- You can submit your application at a time that suits you – right up to midnight on 15 May 2017 (application closing date). This will help you avoid penalties.
- You get an instant receipt and claim summary when you submit your form

5. What browsers are compatible with the online Single Application and Map Service?

The Single Application and Map Service works with all main browsers on:

- Windows – Google Chrome, Mozilla Firefox, Internet Explorer & Microsoft Edge
- MAC – Google Chrome, Safari & Mozilla Firefox
- Portable devices – Safari (iOS) & Google Chrome (Android)

6. How do I access the online application service?

If you are new to DAERA online services you can:

- call us on 0300 200 7848
- text EASY to 67300
- go to www.daera-ni.gov.uk/online-services

DAERA Online Services is a secure system and you must apply for authorisation before any information can be accessed on it. You will require your DAERA Access Key and DAERA Customer ID to complete the registration process.

DAERA Access Key: Request your DAERA Access Key by phoning 0300 200 7848 and it will be posted to you.

DAERA Customer ID: This is a 6 digit number beginning with a '1' or '2'. If you do not have this, phone 0300 200 7848.

Once you have these you can log on to DAERA Online Services, select 'Register Now' and complete the application process.

If you are already registered with DAERA online services

- go to www.daera-ni.gov.uk/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 'Single Application and Maps' to start your application. If you need help, at any stage of the process, please phone us on 0300 200 7848 and ask to speak to our SAF Advisory Service.

7. What will be important to check on my land information?

You must make sure that:

- You claim all the land you are farming, irrespective if this land is owned, leased or taken in conacre by you.

If you are not farming the land, do not declare it. Land which you own but are not farming, because it is leased out or let in conacre to another farmer, should not

normally be declared on your application. Rather it should be declared on the application of the person who is actually farming it. The main exception relates to Agri-Environment schemes where dual claims may still be possible but only under certain circumstances.

Do not assume that the maximum eligible area is correct as things may have changed on the ground since DAERA's assessment. Q17 below explains what the MEA is.

Based on the eligibility rules, you must make further deductions to your maximum eligible area or areas claimed for BPS or ANC if you consider other areas in your fields do not meet the eligibility criteria.

You can claim less than the maximum eligible area for a field if there are ineligible areas or you are unsure if the entire field is eligible.

If we find more eligible area than you have actually claimed on, reductions or penalties may apply if entire fields containing eligible area have not been declared, or the greening requirements have not been met when the entire eligible area is taken into account.

Further information on eligible land can be found in the Guide to Land Eligibility 2017 booklet which will be available at:

www.daera-ni.gov.uk/topics/grants-and-funding/area-based-schemes-2017

You are advised to read this Guide carefully to make sure that the land you are claiming on is eligible.

8. How can the Single Application and Map help me make an accurate claim?

Using your Single Application and Map service allows you to view the most up-to-date mapping information available to you. You can view field details such as the Maximum Eligible Area (MEA) for any field and measure lengths and areas, which should assist in ensuring that your claim is as accurate as possible.

In addition you can add and remove fields, amend field details (such as a boundary position) and amend existing or create new ineligible features.

9. What are the time limits for submitting the Single Application?

You must submit your Single Application and any supporting documentation by 15 May 2017. Applications received after 15 May 2017 but on or before 9 June 2017 will be accepted but may be subject to a late claim penalty. Applications received after 9 June 2017 will not be accepted.

If we receive your application on or between 16 May 2017 and 9 June 2017, we will reduce your payment **under all the schemes you have claimed on the single application form**, by **1% per working day**, except in cases of force majeure or exceptional circumstances. If you are applying for entitlements from the regional reserve in 2017, then the penalty is 4% per working day on payments under the Basic Payment Scheme associated with any entitlements allocated from the regional reserve.

No applications will be accepted after 9 June 2017 except in cases of force majeure or exceptional circumstances.

10. What are the time limits for submitting supporting evidence required for my Area-Based Scheme claim?

If you need to submit evidence to support your claim for the Basic Payment Scheme, you must do this by 15 May 2017. Evidence received after 15 May 2017 but on or before 9 June will be accepted but may be subject to a late claim penalty. Evidence received after 9 June 2017 will not be accepted.

Please be aware that

If you are applying for:

- the Regional Reserve as either a young farmer or as a new entrant;
- the Young Farmers' Payment **for the first time** or had a **previous application to either or both schemes rejected**;

you **must** complete a 2017 Young Farmer's Payment / Regional Reserve Form

and take it **yourself** (applicants cannot delegate this to an authorised person), with all the required supporting evidence documents, to your local DAERA Direct Office by **15 May 2017**. You must also submit a Single Application by 15 May 2017.

11. Can I change my Single Application once I have submitted it to DAERA?

Yes. If, after you have submitted Single Application, you need to make changes, you can log in and make changes up to 9 June 2017.

You can amend your application to increase the area you have claimed up until 31 May 2017 without penalty. You should note that amendments made after 31 May 2017 and up to and including 9 June 2017 may result in penalties being applied.

If we receive an application to increase the area you have claimed or the value of your claim after 31 May 2017 but on or before 9 June 2017, we will reduce your payment, except in cases of Force Majeure or exceptional circumstances.

We will not accept any amendments to your application after 9 June 2017, except in cases of Force Majeure/exceptional circumstances.

You can also correct your map at any time by removing or reducing areas you have claimed. You should use our online map service to do this. However, if we have already told you about a problem (irregularity) with your application or we have given notice that an on-the-spot-check will be carried out and this check then reveals an irregularity, you will not be able to correct that part of the application affected by the irregularity.

12. I will be setting up a new farm business, what do I need to do?

If you are setting up a new farm business, you need to be registered with DAERA as a fully separate and independent business before your Single Application can be processed. To register, you must complete and submit form FB1, by 15 May 2017, in the first instance to allow us to establish whether your business meets the necessary conditions. You can download this form from our website: www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance or get one from your local DAERA Direct office.

As this registration process can take time, you are strongly advised to apply as early as possible. You should also read the guidance on the requirement to have a separate and independent business (See the Guide to the Basic Payment Scheme)

Section 2: Maps

13. Why did I not get a paper map this year?

DAERA no longer routinely issues paper maps to farmers. They are available through DAERA's Single Application and Map Service on DAERA Online Services or on request from the SAF Advisory Service.

14. Where can I view or print my map?

You will be able to view and print your map by using the Single Application and Map service on DAERA online services at www.daera-ni.gov.uk/online-services.

15. My map is taking a long time to upload – is there a problem?

The Launch Maps option on the Welcome Page was included as part of the changes for 2017 in addition to being able to open your map from within the application. It does take slightly longer for the maps to load from the Launch Maps link when compared to launching the maps in the main part of the application. This is because while the applicant is answering the initial questions the map functionality is loading in the background. Therefore by the time the applicant gets to Step 3 of the application the maps are ready to load almost immediately.

In addition, factors such as the size of your farm holding and broadband speed in particular locations may impact on the time required to load your map.

16. I am not registered for Online Services. Where can I get my map?

If you are not registered you can request a paper copy of your map: -

- by email at: areabasedschemes@daera-ni.gov.uk , or
- by contacting the SAF Advisory Service on phone number: 0300 200 7848

- If you need a paper map you should request it as soon as possible to ensure that you receive it within the Single Application deadlines.

17. What is the MEA?

The MEA is our assessment of the maximum area that you can claim for the Basic Payment Scheme or ANC in each field. It is based on the boundary and ineligible features that we have shown on your map.

You should not assume that the MEA is correct. Unless the land had a recent land inspection we have not assessed some areas for eligibility e.g. heather and rush. Also something may have changed on the ground since our last assessment.

It is your responsibility to ensure that the MEA remains an accurate reflection of the situation on the ground and that the area you declare for each scheme meets the eligibility requirements as outlined in the DAERA Guide to Land Eligibility 2017.

18. How is the MEA calculated?

It is calculated by deducting all of the ineligible features that are shown on your map from the total field area.

19. Should I just claim the MEA?

It is your responsibility to ensure that the MEA is accurate. You should bear the following in mind:

- (i) You should not assume that the MEA is correct. Something may have changed on the ground since our last assessment.
- (ii) It is your responsibility to ensure that the MEA remains an accurate reflection of the situation on the ground and that the area you declare meets the eligibility requirements outlined in the DAERA Guide to Land Eligibility 2017.
- (iii) The following ineligible features are not shown on your map but you may need to remove them from your claim.

- a. Temporary features,

- b. Manmade (hard) ineligible features less than 0.001hectares (10m²).
- c. Other (natural) ineligible features less than 0.01hectares (100m²).
- d. Land with ineligible heather and rush vegetation will not be shown unless you had a recent land inspection and you will need to assess yourself on the ground – refer to ‘Guide to Land Eligibility 2017’

20. Can I make all of my map changes using the online mapping service?

The majority of changes can be made using the online mapping service. However certain actions are not possible online and so paper LPIS Change Forms will still be needed still in a few cases, as detailed below:

- Changes to the boundaries/ineligibles in any Common field

21. How are maps updated?

Maps are updated in a number of ways:

- i. In order to comply with EU Guidelines, DAERA reviews all fields within the LPIS on a rolling 3-year cycle. We do this in partnership with the National Mapping Agency – Land and Property Services (LPS). LPS review each field using recent aerial photography and where necessary amend it on the LPIS.
- ii. Following a request by a farmer or their representative;
- iii. Following a DAERA on-the-spot check (inspection) or administrative check.

22. What if my MEA changed during the year (i.e. after 1 Jan 2017)?

Land must be eligible for the full calendar year in order to be eligible for the Basic Payment Scheme or ANC.

Therefore if the MEA of any of your fields decreased after 1 Jan 2017, e.g. you extended a yard into one of your fields on 1 Feb 2017, you should claim the lower

amount in 2017 (i.e. deduct the area of the yard from your field on your 2017 claim using your online map).

If the MEA of any field increased after 1 Jan 2017 (e.g. because you cleared some scrub on 1 March 2017), you should still claim the lower amount in 2017 as the land was not eligible for the full calendar year i.e. you should not claim for the area that you cleared. You can update your map and claim the higher MEA in 2018.

23. Why has my map changed?

The field data and Maximum Eligible Areas (MEAs) may have changed on your map since last year for a number of reasons including:

- You asked us to change something;
- Someone else asked us to change something which impacts on your map;
- We have added information found at an on-the-spot check;
- Our ongoing review of maps has affected your map;
- Your field(s) has been affected by a boundary change on a neighbouring field.

24. My field number has changed from last year – why?

- The field has either been split or merged with another field, or
- The field was previously deleted and a new field has been created, or
- The field was previously given a temporary field number and it now has a new number allocated.

25. A field that I claimed last year is not on my map – why?

If there is an outstanding DAERA query on any of your fields these fields will not be shown on your map. However if you are satisfied that they meet the scheme requirements, you can add them to your 2017 Single Application and Map.

26. One of the fields pre-populated on my Single Application is categorised as 'UNVERIFIED'. What does this mean?

“Unverified” means that we have made a change to a boundary of your field, or an ineligible feature within it, that cannot be confirmed from the aerial photography available to us.

For example you may have submitted a change to a field boundary in 2016. However, if our most recent aerial photograph was taken before the change happened e.g. in 2015, because we cannot see the change on the photograph, we accept the change but mark it “unverified”.

We will verify the change in due course by reference to a more recent aerial photograph or through a field visit.

27. My Single Application and Map includes fields that I will not be farming in 2017. Do I need to tell you who will be farming them?

No. But you must ensure that you remove the fields from your Single Application (by removing the field from your online map).

Fields not declared/claimed on your 2016 Single Application will not appear on your 2017 map.

28. My field is shown as deleted. What does this mean?

DAERA considers that the field is no longer in agricultural use (NAU). The field will have an MEA of zero and it will be removed from your claim and map next year. If you disagree you can reinstate it using the online Single Application and Map Service.

29. I had an inspection in 2016 and the figures on the Single Application online service are different – why?

A small number of 2016 on-the-spot checks (OTSC) had not been processed when the data was prepared for the Single Application online service. Therefore some of these OTSC findings will not be visible on the online service. DAERA will contact you directly and you should refer to your OTSC report when completing your SAF.

30. Some fields areas have changed due to positional improvement (PI) – what does this mean?

Field boundaries shown on DAERA maps are based largely on maps produced by Land & Property Services (Ordnance Survey of Northern Ireland). These Ordnance

Survey maps have been captured over many years using a variety of survey methods and equipment, which have continuously evolved and become more accurate over that time.

Positional improvement brings the current map detail into line with modern Global Navigation Satellite Systems (GNSS) accuracy levels. Field areas can increase or decrease as a result of the PI process but in most cases the changes to individual field areas are very small. The effect on the total land managed by a business is generally also very small as increases in some field areas counteract the decreases in other field areas.

31. What is shown on my maps?

- Fields declared on your SAF in the previous year;
- The most recent aerial photograph that we hold;
- Hard/manmade ineligible areas e.g. buildings equal to or larger than 0.001hectares(10m²)
- Other (natural) ineligible areas e.g. water, scrub equal to or larger than 0.01 hectares(100m²)

32. What is not shown on my maps?

The following ineligible features are not shown on your map but you may need to remove them from your claim.

- (i) Temporary features,
- (ii) Manmade (hard) ineligible features less than 0.001hectares (10m²).
- (iii) Other (natural) ineligible features less than 0.01hectares (100m²).
- (iv) Land with ineligible heather and rush vegetation will not be shown unless you had a recent land inspection and you will need to assess yourself on the ground – refer to ‘Guide to Land Eligibility 2017’

33. My field has an 870 or 850 number – what does that mean?

A field that was renumbered to an 870 or 850 number is treated in exactly the same way as any other field. The 870/850 number was created several years ago to

highlight the fact that more than one person had claimed or owned part of a newly merged field in the previous year.

Farmers therefore needed to pay particular attention to the field when claiming it, to avoid duplicate claims. 870 fields have no other special properties and can only be claimed by one person. Their field number is unique in that no other field has the same number.

34. What does unclear bog mean?

Where 'unclear bog' is printed in the Field Status column of the Field Information Table which accompanies your map, this means that based on our current information, we believe the field is lowland bog and that it does not have a physically recognisable boundary. The MEA for the field is therefore fixed to zero because we consider the field to be ineligible for BPS and (where appropriate) ANC and therefore should not be claimed in 2017.

If you are confident that any of the area is eligible and the field is enclosed by a recognised field boundary, you should amend/review the boundaries and ineligible features and submit any changes using the online mapping system. Please note that the MEA for the field will remain shown as zero on the online mapping system until you receive confirmation (in a LPIS Area Record Form) from DAERA that the edit has been applied. If you need to submit your claim before you receive this confirmation, you can manually amend your form to claim for the eligible area of the field. Please note that should the DAERA Area Record Form provide a different MEA to the figure that you submitted on your claim, it will be your responsibility to amend your claim accordingly.

35. What is DAERA's definition of a boundary?

DAERA field boundaries are mapped to the following types of physical features:

- Permanent fence (including post and wire fence)
- Wall
- Hedge

- Bank
- Metalled road (tarmac, concreted or compacted)
- Edge of a body of fresh water e.g. a lake
- Edge of a river or stream where the body of water is greater than 2 metres wide
- Edge of trees in arable land
- Sheughs
- High Water Mark Mean Tide
- International boundary as shown on Land and Property Services (LPS) (formerly Ordnance Survey NI) map
- Top of cliff or rock face

The eligibility of field boundaries should always be considered in conjunction with the guidance on ineligible features present along a field boundary.

36. Field Boundary Marker Features

Marker features (conforming to DAERA's requirements) will only be recognized as a field boundary where it is not possible to erect a fence. This may apply to the following situations;

- Where fencing is not allowed or would cause unacceptable environmental damage e.g. on an Area of Special Scientific Interest.
- Where the land is not accessible to bring fencing materials to it, e.g. up a mountain, or surrounded by bog, but is itself eligible.
- Where, in mountain or upland areas, the length of boundary to be demarcated is in excess of one kilometre in any one parcel.
- If the ground is too hard or soft to drive posts although this might suggest that the land is ineligible.
- Where, in mountain or upland areas, there has been no history of fencing along or near that particular boundary.
- Where different crops are being grown in the same field by different

farmers, the area being used by each farmer needs to be clearly demarcated. Marker posts would be acceptable for this purpose. A request to split the field on LPIS must be submitted prior to the submission of the Single Application Form.

Marker features cannot be used to split a field used by two farmers to grow the same crop. For example if an entire field is being used for barley, then a fence will be needed to split the field between the two farmers.

37. Types of Marker Features

- **Wooden posts are the first choice** (e.g. for ease of sourcing and relative ease of transport to inaccessible areas) and others (concrete, plastic etc) considered where it is not possible to erect wooden posts or where this is not permitted for environmental reasons.
- A wooden post (preferably plastic-sleeved)
 - a. minimum dimension of 150 mm / 6"
 - b. minimum of 1.5 m / 5ft of post to remain above the ground
- The post should be painted/re-painted e.g. black and white ring stripes.
- The distance apart will be dependent on achieving **direct line of sight** between each post.
- Posts should be given an **identity** and that this identity is used to attribute the GPS point taken to indicate the post's location.

38. Concrete Slabs

Where no post could be erected, a concrete slab with minimum dimensions **450mm x 450mm (18" x 18")** should be used, with its identity scribed into the concrete while wet.

39. Can I split a field into two or more smaller fields?

If the field is divided by a feature which satisfies DAERA's definition of a field boundary, you can split it using the online map.

40. Can I merge two fields together to form one larger field?

If there is no physical boundary separating the fields, you can merge the fields using the online mapping service

41. How do I find out information about common land?

If your Common is managed by Trustees, the trustees will contact you directly to confirm your share and the associated MEA.

Information about commons which are not managed by trustees is available by:

- email at: areabasedschemes@daera-ni.gov.uk ,or
- by phone on: 0300 200 7848 and requesting the SAF Advisory Service

42. What do I do if my map is wrong or does not show the current land state?

You can use the following methods to notify us of a map change:

The Single Application and Map online service includes your map which you can view and submit changes as you complete your application online, therefore there will be no need to complete a LPIS Change Form in most cases.

All map changes should be reported as soon as possible but well in advance of the closing date of 15 May 2017 for the receipt of completed Single Applications. This is to ensure that you receive an updated MEA before the Single Application closes and to avoid delays validating your application.

We will not accept any amendments to increase your claimed area on your application after 9 June 2017 (except in cases of force majeure or exceptional circumstances)

43. How do I find out information about a field that I did not claim last year?

- Through the Single Application and Maps online service.
- By email at: areabasedschemes@daera-ni.gov.uk .
- By contacting the SAF Advisory Service on: 0300 200 7848

44. If I edit my online map using the Single Application and Map Service should I use the revised figures on my claim form?

Any changes made to the map affecting the eligible area (for example, change a field boundary, split a field) will mean that the Field Area and MEA of amended fields will show on your field data table as 'unverified'. You can use these areas for claiming BPS and/or ANC, but the areas are subject to confirmation.

You will be issued with an Area Record Form once these changes have been confirmed by DAERA. You may need to revise the area you claim if these give values different to the unverified changes shown on your table. You will need to do this within the application period deadlines.

45. How do I declare my Ecological Focus Area (EFA)?

All EFA declarations **must** be submitted through the Single Application Online service.

46. If I submit a change through the Single Application online service – how long will it take for DAERA to action it?

We aim to provide you with an updated MEA within 2 weeks however in the early weeks of the scheme opening this may take longer.

Section 3: The Basic Payment Scheme

47. What are the eligibility criteria for Basic Payment Scheme?

To be eligible to claim payment under the Basic Payment Scheme you must meet all of the following conditions-

- You must hold at least 3 BPS entitlements and have 3 hectares of eligible agricultural land or are eligible to activate 3 BPS entitlements by applying to the Regional Reserve in 2017;
- You must be farming the land that you are declaring to activate entitlements (claiming);
- The land on which you claim payment must be at your disposal on 15 May in the year of the claim and remain eligible for the full calendar year;

- Any individual field you declare to activate BPS entitlements must be at least 0.1 hectares (except for common land).

Note: By farming it is meant that you have the decision making power, obtain the benefits, and take the financial risks in relation to the agricultural activity on the land declared to activate entitlements.

48. What is an 'Active Farmer'?

To activate payment entitlements under the Basic Payment Scheme, you must be able to demonstrate that you enjoy the decision making power, benefits and financial risks in relation to the agricultural activity on each parcel of land declared to activate entitlements. This is referred to as the active farmer requirement. This requirement is based on all agricultural activity carried out on the land throughout 2017.

All three elements – decision making power, benefits and financial risks must be fulfilled by the applicant. This means that, unless there are exceptional circumstances, landowners renting out land in conacre will not be able to activate entitlements on that land. The principle being that the farmer who is actively farming the land will be the one claiming direct payments on the land.

The Department will carefully assess each application received to consider whether the active farmer requirements have been met. The assessment of whether an applicant meets the active farmer requirements will be based on individual circumstances. No decisions will be taken in advance of applications being submitted and no blanket exclusions will apply.

Where there is any doubt as to whether the active farmer requirements have been met, further evidence will be requested. The outcome in each case will depend on the evidence submitted which demonstrates what is happening in practice and the onus will be on you as the applicant to prove that the land declared is eligible to activate BPS entitlements.

49. What is an entitlement?

Payment entitlements form the basis of the Basic Payment Scheme and were established (allocated) in 2015, which was the first year of the Basic Payment Scheme. Once you have established your entitlements in 2015, you own these entitlements and access to the Basic Payment Scheme will depend on the number of payment entitlements you hold.

You must submit a SAF to activate your payment entitlements in 2017 under the Basic Payment Scheme to receive payment for Basic Payment Scheme and Greening Payment and if appropriate, Young Farmers' Payment

50. Can I still apply for Basic Payment Scheme entitlements?

The only way to establish new entitlements in 2017 is

- Through the Regional Reserve (as a new entrant or young farmer) – you will need to submit the 2017 YFP/RR form and supporting evidence by 15 May 2017.

You should be aware that you can only have one successful application to the Regional Reserve, so if you applied in 2015 and/or 2016 and were unsuccessful, you can apply again. If you successfully established entitlements from the Regional Reserve in 2015 or 2016, you cannot apply again.

If you did not establish BPS entitlements in 2015, and you are not eligible for an allocation of entitlements from the Regional Reserve, you will have to purchase/lease entitlements in 2017 to be eligible to claim Basic Payment.

51. Do I have to claim on all the land I farm?

You must activate (claim) at least 3 entitlements for payment each year.

For each payment entitlement you hold in 2017, you need to have one eligible hectare of land at your disposal on 15 May and be actively farming the land that you are declaring. This does not have to be the same land that you used to establish your entitlements on in 2015.

You must activate (claim) at least 3 entitlements for payment each year.

You are advised to activate all your entitlements every year to avoid losing them by declaring an equal number of hectares to the number of entitlements you hold.

It is no longer possible for DAERA to rotate which entitlements are activated each year. This means that if you do not activate all of your entitlements in 2 consecutive years, the non activated entitlements will be confiscated. You may sell or lease your surplus entitlements and if they are activated by the buyer/lessee each year, they will not be confiscated.

It is in your interests to declare all the land that you are farming and you are sure is eligible to activate entitlements. For example, you have 40 entitlements but are farming 45 hectares in 2017. If you declare 45 hectares, you can only be paid on 40 entitlements but if 3 hectares were found to be ineligible, that leaves 42 eligible hectares meaning all your entitlements (40) will still be paid without penalty.

However if you only declared 40 hectares and 3 hectares were deemed ineligible, you could only activate 37 entitlements and penalties would be applied because of an over declaration.

If you have more eligible hectares compared to the number of your entitlements you may wish to consider obtaining more entitlements via the transfer of entitlements process but this is optional and solely your decision.

52. How do I declare and claim land and what should I take account of when doing so?

It is important that you declare all of the eligible agricultural land on your holding and not just the land that you are claiming for the Basic Payment Scheme and/or the Areas of Natural Constraint Scheme.

You must declare all land parcels (fields) which you are farming in 2017 and have an eligible agricultural area plus any other land parcels (fields) eligible for a CAP Scheme (for example forestry) You should enter the eligible land usage code.

Fields which are NOT in agricultural use DO NOT need to be declared. For example, rough land that is not grazed or managed, or a scrap yard next to the farm yard.

Land parcels (fields) which have no eligible agricultural area and are not eligible for any CAP schemes do not need to be declared.

However in relation to field parcels which you believe have no eligible area because any agricultural activity is insignificant (e.g. ineligible heather with very small numbers of sheep) or agriculture is not the predominant use (e.g. tree density above 50 trees per hectare), you may want to protect your position against any possibly of an under declaration penalty. You can do this by declaring the field parcel on your online table, **entering an area of zero** in the columns with the heading(s) BPS area (hectares) and/or ANC area (hectares) and by inserting the land usage code.

Land can be claimed for the Basic Payment Scheme, Greening and/or the Area of Natural Constraints Scheme. A holding is defined as comprising of all of the units used for agricultural activities and managed by a farmer situated within the territory of the same Member State.

Greening applies to all of the eligible agricultural land on your holding irrespective of whether or not it is used to claim under the Basic Payment Scheme. We require information on all eligible agricultural land on your holding so that we can assess whether you have a greening requirement and accurately calculate your stocking density for the Areas of Natural Constraint Scheme, if applicable.

Non declaration penalties may be applied if you do not declare all of the eligible agricultural land on your holding.

For cross compliance purposes, it is also important that you declare all of the units on your holding used for agricultural activities irrespective of whether they are eligible for the Basic Payment Scheme.

You should only declare and claim land that you are farming. Land which you own but are not farming, because it is leased out or let in conacre to another farmer, should not normally be declared on your application. Rather it should be declared on the application of the person who is actually farming it.

The main exception relates to Agri-Environment schemes where dual claims are still possible under certain circumstances.

Please see the 2017 Guide to the Basic Payment Scheme for further details.

53. I lease or let my land out in conacre; can I still claim entitlements on the land?

The person who is leasing the land or taking the land in conacre is farming the land and is the only one that is eligible to claim payments on this land in 2017, unless there are exceptional circumstances that enable you to demonstrate that you enjoy the decision making power, benefits and financial risks in relation to the agricultural activity carried out on this land.

This will be difficult to demonstrate as normally when land is let out in conacre, the landowner receives a rent in return for the farmer obtaining the benefits of the agricultural activity which they (the farmer) carry out.

It is possible to lease out entitlements with or without land.

54. What criteria would I have to meet to be allocated entitlements from the Regional Reserve?

Entitlements can be allocated to the following groups under the Regional Reserve.

- Young Farmers - must have a level II qualification in agriculture
- be no more than 40 years of age in the year in which they first apply to the Basic Payment Scheme
 - be setting up for the first time, an agricultural holding as head of holding or have already done so in the five years preceding the first successful application to the BPS, i.e. for first time BPS applicants in 2017, became head of holding on or after 1 January 2012.

- New Entrants - must have a level II qualification in agriculture
- have commenced their agricultural activity in the 2015 calendar year, or any later year
 - have submitted an application to BPS and Regional Reserve not later than two years after the calendar year in which they commenced their agricultural activity
 - not have had agricultural activity in their own name and at their own risk or did not have control of the business

exercising an agricultural activity in the five calendar years preceding the start of their agricultural activity.

55. I applied for BPS entitlements in 2015 and/or 2016 but DAERA rejected my application. Can I apply again in 2017?

You can submit a SAF in 2017 and declare the area you are farming and you are sure is eligible, to activate BPS entitlements and for any other scheme you are eligible for, However you will not receive any BPS, Greening Payment or Young Farmers' Payment unless you acquire entitlements either by transfer or via the Regional Reserve. You could receive payment under other schemes if you meet all the eligibility requirements for the scheme concerned.

56. I applied for BPS entitlements in 2015 but no decision has been made on my application. Should I complete a 2017 application?

If you are farming land in 2017, you should complete a 2017 SAF as normal, declaring the area you are farming and you are sure is eligible, to activate BPS entitlements and for any other scheme you are eligible for.

If BPS entitlements in respect of your 2015 application are subsequently allocated to your business, then these can be activated against the eligible land declared in 2017 in the usual way.

However if your 2015 BPS application is rejected, no BPS, Greening Payment or Young Farmers' Payment will be made unless you acquire entitlements either by transfer or via the Regional Reserve. You could receive payment under other schemes if you meet all the eligibility requirements for the scheme concerned.

57. I am not going to be farming in 2017, what should I do?

If you are not farming any land in 2017, then you are not eligible to claim BPS, Greening Payment, Young Farmers' Payment or ANC payment. You should not submit a claim as this may result in over declaration penalties.

If your business holds BPS entitlements but is not farming in 2017, the entitlements may be transferred by lease (temporary transfer) or sale/gift (permanent transfer) to a business which is farming in 2017 which may proceed to activate the entitlements

for payment.

Click on the link below to view the 2017 Guide to the Transfer of BPS Entitlements.

www.daera-ni.gov.uk/publications/transfer-basic-payment-scheme-bps-entitlements-2017-guidance

58. DAERA rejected my 2015 and/or 2016 application for BPS entitlements but I have requested a review of decision. I have not been notified of the outcome. Should I complete a 2017 application?

If you are farming land in 2017, you should complete a 2017 SAF as normal, declaring the area you are farming and you are sure is eligible to activate BPS entitlements and for any other scheme you are eligible for.

If your review of decision is successful and BPS entitlements in respect of your 2015 and/or 2016 application are subsequently allocated to your business, then these can be activated against the eligible land declared in 2017 in the usual way.

However if your review of decision is not successful, no BPS, Greening Payment or Young Farmers' Payment will be made.

If you are not farming any land in 2017, then you can't declare any land to activate BPS entitlements in 2017 or claim ANC payment.

59. DAERA rejected my 2015 and/or 2016 application for BPS entitlements but I have requested a review of decision. I have not been notified of the outcome. I do not intend to farm in 2017 and would like to transfer my BPS entitlements if they are eventually allocated. What should I do in relation to my 2017 application?

It is not possible to transfer entitlements prior to them being allocated.

Therefore if no allocation of BPS entitlements has been made to your business by the trading deadline of 2 May 2017, no transfer of entitlements for 2017 scheme year is possible. You can decide to farm in 2017, complete a 2017 SAF as normal, declaring the area you are farming and you are sure is eligible to activate BPS entitlements and for any other scheme you are eligible for.

If your review of decision is successful and BPS entitlements in respect of your 2015 application are subsequently allocated to your business, then these can be activated

against the eligible land declared in 2017 in the usual way.

However if your review of decision is not successful, no BPS, Greening Payment or Young Farmers' Payment will be made.

If you are not farming any land in 2017, then you can't declare any land to activate BPS entitlements in 2017 or claim ANC payment. This will mean that you will not be able to activate any BPS entitlements in 2017 even if your review of decision is successful. Consequently no BPS, Greening Payment or Young Farmers' Payment in relation to 2017 scheme year will be made.

60. If I am prevented from being allocated entitlements due to Force Majeure/Exceptional Circumstances, can I still obtain entitlements?

If your application has been impacted upon by Force Majeure or Exceptional Circumstances (FM/EC) you should refer to the FM/EC guidance in the 2017 Guide to the Basic Payment Scheme. If your application for FM/EC is successful your scheme application will be processed in accordance with scheme requirements which, where appropriate, may include an allocation of entitlements from Regional Reserve. If applying for FM/EC it is important that you inform DAERA within **15 days** of being in a position to do so.

61. What is eligible land?

Eligible land under the Basic Payment Scheme includes any land that is used for permanent grassland, arable land or permanent crops.

This land must be at your disposal on 15 May 2017 and must also be eligible throughout the calendar year.

Full details of eligible land for the Basic Payment Scheme can be found in Guide to Land Eligibility at

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

62. I have land in another part of the UK, what do I need to do?

A cross-border holding is where you have land in more than one region of the United Kingdom, which is managed as a single farm business. This will affect the way you claim Basic Payment Scheme, because the schemes in Scotland, Wales and England are managed differently from Northern Ireland. To make a cross border

claim, you need to complete a Basic Payment Scheme application for each country where you have land, then send it to the paying agency for that land.

Section 4: Greening

63. What is “Greening”

All farmers applying for payment under the Basic Payment Scheme must undertake agricultural practices that are beneficial for the climate and the environment, commonly referred to as “Greening”. In return, they will receive a Greening Payment calculated as a percentage of the total value of the Basic Payment Scheme payment entitlements they activate each year.

There are three greening requirements. These are:

- **Permanent grassland**

This relates to the requirement to retain permanent grassland and to protect environmentally sensitive permanent grassland.

- **Crop Diversification**

This is designed to encourage a diversity of crops on holdings with 10 or more hectares of arable land.

- **Ecological Focus Areas** This is designed to improve biodiversity on farms and to provide habitats for species in decline or at risk of extinction on holdings with more than 15 hectares of arable land.

64. What action do I need to take to check if I have greening requirements?

To check if you do have greening requirements you should take the following steps:

Step 1	Familiarise yourself with the definitions of the different land classifications. For example, the definition of arable land includes more land than that used to grow arable crops in 2017.
Step 2	Check the field classifications for all of the eligible land you farm (arable land, permanent grassland, environmentally sensitive permanent grassland and permanent crops).
Step 3	Work out if you qualify for an exemption from any or all of the greening requirements.

Step 4	If you do not meet any of the exemptions, identify the greening requirements that apply to you.
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65. What is the total eligible area of my holding for greening purposes?

The greening requirements for your holding will be calculated on the basis of the total eligible agricultural land of your holding (i.e. all of the eligible agricultural land that you actively farm) irrespective of whether or not all of your land is used to activate Basic Payment Scheme payment entitlements. Therefore, when calculating the greening requirements for your holding you must take into account the following areas:

- The eligible area of the fields you are using to activate Basic Payment Scheme payment entitlements,
Plus
- The eligible area of any fields that you are not using to claim the Basic Payment but are using to claim payment for Areas with Natural Constraints
Plus
- The eligible area of any fields that you are actively farming but not using to claim either the Basic Payment or the payment for Areas with Natural Constraints (i.e. fields where no area has been claimed for the Basic Payment Scheme or Areas with Natural Constraints).
- The eligible area of any fields that you are actively farming but not using to claim either the Basic Payment or the payment for Areas with Natural Constraints (i.e. fields where no area has been claimed for the Basic Payment Scheme or Areas with Natural Constraints).

Where no area has been recorded in either the BPS area or ANC area of the Single Application Field Data table, we will use our assessment of the Maximum Eligible Area of the field when calculating your greening requirements.

In addition, you must enter the land use(s) for every field you declare on your Single Application. Failure to declare land use for every field may delay the processing of your Single Application.

It is important to note that the area used to calculate the greening requirements for your holding may, in some cases, be different to the area used to calculate the value of your Greening Payment.

The value of your Greening Payment will be calculated on the basis of the eligible agricultural area that you use to activate Basic Payment Scheme payment entitlements or the number of Basic Payment scheme payment entitlements you hold whichever is the lesser.

A worked example can be found in the 2017 Guide to the Greening Payment at:

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

66. What is the definition of permanent grassland?

Permanent grassland is land used to grow grasses or other herbaceous forage (this can be self-seeded or sown) that has not been used for an arable crop in the previous five years or more. In effect, this relates to six years (i.e. for 2017 this would relate to 2017 and the previous five years (2012 - 2016)). Therefore, if for example, you declared the land use of your fields on your Single Application Form Field Data table as FR1 (grass) in six consecutive years; they will be classified as permanent grassland in the year of the sixth application.

If permanent grassland is ploughed and re-seeded immediately with grass or other herbaceous forage, it will still be classified as permanent grassland.

However, it should be noted that it is not permissible to plough and/or convert permanent grassland in environmentally sensitive areas.

Other herbaceous forage consists of the following crops and no others; clover, lucerne, sainfoin and forage vetches.

Grazed heather that meets the eligibility conditions is also classified as permanent grassland.

67. What is the definition of arable land?

Arable land is land to grow crops other than grass, and permanent crops (see definition of permanent crops at Q68. Forage crops such as maize, fodder beet, fodder rape, stubble turnips or any cereal crop used for forage are also regarded as an arable crop use. Sainfoin, clover, lucerne and forage vetches are regarded in the same way as grass and therefore are not deemed to be an arable use.

If your land will be used to grow an arable crop in 2017 or has been used to grow an arable crop in any of the years 2012 - 2016 then it will be classified as arable in 2017. Land used to grow grass in 2017 but which has been used to grow an arable crop in any of the years 2012 - 2016 i.e. temporary grassland, will also be classified as arable in 2017.

Areas available for crop production but lying fallow, including areas set aside under EU schemes, in any of the years 2012 - 2016 will also be classified as arable land.

Fallow land in grass for six consecutive years will be classified as permanent grassland if it is not declared as an ecological focus area.

68. What is the definition of permanent crops?

Permanent crops are non-rotational crops other than permanent grassland that occupy the land for five years or more and yield repeated harvests. The most common examples of permanent crops are orchards, short rotational coppice, miscanthus, ornamentals and nurseries, and multi-annual crops.

Land used to grow these in 2017 will be classified as permanent crops

69. Why have some of the fields on my Single Application been recorded as “unclassified” (UC)?

A field may have a provisional classification of unclassified (UC) because the field has not been declared on a Single Application Form in the previous five years, the field has had ineligible usages recorded against it or was most recently declared under a forestry usage.

Land which was eligible and claimed for Single Farm Payment in 2008 but no longer meets the eligibility conditions due to implementation of the Habitats Directive, Water Framework Directive or Birds Directive is recorded in the field classification column of the Field Data table as unclassified (UC).

It should be noted that such fields count towards the total eligible area of your holding when calculating greening requirements.

70. How do I find out the field classification for a field?

If you wish to find out the classification of any field that you want to declare you can access this information on the Single Application and Map Service by searching for the field number.

If you do not have access to DAERA online services you can call the SAF Advisory Service on 0300 200 7848.

71. How can I check if I am exempt from the greening requirements?

If you complete your Single Application online, the Single Application and Map Service will automatically calculate the greening requirements for your holding on the basis of the land use(s) you declare and will confirm your greening status.

There are a number of exemptions which will mean that certain applicants, depending upon their land use, will not have to undertake greening requirements but will still receive the Greening Payment.

The main exemption that applies to the majority of farmers in Northern Ireland is as follows:

- You have no environmentally sensitive permanent grassland
and
- You have no arable land or the arable land you have is less than 10 hectares.

If you do not fall into the above category you may still be exempt if you meet

any of the crop diversification and ecological focus area exemptions detailed below. Worked examples of the exemptions can be found in the 2017 Guide to the Greening Payment available on the DAERA website at:

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

Crop Diversification exemptions

Exemption 1

Farmers with **less than** 10 hectares of arable land on their holding are exempt from crop diversification requirements.

Exemption 2

Farmers will also be exempt from crop diversification requirements if the following rules are met:

Rule 1: More than 75% of the eligible agricultural area of the holding is:

- permanent grassland,
- used to produce grasses or other herbaceous forage (temporary grassland),
- or a combination of the above.

And

Rule 2: The arable area not covered by these uses is 30 hectares or less.

Exemption 3

Farmers will also be exempt from crop diversification requirements if the following rules are met:

Rule 1: More than 75% of the eligible arable land of the holding is:

- used to produce grasses or other herbaceous forage (temporary grassland),
- land lying fallow,
- or a combination of the above.

And

Rule 2: The arable area not covered by these uses is 30 hectares or less.

Exemption 4

Farmers will also be exempt from crop diversification requirements if the following rules are met:

Rule 1: More than 50% of the total arable land you declare in your 2017 Single Application was not declared by you in your 2016 Single Application,

And

Rule 2: All of the arable land you declare in 2017 is being cultivated with a different crop to that cultivated in 2016.

Note: This exemption is mainly of interest to specialist potato, and in some cases, vegetable growers.

Exemption 5

If all of the land that you farm is organic, providing that you can provide evidence to demonstrate that it is certified, you will be exempt from the greening requirements. The organic farming exemption only applies to those fields which are organically farmed.

Therefore, if your holding is part organic and part non-organic, the greening exemptions, thresholds and requirements (with the exception of the environmentally sensitive permanent grassland requirement) are applicable only to the non-organically farmed areas of the holding.

Note: If only part of your holding is farmed organically it might not be to your advantage to apply for the organic exemption. To help you make your decision, it is very important that you study the worked examples in the Organic Greening Exemption section of the 2017 Guide to the Greening Payment and carefully assess the implications for your Greening Payment.

Ecological Focus Area exemptions

Farms will be exempt from the ecological focus area requirements if they meet the following requirements:

Exemption 1

Farmers with no more than 15 hectares of arable land on their holding are exempt from the ecological focus area requirement.

Exemption 2

Farmers will also be exempt from the ecological focus area requirement if the following rules are met:

Rule 1: More than 75% of the eligible agricultural area of the holding is:

- permanent grassland,
- used to produce grasses or other herbaceous forage (temporary grassland),
- or a combination of the above.

And

Rule 2: Providing that the arable area not covered by these uses is 30 hectares or less.

Exemption 3

Farmers will also be exempt from the ecological focus area requirement if the following rules are met:

Rule 1: More than 75% of the eligible arable land of the holding is:

- used to produce grasses or other herbaceous forage (temporary grassland),
- land lying fallow,
- used for the cultivation of leguminous crops,
- or a combination of the above.

And

Rule 2: The arable area not covered by these uses is 30 hectares or less.

Note: Leguminous crops that can be used to meet this exemption are:

Spring Peas (Feed pea, Mange tout, Marrow fat pea, Snap pea, Snow pea, Vining pea)
Spring Field Beans (Includes Broad beans, Field beans, Tic beans)

Winter Field Beans (Includes Broad beans, Field beans, Tic beans)
Spring Sweet Lupins
Winter Sweet Lupins

Note: To be eligible for Ecological Focus Area purposes these crops must be present during the entire period of 1 June to 31 July inclusive. This means that they must be planted prior to 1 June and must not be harvested until after 31 July.

Exemption 4

If all of the land that you farm is organic, providing that you can provide evidence to demonstrate that it is certified, you will be exempt from the greening requirements. The organic farming exemption only applies to those fields which are organically farmed. Therefore, if your holding is part organic and part non-organic, the greening exemptions, thresholds and requirements (with the exception of the environmentally sensitive permanent grassland requirement) are applicable only to the non-organically farmed areas of the holding.

Note: If only part of your holding is farmed organically it might not be to your advantage to apply for the organic exemption. To help you make your decision, it is very important that you study the worked examples in the Organic Greening Exemption section of the 2017 Guide to the Greening Payment and carefully assess the implications for your Greening Payment.

72. What are the greening requirements for permanent grassland?

There are two elements to the permanent grassland component of greening. The first relates to the retention of permanent grassland and the second to environmentally sensitive permanent grassland.

- **Retention of permanent grassland**

DAERA has decided to monitor permanent grassland at regional level. A reference ratio of the amount of permanent grassland relative to the total agricultural area has been established. If the ratio of permanent grassland in Northern Ireland compared to the area of agricultural land falls by more than 5%, DAERA will have to introduce

measures placing restrictions on the conversion of permanent grassland and requiring individual farmers to re-convert land back to permanent grassland.

If this situation arises, DAERA will contact you to provide you with further information. Therefore, you will have no action to take in relation to land classified as permanent grassland with the exception of that classified as environmentally sensitive (see below), unless you are notified otherwise by DAERA.

- **Protection of environmentally sensitive permanent grassland**

The CAP Reform regulations contain a requirement to designate permanent grassland in areas, including in peat and wetlands, covered by the Wild Birds Directive and/or the Habitats Directive which are environmentally sensitive and which need protection to meet the requirements of these Directives. From 1st January 2015, ploughing or conversion of permanent grassland in areas designated as environmentally sensitive is not permitted.

DAERA has identified permanent grassland fields located in these areas and in January 2015 wrote to all relevant farmers concerned.

If you declared one of these fields in 2016, they will be denoted by the acronym 'PGS', i.e. Permanent Grassland Sensitive on your 2017 Single Application.

Permanent grassland fields, including peat and wetlands, in these areas have been classified as PGS if 10% or more of the field area, or an area greater than 0.1 hectare lies within the designated areas.

Any permanent grassland field that has been identified as having less than 10% of the field area and not more than 0.1 hectare inside the designated area will not be classified as PGS and will not be subject to the ploughing and conversion ban. However, if you have permanent grassland fields that fall into this category, i.e. that are located in the designated areas but which fall below the area thresholds, you must still observe any management requirements imposed by the Northern Ireland Environment Agency for these sites.

Sites designated under the Wild Birds Directive are known as Special Protection Areas (SPA) and under the Habitats Directive are known as Special Areas of

Conservation (SACs). These sites may also have a national designation status such as Area of Special Scientific Interest (ASSI). You are also subject to the cross compliance requirements for these areas.

Certain fields classified as PGS will only be partly located in the designated areas. In these cases, the ploughing and conversion ban will apply only to the part of the field designated under the Habitats Directive and/or the Wild Birds Directive.

If any of your fields have been classified as PGS, you can find out whether this relates to the entire field or only part of the field by contacting the SAF Advisory Service on 0300 200 7848.

If a PGS classification relates to only part of a field, you will have the following options:

- Option 1: Refrain from ploughing or converting the entire field.
- Option 2: Erect a permanent fence along the designated boundary and request a mapping change to split the field.
- Option 3: The field is not split but you refrain from ploughing or converting the designated area.

Please note that for option 2 and option 3, it will be crucial that you ascertain the precise area that has been designated as environmentally sensitive.

You can do this by contacting the SAF Advisory Service on 0300 200 7848 where staff will be able to advise you on the precise areas within your field(s) that are covered by the Habitats Directive and/or the Wild Birds Directive, the restrictions that apply and the options available to you.

You are advised to be cautious when ploughing close to designated areas and leave a margin to ensure that you do not plough or convert the designated area.

DAERA will undertake checks to ensure compliance with these rules. Failure to comply with the above restrictions may result in a reduction to your Greening Payment.

If you are farming land in 2017 that you did not farm in 2016, you are advised to ascertain whether it is classified as PGS via DAERA's online Single Application and Map service or by contacting the SAF Advisory Service.

73. What are the Crop Diversification rules?

Crop diversification is designed to encourage a diversity of crops on holdings with 10 or more hectares of arable land. Crop diversification requirements apply only to the arable land of the holding - not to permanent grassland or permanent crops.

If you do not qualify for the crop diversification exemption you will be required to grow a minimum number of crops. The minimum number of crops you will be required to grow will depend on the arable area of your holding.

If you have between 10 hectares and 30 hectares (inclusive) of arable land, you must grow at least two different crops on that arable land. The main crop shall not cover more than 75% of your arable land. There is no requirement on the remaining 25% of your arable land as to the number of crops that can be grown.

If you have more than 30 hectares of arable land, you must grow at least three different crops on your arable land. The main crop shall not cover more than 75% of your arable land and the two main crops together shall not cover more than 95% of your arable land. There is no requirement on the remaining 5% of your arable land as to the number of crops that can be grown.

Note: The maximum percentage thresholds stated above do not apply to holdings where grasses or other herbaceous forage (i.e. temporary grassland) or land lying fallow cover more than 75% of the arable land.

In these cases, the main crop on the remaining arable area shall not cover more than 75% of that remaining arable land, except where this remaining area is covered by grasses or other herbaceous forage (temporary grassland) or land lying fallow.

Further details and worked examples of the above crop share rules can be found in

the 2017 Guide to the Greening Payment which is available on the DAERA website at:

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

74. What is the definition of a crop for crop diversification purposes?

For the purposes of crop diversification, a crop is defined in the EU Regulations as any of the following:-

- A culture of any of the different genera defined in the botanical classification of crops;
- A culture of any of the species in the case of Brassicaceae, Solanaceae and Cucurbitaceae;
- Land lying fallow;
- Grass or other herbaceous forage (i.e. clovers, lucerne, sainfoin and forage vetches) on arable land (referred to as “temporary grass”).
- Mixed crops

It is important to note that individual crops which fall within a single genus or single species (in the case of *Brassicaceae*, *Solanaceae* and *Cucurbitaceae*) **count as only one crop** for the purposes of crop diversification. Therefore, if for example, you have a requirement to grow two crops, and you grow only cabbage and cauliflower, these would count as only one crop because they fall within the same species (*Brassica oleracea*). In this scenario, you would not meet your crop diversification requirement and there would be a reduction in your Greening Payment.

Winter and spring varieties of crops count as separate crops. The classification of crops as winter or spring for the purposes of crop diversification will be according to the classification of the variety planted and not the time of planting. For example, a winter barley crop planted in the spring will be regarded as winter barley.

The end use of the crop has no impact on how it is counted for the purposes of crop diversification. For example, if you grow some winter wheat as wholecrop and some for grain, this counts as one crop (winter wheat).

Similarly, the end use of grass has no impact on how it is counted for the purposes of crop diversification. For example, if you grow grass and use some for forage and some for anaerobic digestion, this will count as one crop (grass), provided it is not permanent grassland.

Grasses or other herbaceous forage grown on arable land (i.e. temporary grass) is considered to be a separate crop under the crop diversification rules. This is land declared as grass (FR1) in 2017 that was used to grow an arable crop in any one of the years 2012-2016 i.e. which has been classified as arable by DAERA.

Land lying fallow is also considered to be a separate crop under the crop diversification rules. To be eligible for crop diversification, fallow land must be out of production during the entire period 1 June – 31 July inclusive in the scheme year concerned. Additional information regarding the conditions that apply to fallow land declared for crop diversification and ecological focus is provided at question 88.

A list of eligible arable land use codes for crop diversification and examples illustrating when a crop is or is not considered to be a separate crop for crop diversification purposes can be found in the 2017 Guide to the Greening Payment which is available on the DAERA website.

75. What are the Ecological Focus Area rules?

The ecological focus area requirement applies to holdings with more than 15 hectares of arable land and is designed to improve biodiversity on farms and to provide habitats for species in decline or at risk of extinction.

If you have **more than 15 hectares of arable land**, you must ensure that an area equivalent to at least 5% of this arable land is ecological focus area with effect from 1 January 2017 – unless you qualify for one of the ecological focus area exemptions.

76. What types of features and areas are considered to be eligible as EFA?

The following features and areas are acceptable ecological focus area:

1. The following landscape features protected under cross-compliance:

- Hedges
- Sheughs
- Dry stone walls
- Earth banks
- Archaeological features

and

2. The following land uses:

- Land lying fallow
- Areas of agro-forestry
- Areas with short rotation coppice with no use of mineral fertiliser and/or plant protection products beyond the end of the second growing season post planting
- Afforested areas which were used to claim Single Farm Payment in 2008
- Areas with nitrogen fixing crops

The detailed eligibility criteria for each feature and area listed above can be found at Q.84 – Q.93 below.

77. Can I use area/features funded under an agri-environment scheme as ecological focus area?

If an area or feature that is funded under an Agri-Environment Scheme signed on or after 1 January 2012 is used as ecological focus area, the Agri-Environment Payment may have to be reduced to avoid double-funding. **No reduction will be applied to the Greening Payment.**

Landscape features may only be used to meet an ecological focus area requirement by the farmer who is claiming the Basic Payment Scheme on the field on which they are associated. It is not possible to use landscape features to meet an ecological focus area requirement if another person has entered these features into an Agri-Environment Scheme.

78. Will there be an impact on my annual payment under the Farm Woodland Scheme, the Farm Woodland Premium Scheme and/or the Forest Expansion Scheme – Annual Premia if I use the woodland covered by these schemes as Ecological Focus Area (EFA)?

You will not be eligible to receive the annual payment under the schemes above if the woodland covered by the schemes is declared as EFA. We advise that businesses do not use woodland under these schemes to help meet their EFA requirement, if possible.

79. Where on the holding can ecological focus areas be located?

The permitted locations for the different types of ecological focus area is summarised in the table below:

Type of ecological focus area	Permitted location of the ecological focus area
Land lying fallow	Must be ON your arable land. For permanent grassland in 2016 to be classified as arable in 2017 and used for fallow, it will need to be ploughed in 2017 and prior to 15 May 2017. Re-seeding in grass is permitted but if this takes place in the fallow period it must be primarily for purposes other than agricultural production e.g. for measures beneficial to the biodiversity and the environment.
Areas of agro-forestry	Must be ON your arable land
Areas with nitrogen fixing crops.	Must be ON your arable land
Landscape features: - Hedges - Sheughs - Dry stone walls - Earth banks - Archaeological features	Must be ON or ADJACENT to your arable land.

Areas with short rotation coppice with no use of mineral fertiliser and/or plant protection products.	Can be located on any agricultural land on the holding. No requirement to be on or adjacent to your arable land
Afforested areas which were used to claim Single Farm Payment in 2008	Can be located on any agricultural land on the holding. No requirement to be on or adjacent to your arable land

80. What does “adjacent” mean?

Adjacency applies only to landscape features. A linear landscape feature (i.e. hedge, sheugh, dry stone wall or earth bank) will be considered adjacent to arable land when the longest edge of the landscape feature physically touches an arable field. A non linear landscape feature (i.e. an archaeological feature) will be considered adjacent to arable land when it physically touches arable land at that point.

It should be noted that landscape features located within a 5 metre buffer of a field are considered to be adjacent. This means that provided the distance between the landscape feature(s) and the eligible agricultural area of the field is not more than 5 metres wide, the landscape feature(s) is/are considered adjacent to the arable surface of the field.

Fences located on arable land or on the potential landscape feature in order to protect the feature do not prevent the landscape feature from being adjacent.

The adjacency rules depend on where the DAERA field boundary is located and not the legal boundary in relation to land ownership. Where a hedge is present the DAERA field boundary will always be in the middle of the hedge irrespective of where the legal boundary is. If no hedge is present, the DAERA field boundary will be in the middle of the landscape feature which is present (dry stone wall or sheugh), if this feature forms a field boundary.

Where a landscape feature is adjacent to the farmer’s arable land (e.g. the feature is located on permanent grassland or non-agricultural land) the ecological focus area

feature must always be declared against the farmer’s arable field. Ecological focus area landscape features cannot be declared against non-arable fields.

Examples of the adjacency rules can be found in the 2017 Guide to the Greening Payment available on the DAERA website.

81. What is the “rate of disposal” for a landscape feature?

Landscape features declared as ecological focus area must be “at your disposal” i.e. under your management control.

The rate of disposal depends on the level of control you have over the landscape feature:

- 100% for boundary features that are fully under your control; or
- 50% for boundary features that you share with another farmer.

The table below shows how much of a boundary feature you can count for ecological focus area.

Note: The example in the table is based on hedges – but the principle also applies to sheughs, dry stone walls and earth banks.

What is on either side of the hedge?	How much to count as ecological focus area
Arable land on both sides	You can claim 100% of the hedge if both fields are at your disposal.
Arable land on one side / non-arable land on the other side.	You can claim 100% of the hedge if both fields are at your disposal
Arable land on one side and non-agricultural land on the other side. Note: non-agricultural land would include hedges bordering: <ul style="list-style-type: none"> • a road (see note below), • a farm lane/track or farm yard • a farm house and garden • a wooded area / afforested areas not eligible for Basic Payment Scheme • a river that is not maintained by the Rivers Agency 	You can claim 100% of the hedge if you are responsible for maintaining both sides of the hedge. However, if you are only responsible for maintaining the part of the hedge located on your arable field, the maximum you can claim is 50%
Arable land on one side and land under someone	You can claim 50% of the hedge that is located

<p>else's control on the other side (e.g. land that is at the disposal of a neighbouring farmer)</p>	<p>on your arable land.</p> <p>Alternatively, you can claim 100% of the hedge provided you can provide evidence to demonstrate that you are responsible for maintaining the entire hedge. Acceptable evidence would be a written agreement between you and the neighbouring farmer including evidence of payment for hedge cutting.</p> <p>The neighbouring farmer cannot claim any part of the hedge in this scenario.</p>
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Note: In some cases where hedges border dual carriageways, motorways, railway tracks, and rivers you might not be responsible for maintaining both sides of the hedge. If so, you can only claim 50% of the hedge for ecological focus area.

82. How do I use the ecological focus area conversion matrix?

Each type of ecological focus area has a conversion factor and/or weighting factor which must be used to calculate the equivalent ecological focus area that can be counted towards meeting the minimum 5% ecological focus area requirement. The conversion matrix (see table below) converts the length/area of an ecological focus area feature according to its ecological value. For example, every linear metre of eligible hedge can provide 10 square metres of ecological focus area. You must use the conversion matrix to calculate the value of the ecological focus areas you have on your holding.

Worked examples of how to measure your ecological focus area and how to apply the conversion matrix can be found in the 2017 Guide to the Greening Payment available on the Departments website at:

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

Ecological Focus Area Conversion and Weighting Factors			
Ecological focus area feature (unit of measurement)	Conversion factor (m to m ²)	Weighting factor	Area (m ²) of ecological focus area

			(i.e. after the application of both factors)
Land lying fallow (per 1 m ²)	N/A	1	1 m ²
Hedges (per 1m)	5	2	10 m ²
Sheughs (per 1m)	3	2	6 m ²
Dry stone walls (per 1m)	1	1	1 m ²
Archaeological features (per 1 m ²)	N/A	1	1 m ²
Earth banks (per 1 m ²)	N/A	1	1 m ²
Hectares of agro-forestry (per 1m ²)	N/A	1	1 m ²
Afforested areas which were used to claim Single Farm Payment in 2008 (per 1 m ²)	N/A	1	1 m ²
Areas with nitrogen fixing crops (per 1 m ²)	N/A	0.7	0.7 m ²
Areas with short rotation coppice (per 1 m ²)	N/A	0.3	0.3 m ²

Note: The conversion factor for sheughs in 2017 may be increased from 3 to 5 which would mean that 1m of sheugh would equate to 10m² of EFA subject to approval of an amendment to the EU Regulation. However, given the current uncertainty over whether this change will be approved, the on-line application will continue to convert 1m of sheugh to 6m² of area and you are advised to continue to use this lower conversion figure when assessing if you have declared sufficient EFA features to meet your EFA requirement.

83. What is an over-lapping ecological focus area?

EU rules do not allow areas used for ecological focus area to be double counted.

Double counting will occur if a field (or part of a field) is declared as ecological focus area (most commonly land lying fallow or nitrogen fixing crops) and you also declare landscape features surrounding this area as ecological focus area. In such cases, the area of ecological focus area in the field will have to be reduced to take account of the area taken up by the landscape feature.

The reduction to be applied to this area is 50% of the converted area of the landscape feature (e.g. hedges, sheughs or dry stone walls) that borders the ecological focus area in the field and where these features form a field boundary. In

such cases, 50% of the feature is embedded in the field where the other ecological focus area is located.

For hedges, the reduction will be the eligible length of hedge that surrounds the ecological focus area in the field multiplied by 5 (the conversion factor for a hedge) divided by 2. Therefore, where the boundary feature is a hedge, you must reduce the area of ecological focus area in the field by 2.5 square metres for each metre length of the hedge declared.

For sheughs, the reduction will be the eligible length of the sheugh that surrounds the ecological focus area in the field multiplied by 3 (the conversion factor for sheughs) divided by 2. Therefore, where the boundary feature is a sheugh, you must reduce the area of ecological focus area in the field by 1.5 square metres for each metre length of the sheugh declared.

For dry stone walls, the reduction will be the eligible length of the dry stone wall that surrounds the ecological focus area in the field multiplied by 1 (the conversion factor for dry stone walls) divided by 2. Therefore, where the boundary feature is a dry stone wall, you must reduce the area of ecological focus area in the field by 0.5 square metre for each metre length of the dry stone wall declared.

Double counting will also occur if in-field landscape features used as ecological focus area overlap with an area within a field which is also being used as ecological focus area. For example, a sheugh within a fallow field where both are being declared as ecological focus area. In such circumstances, the entire converted area of the landscape feature must be deducted (i.e. as outlined above but do not divide by 2).

Worked examples of the reduction calculation for over-lapping ecological focus areas can be found in the 2017 Guide to the Greening Payment available on the DAERA website at:

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

84. What are the eligibility criteria for a hedge?

- A hedge must consist of woody material (e.g. hawthorn, blackthorn or whins) and/or briars, bramble and have hedge like shape and characteristics. Scrub

encroachment and weeds such as nettles and thistles do not constitute a hedge.

- Individual gaps of no more than 5 metres at canopy level between hedgerow materials are considered as part of the hedge and do not need to be deducted from the measured hedge length. Individual gaps exceeding 5 metres must be deducted and cannot be counted as part of the hedge for ecological focus area.
- The minimum length for a hedge to be accepted as ecological focus area is 5 metres.
- The maximum base width for a hedge is 2 metres from the centre. Boundary features (or part of the boundary feature) wider than this will be regarded as ineligible vegetation and cannot be used for ecological focus area.
- Newly planted hedgerows are protected under Cross Compliance and can be used for ecological focus area provided they have been planted prior to the deadline for the submission of the Single Application (15 May 2017).

85. What are the eligibility criteria for a sheugh?

Sheughs that meet the eligibility criteria for the Basic Payment Scheme can count as ecological focus area. These criteria are:

- A sheugh is an open channel with water in it for at least part of the year and no more than 2 metres wide at the base.
- Where a sheugh is at the boundary of a field which is eligible, the sheugh, as an open trench dug to improve the drainage of agricultural land, may be considered eligible and included in the area of the field.
- Sheughs must be maintained as part of a field drainage system and not be encroached by scrub or other ineligible vegetation or features.
- Sheughs must have continuously or intermittently running water. This includes receiving water from adjoining land not belonging to the business.

Note: Naturally flowing streams and rivers of any width are not eligible as are watercourses of any width maintained by the Rivers Agency. Watercourses which have been marked as ineligible on farm maps are not regarded as sheughs and cannot be used for ecological focus area.

86. What are the eligibility criteria for a dry stone wall?

Dry stone walls must comply with the following dimensions and conditions:

- Maximum height 2.30 metres
- Minimum height 0.50 metres
- Maximum width 4.00 metres
- Minimum width 0.25 metres
- Walls must be built without the use of cement/mortar with the exception of the capping layer.
- Individual gaps of 3 metres or less within the dry stone wall will be regarded as part of the stone wall
- The minimum length for a dry stone wall to be accepted as ecological focus area is 3 metres.

87. What are the eligibility criteria for an archaeological feature?

- A historic or archaeological site is one identified in the Northern Ireland Sites and Monuments Record.
- To be counted as ecological focus area, the archaeological feature must be on or adjacent to arable land. To be considered adjacent to arable land, an archaeological feature must physically touch the arable land at any point.

88. What are the eligibility criteria for an earth bank?

- An earth bank is a man-made linear feature of **limited occurrence**, usually made up of a core of stones covered with sods. River banks, earth silo banks or mounds of earth resulting from excavations are not classified as earth banks.
- Features that meet the definition of an earth bank can be used for ecological focus area irrespective of the presence of a hedge.
- Where hedges are present on earth banks, either the earth bank or the hedge can be claimed as ecological focus area – not both.

89. What are the eligibility criteria for fallow land?

- To be used as ecological focus area, fallow land must be out of production during the entire period 1 February – 31 July inclusive in the scheme year concerned. For crop diversification the period is 1 June – 31 July inclusive.
- A green cover (grass) may be planted during the fallow period but only if it is carried out for other purposes than agricultural production such as biodiversity conservation and improvement.
- There is no requirement to establish a green cover during the fallow period. Land may be left as bare soil but must be maintained in an eligible condition. Areas of bare soil due to tree cover or grazing of livestock cannot be counted as fallow.
- Production during the fallow period is prohibited. No crops (other than grass) may be planted during the fallow period.
- No fertilisers or animal manures may be applied during the fallow period. No grazing or harvesting is allowed during the fallow period.
- Herbicides for the purposes of weed control can be applied during the fallow period. Spot treatment of weeds would be acceptable but spraying the entire area to kill grass vegetation would not.
- Grass grown during the fallow period may be harvested or grazed after the end of the fallow period but not during. Grass may be cut (topped) during the fallow period provided the cuttings are not removed from the fallow area.
- During the fallow period, the land cannot be used to store bales of hay, silage, straw or farmyard manure (including poultry litter) or farm equipment (e.g. machinery).
- During the fallow period, the land cannot be used for significant non-agricultural purposes.
- Maintenance of field drainage on fallow land is acceptable as long as this involves minimal excavation i.e. not heavily drained in a localised area of fallow.
- The minimum width of a strip that can be used as fallow for ecological focus area and/or crop diversification is 2 metres. Strips next to field boundaries narrower than 2 metres will be regarded as part of the crop that they border provided they do not contain ineligible vegetation.

- The minimum area within a field that can be used as fallow for ecological focus area and/or crop diversification is 0.01 hectare (100 square metres).
- Land which is classified by DAERA as permanent grassland in 2016 cannot be used for fallow for ecological focus area and/or crop diversification unless it has been ploughed in 2017 and prior to 15 May 2017.
- Field Margins and Buffer Strips in Agri-Environment Schemes cannot be used as ecological focus area. Strips of land along rivers or field boundaries not recorded as Field Margins and Buffer Strips in Agri-Environment Schemes can be used as ecological focus area and/or crop diversification as fallow provided they comply with the fallow conditions.
- Areas being placed in fallow for ecological focus area and/or crop diversification must be clearly demarcated within a field. In some cases a permanent fence may be necessary e.g. to prevent grazing if the remainder of the field is grazed.
- Areas sown with wild bird cover seed mix can be counted as fallow for ecological focus area and crop diversification provided there is no harvesting or grazing of the crops by livestock concerned during the fallow period.
- If there is harvesting or grazing by livestock of the wild bird cover seed mix, it will be regarded as a seed mixture crop for the purposes of crop diversification. It cannot be counted as fallow for ecological focus area or crop diversification.
- If wild bird cover area has been established under an Agri-Environment Scheme and is used for ecological focus area, a reduction, which could be substantial, may be applied to the agri-environment payment to avoid double funding, i.e. paying twice for the same action.

90. What are the eligibility criteria for nitrogen fixing crops?

- Nitrogen fixing crops for ecological focus area purposes may be grown on any area of arable land.
- Only nitrogen fixing crops grown in compliance with the requirements of the Action Plan under the Nitrates Directive, Cross Compliance Regulations and any other regulatory requirement will count for ecological focus area purposes.

- The following crops will qualify as nitrogen fixing crops for ecological focus area:

Spring Peas Feed pea, Mange tout, Marrow fat pea, Snap pea, Snow pea, Vining pea
Spring Field Beans Includes Broad beans, Field beans, Tic beans
Winter Field Beans Includes Broad beans, Field beans, Tic beans
Spring Sweet Lupins
Winter Sweet Lupins

- To count for ecological focus area purposes, nitrogen fixing crops must be present during the entire period of 1 June to 31 July inclusive. This means that they must be planted prior to 1 June and must not be harvested until after 31 July.

91. What are the eligibility criteria for short rotation coppice?

- The list of tree species that can be used for short rotation coppice is Alder, Birch, Hazel, Ash, Lime, Sweet Chestnut, Sycamore, Willow and Poplar.
- The maximum harvest cycle for short rotation coppice is 5 years.
- The use of mineral fertiliser on short rotation coppice used to meet an ecological focus area requirement is prohibited. Plant protection products are not permitted beyond the end of the second growing season post planting.

92. What are the eligibility criteria for agro-forestry?

- To be eligible for ecological focus area land must be or have been under an EU Agro Forestry scheme, meet the eligibility conditions outlined below and be classified as arable land in the year of planting (entry into the scheme).
- It is a particular method for converting land from agricultural use to forestry. There are only very small areas of this land in Northern Ireland. Land on which there are mature trees and is grazed by livestock is **not** agro-forestry.

93. What are the eligibility criteria for afforested areas?

Afforested areas that were used to claim Single Farm Payment in 2008 can be counted as ecological focus area. This includes:

- Land that was eligible, claimed and on which Single Farm Payment was paid in respect of 2008 scheme year and is subsequently (after 31 December 2008) converted to forestry under an EU scheme, remains eligible for the duration of the forestry scheme.
- Land that was eligible, claimed and on which Single Farm Payment was paid in respect of 2008 scheme year and is subsequently (after 31 December 2008) planted with trees under an EU agri-environment scheme, remains eligible for the duration of the EU agri-environment scheme.
- Land in an EU Forestry Scheme on which Single Farm Payment was paid in 2008 in respect of set-aside entitlements remains eligible for the duration of the forestry scheme.

94. How do I calculate the 5% EFA requirement for my holding?

If you have more than 15 hectares of arable land you must ensure that an area equivalent to at least 5% of this land is EFA, unless you qualify for one of the EFA exemptions.

Points to note regarding the areas to be included in the calculation of the 5% requirement:

- Areas of short rotation coppice and afforested areas eligible for the Basic Payment are included when calculating the minimum 5% EFA requirement **if you declare them as EFA in your Single Application.** If you do not declare them as EFA they will not be taken into account when calculating the 5% requirement.

- The area of any landscape features that are adjacent to arable land (i.e. located on non-arable land but physically touching or within 5 metres of arable land) and declared as EFA must be added to the arable area of the holding for the purpose of calculating the 5% EFA requirement **if you declare them as EFA in your Single Application**. If you do not declare them as EFA they will not be taken into account when calculating the 5% requirement.

In 2017 EFAs must be declared using the online Single Application, therefore you do not have to worry about calculating the 5% EFA requirement as the online Single Application will automatically perform the calculation for you.

Worked examples of the calculation of the 5% requirement can be found in the 2017 Guide to the Greening Payment.

95. How do I declare my EFA features in 2017?

If you have an ecological focus area (EFA) requirement you must complete your Single Application including your EFA Declaration online – a paper option is not available. Failure to submit an EFA declaration (if you have an EFA requirement) may result in reductions and penalties being applied to your Greening Payment which can, in some instances, result in total loss of payment.

The online Single Application and Maps Service has built in instructions on how to declare your EFA requirements. You declare your features on your map which is included within your 2017 Single Application.

You can add new EFAs for 2017, or view and amend existing EFAs that were declared in 2016 for the fields you are claiming for 2017. This service will be available from 1 March.

EFAs that were declared on your fields in 2016 will be available to view and amend on your 2017 map through the online Single Application.

96. What happens if I do not meet the greening requirements that apply to my holding?

Failure to comply with greening requirements will result in the application of a non-compliance reduction and, where applicable, administrative penalties.

Non-compliance reductions

If you do fail to comply with the greening requirements a **non-compliance reduction** will be applied to your Greening Payment. As the loss may be substantial it is important that you make a careful assessment of the greening requirements for your holding and comply fully with them. The method of calculating the reductions for non-compliance and examples of the calculation can be found in Section 6 of the 2017 Guide to the Greening Payment available on the DAERA website.

Administrative penalties

From 2017, in addition to reductions for non-compliance with the greening requirements DAERA must also apply administrative penalties.

Administrative penalties may be applied to your Greening Payment in the following circumstances:

- You fail to comply with the greening requirements;
- You fail to declare all your arable land with the result that the area declared would have exempted you from greening requirements when you are actually not exempt;
- You fail to declare all land that is environmentally sensitive permanent grassland.

Further details and examples of the calculation of administrative penalties can be found in Section 7 of the 2017 Guide to the Greening Payment available on the DAERA website.

Section 5: The Young Farmers' Payment / Regional Reserve

97. What are the eligibility criteria for the Young Farmers' Payment?

The Young Farmers' Payment is an annual top-up payment to the Basic Payment (which can be paid for up to a maximum of 5 years) for those who meet the eligibility

criteria listed below. These criteria also apply to those intending to apply to the Regional Reserve as a young farmer:

- You must hold at least a Level II qualification in agriculture (or a related subject containing a farm business management module)
- You must be no more than 40 years of age in the year in which you first apply to the Basic Payment Scheme, and
- You are setting up, for the first time, an agricultural holding as head of the holding, or have already done so during the 5 years preceding your first successful application to the Basic Payment Scheme.
- You must be an active farmer and have established and activated payment entitlements under the Basic Payment Scheme.

98. What are the eligibility criteria for New Entrants applying to the Regional Reserve?

The Regional Reserve is used to allocate Basis Payment Scheme payment entitlements, at the regional average value and/or to top-up the value of existing payment entitlements to the regional average value. Applicants can apply successfully only once to the Regional Reserve as either a New Entrant or as a Young Farmer. New Entrant applicants must meet the eligibility criteria below. Young Farmer applicants must meet the Young Farmers' Payment eligibility criteria.

- You must hold at least a Level II qualification in agriculture (or a related subject containing a farm business management module)
- You must have commenced your agricultural activity on or after 1 January 2015.
- You must not have had any other agricultural activity in your own name or at your own risk or had control of another agricultural business in the 5 years preceding commencing your current agricultural activity.

99. How do I apply for the Young Farmers' Payment and / or to the Regional Reserve?

You must apply for the Young Farmers' Payment and / or to the Regional Reserve as either a Young Farmer or as a New Entrant on the Single Application Form.

You will also have to complete a 2017 YFP/RR Form which will be available to download from the DAERA website. You should submit your 2017 YFP/RR Form and the required supporting evidence in person at your local DAERA Direct office between 1 March 2017 and **15 May 2017**.

The closing date for applications is 15 May 2017. Applications received after 15 May 2017 but on or before 9 June 2017 will be accepted but will be subject to a late claim penalty. Applications received after 9 June 2017 will be rejected. As the supporting evidence is an integral part of the application, the application will not be considered as being received until all the documentation has been received. The Department may subsequently seek further clarification on the evidence which has been provided within the deadline.

However, if you provide no evidence on the Head of Holding/Control of Business (HOH) requirement and/or no evidence of your age/identity and/or no evidence of your educational qualification, then your application will be rejected except in cases of Force Majeure or Exceptional Circumstances.

You are therefore strongly advised to gather the necessary supporting evidence as soon as possible.

100. What agricultural qualification do I need to have to qualify?

You must hold at least a Level II qualification in agriculture (or a related subject containing a farm business management module) on 15 May 2017.

A list of approved Level II qualifications can be found at:

<http://www.cafre.ac.uk/industry-support/level-2-agricultural-qualification-list>

101. What is the definition of a Young Farmer?

'Young farmers', as regards the Young Farmers' Payment and the Regional Reserve, are defined as those who are setting up for the first time an agricultural holding as head of the holding or who have already done so during the five years preceding the first submission of an application under the Basic Payment Scheme and who are no more than 40 years of age in the year of submission of their first successful application for the Basic Payment Scheme.

If you make your first successful application for the Basic Payment Scheme in May 2017 and you turn 41 at any time during 2017 then you will not be eligible to be considered as a young farmer for either the Young Farmers' Payment and / or for the Regional Reserve as a Young Farmer. If your first successful application is in 2017, you will need to be born on or after 1 January 1977.

102. What is the definition of a New Entrant?

New Entrants are defined as those who commenced their agricultural activity on or after 1 January 2015 and in the 5 complete calendar years preceding commencement of this agricultural activity have not had any agricultural activity in their own name, or at their own risk, or have had control of a legal person exercising agricultural activity.

103. What evidence do I need to support my application for Young Farmers' Payment and / or my application to Regional Reserve?

A booklet "2017 Guide to the Young Farmers' Payment / Regional Reserve" is available on the DAERA website. It will provide detailed information on the eligibility criteria and the evidence that applicants will need to submit to support their application.

Key items of evidence include photographic identification, confirmation of your age (not new entrant), a statement / letter from your accountant (who must be qualified and independent), the most recent business accounts, corresponding tax return for your business, proof of the qualification you hold and if you operate your business as a partnership/multi-member business you will need to have the declaration at Section 3.4 of the 2017 YFP/RR Form completed by all parties. For a complete list, you should refer to the guidance booklet at: www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance .

Use the table below to check what you need to submit in 2017

<div style="text-align: center;">Submit?</div> <div style="text-align: center;">Position</div>	2017 YFP/RR Form and Evidence by 15 May 2017	2017 Single Application by 15 May 2017	Previously successful YFP/RR applicant with further evidence O/S
First application to Young Farmers' Payment and/or Regional Reserve (never applied before)	Yes	Yes	No
Application Unsuccessful to Young Farmers' Payment/Regional Reserve in 2015 and/or 2016	Yes	Yes	No
Application to Young Farmers' Payment and/or Regional Reserve successful in 2016 but further supporting evidence required	No	Yes	Will be written to by DAERA
Application to the Young Farmers' Payment successful in 2015 and/or 2016 and applying again for payment in 2017	No	Yes	No

Section 6: Pillar 2 Schemes (Rural Development Programme)

104. What are the eligibility conditions for the Areas of Natural Constraint (ANC) Scheme 2018?

The eligibility conditions for the ANC Scheme 2018 are the same as the ANC 2016 and 2017 scheme requirements. It is open to active farmers with eligible land in the Severely Disadvantaged Area (SDA) including Common Land situated in SDAs. Eligible stock will be:

- A herd of suckler cows that form part of a breeding herd for the rearing of calves for meat;
- A flock of sheep comprising eligible ewes;
- A breeding herd of female farmed deer; or
- A herd of female goats (any species) for milk or fibre production.

The stocking density requirements will remain at 0.2 LU/Hectare of eligible animals across your holding. The number of heifers that can be counted for the purposes of meeting stocking density will continue to be limited to no more than 2/3rds of the number of suckler cows (previously referred to as the 40% heifer rule). Stocking density requirements may be modified where an agri- environment stocking density agreement exists. In terms of eligible forage land, it must be identified as SDA land, have been available for a seven month period from 1 April 2017 to 31 October 2017 and be eligible forage area as per the Basic Payment Scheme. Cross compliance arrangements will also apply. For further information, go to:

www.daera-ni.gov.uk/publications/guide-2018-areas-natural-constraint-scheme

105. Will dual use claims be permitted?

In line with rules regarding “active farmer” only person(s) actively farming land will be eligible for support. Therefore, if you are applying for the ANC Scheme you will also be the person activating entitlements for that land.

Dual use claims involving the Basic Payment Scheme, Greening Payment, Young Farmers' Payment and Areas of Natural Constraint Scheme will not be permitted.

Existing agri–environment agreements may continue to be claimed by the existing agreement holder in 2017 and until the end of the agreement even if this creates a dual use claim with the Basic Payment Scheme and other Schemes. In such cases, the field parcel will, for the purposes of the calculation of greening requirements, be regarded as on the holding of the farmer claiming the Basic Payment Scheme.

Existing agri-environment agreements may be transferred to the farmer claiming the Basic Payment Scheme on the land in question subject to existing scheme rules if the agreement holder wishes to do so.

It is not possible to use landscape features to meet an EFA requirement if another person has entered these features into a current agri-environment agreement. This does not apply to features which were in a previous agri-environment agreements which ended on or before 31 December 2014 and which have not been entered into a new agreement.

With regard to future agri-environment schemes, dual-use claims may be possible, but could only be permitted in specific, limited circumstances. Both beneficiaries would have to be able to demonstrate that they each meet the requirements of their respective schemes.

106. Can I still apply for Forestry Grant Scheme?

If you already have a Farm Woodland Premium Scheme agreement, Farm Woodland Scheme or Forest Expansion Scheme (Annual Premia) agreement, DAERA has pre populated your online claim with the information held about your woodland and you must apply for your annual payment on the online Single Application.

The Forestry Grant Scheme Information Booklets are available from the DAERA website and if you have any questions about eligibility criteria you should read the

relevant sections or contact Forest Service on 0300 200 7847 for further guidance.

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

107. Can I still apply for the NI Countryside Management Scheme (NICMS)?

The Northern Ireland Countryside Management Scheme (NICMS) is now closed for future applications. However, if your business has an existing agreement you must comply with the terms of that agreement until its natural end. Note that NICMS agreements which started in 2009 have now ended.

You must apply for your annual NICMS payment on the SAF and you will also be issued with an NICMS second stage claim form.

Existing participants of the NICMS must manage their land as defined in the scheme booklet and commitment schedule. NICMS is subject to cross compliance.

108. Is the Countryside Management Scheme the same as greening?

Member States may decide that farmers can satisfy the three greening criteria by adopting equivalent practices. These equivalent practices could include those set out in agri-environment programmes or regional environmental certification schemes.

If this approach was adopted, double funding would be strictly prohibited, i.e. farmers would not receive both the greening payment and an agri-environment scheme payment for adopting these equivalent practices.

The equivalence option is **not** being used in Northern Ireland and therefore the Countryside Management Scheme cannot be used to meet greening requirements.

Section 7: Cross-Compliance

109. What is the purpose of Cross-Compliance?

Cross-Compliance conditions are designed to promote sustainable agricultural practices and reflect a number of environmental and other objectives. They are good farm management practices, and encourage responsible stewardship of the land. All European Union member states have to implement Cross-Compliance.

110. Will I still have to adhere to Cross-Compliance in 2017?

Yes. A range of statutory management requirements and standards on good agricultural and environmental condition of land will apply to claimants.

111. Which schemes does Cross-Compliance apply to?

All farmers claiming under the following schemes must meet the Northern Ireland Cross-Compliance conditions:

Schemes coming into effect from 2015 onwards:

- Basic Payment Scheme;
- Greening Payment;
- Young Farmers Scheme;
- Areas of Natural Constraint Scheme;
- Environmental Farming Scheme;
- Forestry Expansion Scheme;
- Forest Protection Scheme;
- Woodland Investment Grant.

Schemes that will continue in 2015 and beyond:

- Organic Farming Scheme;
- NI Countryside Management Scheme;
- Woodland Grant Scheme (agreements signed after 1/1/07);

- Farm Woodland Premium Scheme (generally agreements signed after 1/1/07);
- Sustainable Forest Operation Grant Scheme (agreements signed after 1/1/07).

112. What do I do if I am not certain of the Cross-Compliance requirements?

The guidance notes on Cross-Compliance will be provided on DAERA website and will give details of all the requirements of Cross-Compliance. It will also provide contact numbers if you require any further advice. The link below will forward you to the Cross-Compliance requirements: www.daera-ni.gov.uk/publications/cross-compliance-2017

113. Who will be held responsible for a Cross-Compliance breach?

As far as the land related Cross-Compliance requirements are concerned, you, as claimant, are responsible for Cross-Compliance obligations relating to all land within your agricultural holding for the full 12 calendar months. This includes permanently held land (either owned or under an agricultural tenancy), common land, shared grazing and land taken in conacre. Cross-Compliance also applies to the agricultural activity you undertake.

Section 8: Further Information

114. Where can I access further information on Area-Based Schemes for 2017?

Further information on area-based schemes for 2017 is available on the DAERA website on:

www.daera-ni.gov.uk/articles/area-based-schemes-2017-information-and-guidance

If you have a specific query you can call the SAF Advisory Service:

0300 200 7848

Or, send an email to the following email address

areabasedschemes@daera-ni.gov.uk

Click on the link below to access the full list of regional DAERA Direct Offices.

www.daera-ni.gov.uk/contacts/daera-direct-regional-offices

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