



Environmental Stewardship

# Higher Level Stewardship

Part A

Application Handbook

Second Edition – October 2008

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



# Higher Level Stewardship handbook

This handbook is provided for reference purposes. When you join Higher Level Stewardship (HLS), the handbook will form part of your legal agreement with Natural England.

The HLS handbook is supplied in three parts as follows:

Part A – this handbook, outlining HLS and how to apply.

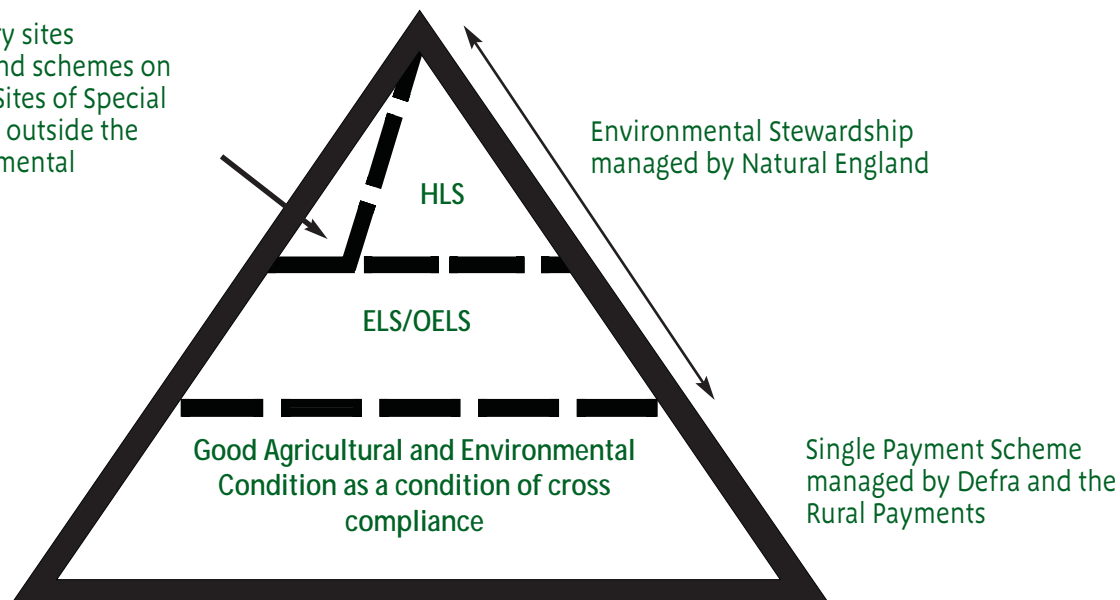
Part B – Farm Environment Plan (FEP) features manual.

Part C – options, capital items and management conditions.

All handbooks will form part of your legal agreement.

# Environmental Stewardship in the wider context

Grants to statutory sites  
(eg Natural England schemes on  
non-agricultural Sites of Special  
Scientific Interest outside the  
scope of Environmental  
Stewardship)



# Ten-step summary of the Higher Level Stewardship application process

## Step 1 - Section 2.1

To obtain your pre-filled application form and maps, you should contact your Natural England ISS office (see appendix 1).



## Step 2 - Section 2.2

Contact a Natural England adviser to arrange an initial consultation for HLS. If they consider that your holding has potential for HLS then move to step 3; if not, consider applying for ELS/OELS.



## Step 3 - Section 2.3 and HLS FEP Manual

Prepare a Farm Environment Record/FEP for your farm. You may wish to hire an agent to do this work for you.



## Step 4 - Section 2.4 and HLS Options Handbook

Using the recommendations from the FEP and the targeting statement for your area, consider the most appropriate HLS options for your land.



## Step 5 - Section 2.5 and ELS or OELS Handbook

Choose from the list of ELS or OELS and HLS options and complete annexes 1 and 2 of your application form. Include enough ELS or OELS options to meet your points targets, even if you already have an existing ELS or OELS agreement.



## Step 6 - Section 2.6

Choose your HLS rotational options and complete annex 3. These do not have to be marked on a map.



## Step 7 - Section 2.7 and HLS Options Handbook

Choose the capital works that you wish to do in the first three years, and complete annex 4. Mark these on your HLS options map.



## Step 8 - Section 2.8

List all your permanent grassland fields and the total area of temporary grassland in annex 5 and calculate the maximum stocking density.



## Step 9 - Section 2.9

Complete your options maps.



## Step 10 - Section 2.10

Make sure you have read and understood all the terms and conditions contained in the handbook and your ELS or OELS handbook. Submit your application to your Natural England regional office.

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# Section 1

## Introduction and general information

### 1.1 Background

#### 1.1.1 What is Environmental Stewardship?

Environmental Stewardship is an agri-environment scheme which aims to secure widespread environmental benefits. The scheme has three elements:

Entry Level Stewardship (ELS);

Organic Entry Level Stewardship (OELS); and

Higher Level Stewardship (HLS).

ELS is a 'whole farm' scheme open to all farmers and land managers with conventionally farmed land. Acceptance will be guaranteed providing you can meet the scheme requirements. If you have a mix of conventionally and organically farmed land, or all your land is farmed organically, you should apply for OELS (see below).

OELS is a 'whole farm' scheme similar to ELS, open to farmers who manage all or part of their land organically and who are not receiving aid under the Organic Aid Scheme (OAS) or the Organic Farming Scheme (OFS). If any part of your farm is registered with an Organic Inspection Body, you should apply for OELS rather than ELS. To apply for OELS, you will need a separate OELS application pack; this is available from the Natural England ISS office in Crewe (North West region).

HLS, which will usually be combined with ELS or OELS options, aims to deliver significant environmental benefits in high-priority situations and areas. HLS is discretionary and concentrates on the more complex types of management, where land managers need advice and support and where agreements need to be tailored to local circumstances.

ELS or OELS is normally a prerequisite for HLS. In the HLS handbook, we refer to 'ELS' or 'OELS' in those instances where there are common links to both ELS and OELS handbooks. If all your land is conventional, you will need to refer to your ELS handbook. If you farm both organic and conventional land, you will need to refer to your OELS handbook which explains the application procedures for both types of land.

Where there is a unique issue relating to either ELS or OELS that you need to be aware of within HLS, we will direct you to the appropriate section in the relevant handbook. You must read the relevant ELS or OELS handbooks before applying for HLS.

#### 1.1.2 What are the aims of Higher Level Stewardship?

The five primary objectives of HLS are:

wildlife conservation;

maintenance and enhancement of landscape quality and character;

natural resource protection;

protection of the historic environment; and

promotion of public access and understanding of the countryside.

There are two secondary objectives where spin-off benefits are sought from management designed to achieve the five primary objectives. These are:

- flood management; and
- conservation of genetic resources.

Through meeting these objectives, Environmental Stewardship will:

- support the adaptation of the natural environment to climate change; and
- enhance the contribution of agriculture and land management to climate change mitigation, for example by reducing greenhouse gas emissions, and providing and protecting carbon storage.

### 1.1.3 Do I need to join Entry Level Stewardship?

The full benefits of Environmental Stewardship will usually only be achieved when ELS or OELS options are combined with the more demanding HLS options. You will usually have to apply for both elements of the scheme which will then be combined into a single agreement. Very occasionally there will be sites for which ELS or OELS options are not available, such as:

- coastal and inter-tidal habitats; and
- lowland heathland.

If your holding is made up largely of these types of habitat, and you believe you would not be eligible for ELS or OELS options, you should discuss this with your Natural England adviser. There may be other situations where your Natural England adviser considers an HLS only agreement is appropriate and they will discuss this with you at the initial consultation stage.

### 1.1.4 How does the scheme work?

Your Environmental Stewardship agreement will usually include a mix of ELS or OELS and HLS management options.

The HLS options are designed to contribute to one or more of the five primary objectives and will normally only be suitable for land that is of significant environmental interest. These objectives are broken down into regional priorities and more details can be found in the targeting statement included in your application pack. To determine which management options are most suitable for your land, you will need to carry out a formal assessment of the features on your land – this is known as the Farm Environment Plan (FEP). The features that need to be identified and assessed are listed and defined in the FEP Features Manual. You then need to decide which of the ELS or OELS and HLS land management options you wish to apply for, in conjunction with a Natural England adviser. They will visit to discuss the management options with the aim of agreeing the details of your ten-year agreement. Once you have signed the agreement, you will receive a payment every six months based on the management options that you have agreed to follow. In addition to the land management options, you can apply for funding towards a range of supporting capital works through a Capital Works Plan (CWP) (see the HLS options handbook). This can be done as part of the initial application process and at intervals during the life of your agreement.

### 1.1.5 What will I be required to do?

In applying for, and being accepted into, HLS you will be agreeing to:

- identify, map and retain your Farm Environment Record (FER) features and deliver your ELS or OELS options in accordance with the requirements of the appropriate handbook;

- deliver the HLS management requirements and complete any capital works, as set out in your agreement document; and

- adhere to all the scheme terms and conditions in this, and the ELS or OELS handbook, across the whole holding – this also applies to HLS only agreements. In particular, you will agree to follow Single Payment Scheme (SPS) cross compliance throughout your farm.

### 1.1.6 What payments will I receive?

You will be paid according to the work you agree to when entering into the scheme. Once accepted into HLS, you will receive a payment every six months from the start of your agreement for its duration. This will include payment

for the ELS or OELS element of your agreement. Each six-monthly payment will be half of your annual management payment for that year, and will be made automatically. You will need to complete a claim form and return it in order to receive payment for capital works.

Towards the end of the final year of your agreement you will be sent a form to claim for the remaining payment. When making this final claim, you will need to sign a declaration to confirm that you have complied with the terms of your agreement, throughout the term of the agreement.

Following the introduction of a new EC regulation all payments made after 15 October 2008 will have to be made directly into your bank account and payments by cheque will not be available. If the Rural Payments Agency (RPA) do not have your bank details please contact them and request a Bank Details registration form (see Appendix 1 for contact details). If you do not provide bank details to enable payment to be made direct to your account, the RPA will not be able to pay you.

Subject to section 4.4, the payment rates set out in your agreement will apply for the first five years of your agreement. If there have been any relevant changes to payment rates following a payment review, these will apply for the remaining period of your agreement. As a result of a payment review, payments may go up, down or stay the same.

For details of all the payment rates, please see the leaflet included at the back of this handbook.

### 1.1.7 How long will my agreement last?

Your agreement with Natural England, which will include ELS or OELS options and HLS options, will be legally binding. It will usually run for ten years and you will be expected to fulfil your obligations for the full term of your agreement. A 20 year agreement may be offered on some intertidal and wetland inundation options.

Either party may withdraw from the agreement at the end of the fifth year, without penalty. Notice to withdraw must be given in writing at least one month before the end of the fifth year. You will be in breach of your agreement and will incur a penalty if you withdraw at any other time.

### 1.1.8 Will advice be provided during my agreement?

Your Natural England adviser will visit you at intervals during the life of your agreement, so that we can discuss the progress of the various management options with you. This will provide an opportunity for all parties to reflect on whether the management is achieving the outcomes as set out in your agreement, and to consider the need for any adjustments to your agreement. We can also discuss the requirements for including additional capital items in a new CWP. In the course of these visits, we will collect basic data on the results of management being undertaken, which will allow us to assess the contribution your agreement is making toward government targets for agri-environment schemes.

You can, of course, contact your Natural England adviser at any time, for further information.

### 1.1.9 Will details of my application/agreement be made public?

Please refer to section 1.2.9 of your ELS handbook or section 1.2.11 of your OELS handbook.

In addition to the above, Natural England may, in certain circumstances, make information contained in FEPs publicly available. We may also need to disclose details from FEPs to other organisations or individuals for administration, evaluation or monitoring purposes.

Details disclosed include but are not limited to, your name, the surveyor's name, the name and address of your farm or business, postal town/parish, first part of your post code, grid references, the total area under agreement, the payments you receive, the location of fields, details of the environmental features.

## 1.2 Who can apply?

HLS is open to all farmers and land managers who are one of the following:

- freehold owners;
- tenants;
- contractual licensees; or
- common land rights holders.

You must normally have management control of the land for the entire ten-year period of the agreement. If not, you can make a countersigned application with the person who undertakes to carry on your agreement if your management control of the land ceases. Further guidance on countersigned applications is provided at section 1.3.1 of the ELS or OELS handbook. If neither of these requirements is possible, please contact your regional Natural England ISS office.

Please note that this and subsequent sections of the HLS handbook refer to the land. 'Land' for the purpose of HLS is all the land and associated field boundaries registered on the Rural Land Register (RLR) that are farmed as one business enterprise in England (or, if you have a mix of conventional and organic land, as two separate business enterprises) and which are included in a single application. Your application may include land registered under more than one holding number.

Land entered into scheme options must be agricultural or part of the farmed environment. In exceptional cases (eg on some Sites of Special Scientific Interest (SSSIs)), vulnerable non-agricultural land that would benefit from protective management under HLS could be eligible for an agreement. You should discuss the eligibility of such land with your Natural England adviser during the initial consultation (see section 2.2) before making your application.

### 1.2.1 Can an agent act on my behalf?

Please refer to section 2.1.6 of your ELS handbook or section 2.1.10 of your OELS handbook.

### 1.2.2 What if I do not own some or all of the land?

If you are a tenant or contractual licensee you must ensure that by joining and participating in HLS you do not breach the conditions of your tenancy/licence. Under HLS, you must have management control for the ten years of the agreement. If you do not have sufficient control over the management of the land, or if your tenancy/licence has less than 10 years to run, even if you are expecting a further extension, your landlord/the landowner must agree to take over the HLS agreement in the event of your control lapsing. They must countersign your application to this effect.

If you need to make a countersigned application you must discuss the proposal with the relevant person (eg the freehold owner, your landlord, the person whose land you farm) and complete section 2 of the application form. The relevant person will have to sign the declaration at section 2 to confirm that they will ensure that your agreement commitments are fulfilled, if for any reason you cease to have control over the land during the 10 years of your agreement.

If you have more than one tenancy/licence with less than 10 years to run, you will need to complete a supplementary land ownership and control form (NE-LOC) for each additional tenancy/licence. These forms are available from your Natural England ISS office (see Appendix 1 for contact details) and are also available for you to download from the Natural England website at: [www.naturalengland.org.uk/publications/forms/agrienv/default.htm](http://www.naturalengland.org.uk/publications/forms/agrienv/default.htm).

### 1.2.3 Partnerships and trusts

Please refer to section 1.3.3 of your ELS or OELS handbook.

### 1.2.4 Is common land eligible?

There are many valuable features and habitats found on common land and we welcome applications from those who have grazing or other relevant rights over the land, including the owner of the common. We can enter into an agreement with an association or person representing most commoners holding rights, but we would hope that as many as possible would be involved. However, we will normally only enter into such an agreement where we are satisfied that the delivery of the management options is unlikely to be compromised by the actions of someone not represented by the signatory to the agreement.

Guidance on applying for HLS agreements in relation to common land is available from your Natural England regional office. Natural England will also require a common land supplementary application form to support an application. Before signing this declaration, the applicant must consult all rights holders (either known to him/her from the local authority register or from his/her own reasonably exhaustive enquiries) about the submission of the HLS application.

The shared responsibility for the HLS agreement can be supported by an internal agreement between all the owners and commons rights holders, however Natural England will not become involved in any disputes amongst commoners, or between commoners and landowners or occupiers.

If a common is not brought into an HLS agreement, individual commoners can still enter their non-common land into HLS and receive payment for it provided that they also agree not to increase the level of stocking on common land. In view of the special requirements relating to common land, you should consult your Natural England adviser before applying to include it in an agreement.

### 1.2.5 What if others hold rights over my land?

Please refer to section 1.3.5 of your ELS or OELS handbook.

### 1.2.6 What if the land I farm is owned by the Crown, a local authority or another Exchequer-funded body?

Please refer to section 1.2.1 of your ELS or OELS handbook.

## 1.3 What if I have another scheme or obligation on my land?

As a general rule, Natural England cannot pay you for management you are required to carry out under an existing scheme or obligation. Specific guidance on what to do if you have another scheme or obligation on your land is provided below. You should also read section 1.4 of your ELS or OELS handbook in order to see if any of the guidance provided there also applies to you and your land.

### 1.3.1 Single Payment Scheme

As a general rule, land receiving payments from the SPS may be entered into HLS. Your HLS payment will be in addition to any payment you receive from the SPS.

You should be aware that Natural England has a regulatory responsibility to cross-check all land use options against those declared for the SPS. We will investigate any case where the land use declared for the SPS conflicts or appears to conflict with the requirements of the HLS option, for example an energy crop on land that should be permanent pasture.

### 1.3.2 Cross compliance management and Higher Level Stewardship options

HLS options have been designed to go beyond the requirements of cross compliance management of the SPS. You must follow the procedures explained in sections 3.2 B and 3.2 E of the ELS or OELS handbook when you are applying for and managing your hedgerow (HB12) and grass margin (HE10) options. There are some arable options where, for reasons of timing or location, the HLS management may fall outside the cross compliance conditions of the SPS. If you comply with the conditions of the HLS agreement, you will not have to meet the cross compliance conditions that conflict with the agreement.

The land management required for some options will, however, usually contravene the requirements of cross compliance because the land is unlikely to be capable of being 'returned to agricultural production by the next growing season'. Such land is also likely to become ineligible for the SPS, either because it is 'forest' or because it is 'used for non-agricultural activities'. Therefore, if you have land accepted into one of the options that affect the SPS, which you have included as 'eligible hectares' in your SPS application, you will be required to surrender to the national reserve a number of entitlements equal to the number of 'eligible hectares' upon which these HLS options will be paid.

The resulting loss of SPS payment has been factored into the payment rates for these options.

### 1.3.3 Entry Level and Organic Entry Level Stewardship

ELS, OELS and HLS have been designed to complement each other. If you already have an ELS or OELS agreement, you will need to re-apply for these options when you make your HLS application. This will ensure that the elements of Environmental Stewardship are combined in the most effective way.

### 1.3.4 Countryside Stewardship Scheme

It is not possible for HLS to be combined on the same holding as the Countryside Stewardship Scheme (CSS). If you have a CSS agreement, in most situations you will have to wait until your existing agreement expires before applying for HLS. However, land may be added to CSS agreements where this meets the current scheme rules on amendments.

In some cases, where the existing agreement is on only part of the holding, and there are substantial environmental benefits from bringing new land or features into HLS, it may be possible to terminate the existing agreement and replace it with an HLS agreement. Agreement holders who feel they may fall into this category are strongly advised to discuss their case with their Natural England adviser, as part of the initial consultation process, before commissioning a FEP.

### 1.3.5 Environmentally Sensitive Areas

It is not possible for HLS to be combined on the same holding as an Environmentally Sensitive Area (ESA). If you have an ESA agreement, in most situations you will have to wait until your existing agreement expires before applying for HLS. However, land may be added to ESA agreements where this meets the current scheme rules on amendments.

In some cases, where the existing agreement is on only part of the holding, and there are substantial environmental benefits from bringing new land or features into HLS, it may be possible to terminate the existing agreement and replace it with an HLS agreement. Agreement holders who feel they may fall into this category are strongly advised to discuss their case with their Natural England adviser, as part of the initial consultation process, before commissioning a FEP.

### 1.3.6 Habitat Scheme

It is not possible for HLS to be combined on the same holding as the Habitat Scheme (HS). If you have an HS agreement, in most situations you will have to wait until your existing agreement expires before applying for HLS. However, land may be added to HS agreements where this meets the current scheme rules on amendments.

In some cases, where the existing agreement is on only part of the holding, and there are substantial environmental benefits from bringing new land or features into HLS, it may be possible to terminate the existing agreement and replace it with an HLS agreement. Agreement holders who feel they may fall into this category are strongly advised to discuss their case with their Natural England adviser, as part of the initial consultation process, before commissioning a FEP.

### 1.3.7 Organic Farming Scheme

The OAS/Organic Farming Scheme (OFS) are closed. If you have any land that is in the OAS or OFS, this is not eligible for HLS, ELS or OELS. Sections 1.4.5 and 2.1.5 of your OELS handbook give more detailed guidance on issues relating to the transfer of schemes and entry into Organic Environmental Stewardship schemes.

### 1.3.8 Energy Crops Scheme

HLS options must not be located within land parcels covered by an Energy Crops Scheme (ECS) agreement. However, boundaries surrounding ECS parcels may be entered into HLS boundary management options.

### 1.3.9 Woodland Schemes

These are the Farm Woodland Premium Scheme (FWPS), the Farm Woodland Scheme (FWS), the Woodland Grant Scheme (WGS) and the English Woodland Grant Scheme (EWGS). Woodland managed under the Forestry Commission's grant schemes such as EWGS, or the now closed WGS, FWPS and FWS, is not eligible for HLS management options. However, where capital-only schemes exist, it may be possible to include woodland options in HLS. Contact your Natural England adviser or the Forestry Commission for further information.

### 1.3.10 Hill Farm Allowance

Please refer to section 1.4.7 of your ELS handbook or section 1.4.8 of your OELS handbook.

### 1.3.11 Other land management schemes on my land

If land that you intend entering into HLS is in receipt of funding from another grant scheme, you cannot also receive HLS funding for the same work. Work that is outside the scope of HLS may, however, be eligible for grants from other organisations, including local authorities. You may also be able to enter other agreements or schemes on other land.

### 1.3.12 Sites of Special Scientific Interest

Land designated as an SSSI may be receiving payments under Natural England's Wildlife Enhancement Scheme (WES). SSSI land may also be eligible for HLS provided that HLS and the WES are not funding the same activity.

### 1.3.13 Scheduled Monuments

Land designated as a Scheduled Monument may be receiving payment from English Heritage to help manage the site appropriately under what is known as a Section 17 Management Agreement. Such land may also be eligible for HLS provided that HLS and an English Heritage Section 17 Management Agreement are not funding the same activity.

### 1.3.14 Inheritance Tax/Capital Gains Tax exemption

The requirements referred to at section 1.4.11 of your ELS handbook or section 1.4.12 of your OELS handbook also apply to HLS options.

### 1.3.15 Nitrate Vulnerable Zones

Please refer to section 1.4.13 of your ELS handbook or section 1.4.14 of your OELS handbook.

### 1.3.16 Heritage Lottery funding

Heritage Lottery Fund (HLF) payments are designed to fund management not covered by HLS or other schemes, or for measures over and above the requirements of other schemes. HLF applications can count HLS as a source of matched or partnership funding towards securing grants for further works, but only where the HLS payments are for separate works that are not subject to prior conditions. Where HLS agreements within an area-wide project have been signed less than 12 months prior to the HLF application, the payments will be viewed as matched funding. The projected payments for future HLS agreements will also be included in the calculations.

### 1.3.17 Other obligations

You must make sure that there are no other duties or obligations on you or the land which would conflict with your HLS agreement. If you are in any doubt about potential conflicts, please contact your Natural England adviser.

## 1.4 Things to consider about the application process

### 1.4.1 When should I send in my application and when will my agreement start?

Once you have completed your application form and the supporting annexes, marked up your maps, and attached the relevant supporting documents, including the FEP and certificates of organic registration (where applicable), send it by post to your regional Natural England ISS office.

At present you cannot apply for HLS using the internet. You can submit your application at any time and we will acknowledge receipt of your application and give you a reference number for future correspondence.

If your application is successful, our target is to provide you with an agreement within 4 months of receipt of a valid application. Agreements will commence on the first date of a month, so, for example, we aim to issue an agreement by 1 November for a valid application received during June. We will give you the earliest start date we are able to, unless you ask for a specific date later than the 4-month target.

In cases where further information is needed, the offer of an agreement may be deferred.

### 1.4.2 How will my application be assessed?

Each area has priority targets for the management of a variety of features. These targets have been agreed with help from local organisations. A targeting statement relevant to your area is included with your application form.

All HLS applications will be assessed against these targets. Those applications which meet or exceed a pre-determined threshold will receive a visit from a Natural England adviser and you may then be offered an agreement. You should ensure that any features identified in your FEP, which are also a target in your area, are included in your application. If your application does not address the relevant priority targets for your area, it will be rejected.

If applications do not include satisfactory management of SSSI or SM (where present on the holding), they will be re-negotiated or rejected regardless of their assessment. Applications that miss opportunities to manage targeted features may also be rejected or re-negotiated. In addition, there will be no advantage in including in your application large amounts of extra management options that do not address the scheme targets for your area.

### 1.4.3 Am I guaranteed an agreement?

The initial consultation process (see section 2.2) should give you a realistic assessment of whether your holding has any potential for HLS before you go to the expense of commissioning a FEP. However, even if you are advised to proceed with a FEP and to submit an HLS application, this does not guarantee that you will be offered an agreement. Because funds for HLS are limited, agreements have to be allocated where they are likely to achieve the most environmental benefit. Your application will be subject to a assessment process as described above and, in addition, it will need to represent good value for money.

Following the submission of your application, your Natural England adviser may suggest alterations to help to improve the way in which your application will achieve the priority targets. If you do not then wish to proceed, you may withdraw your application but please confirm this, in writing, with your Natural England office as early as possible. If you want to make any changes to the application, please tell your Natural England adviser as soon as possible.

#### 1.4.4 What happens if my application is accepted?

If your application is accepted, subject to any changes agreed with your Natural England adviser, you will be offered an agreement. You will need to sign and return this within 14 days of receipt. The agreement does not come into force until all parties have signed it.

#### 1.4.5 What should I do if I have already sown my crops?

Please refer to section 2.2.4 of your ELS or OELS handbook. When deciding on your agreement start date, you should consider any changes that you may have to make to your farming system and, in particular, your existing cropping commitments.

#### 1.4.6 What if my application is unsuccessful?

If the HLS part of your application does not meet our assessment criteria, this part of your application will be rejected. We will tell you if your application has not been successful and explain why. If this happens, you will have three choices (as set out in the application form):

Withdraw your entire application and continue with your existing ELS or OELS agreement (if you already have one).

Proceed with just the ELS or OELS part of your application.

Withdraw your entire application and re-submit one at a later date.

If you are unsuccessful, you may submit a written representation to us. Your case will then be reviewed (see section 4.5).

#### 1.4.7 Do I need consent from anyone?

If your land includes a designated feature, you will require formal consent from the relevant body before carrying out any works which would affect the designated feature. Once your application has been received, your Natural England adviser will discuss your proposals with the relevant body before you are offered an agreement. If you have already started this process any correspondence or an 'in principle' approval should be submitted with your application, as this will speed up the processing of your application.

In many situations, the relevant body will have to give consent before an HLS agreement can be offered and in all cases it is your responsibility to ensure that you have the necessary consent before starting any work. Further information is set out below.

#### Sites of Special Scientific Interest

Natural England will ensure that any HLS agreement helps to achieve favourable condition on the SSSI. We will not award an Environmental Stewardship agreement for any management considered likely to damage the SSSI. Awarding an HLS agreement gives permission, under Section 28E of the Wildlife and Countryside Act 1981 (as amended), for you to carry out the required management for the duration of that agreement. Permissions for management activities on SSSI land granted as part of an HLS agreement are limited to the duration of that agreement and do not transfer from one land manager to another.

The Wildlife and Countryside Act 1981 places new responsibilities on publicly funded bodies ('section 28G authorities') for the management of SSSIs. If you are applying on behalf of such a body, you should contact your Natural England adviser before applying.

#### European Protected Species

Participation in HLS will normally be consistent with the protection of species listed under the Conservation (Natural Habitats, etc.) Regulations 1994, (European Protected Species). These include bats, otter, dormouse, natterjack toad, smooth snake, sand lizard, great crested newt and large blue butterfly. If you know that these species are present on your land, and there may be a potential conflict between HLS management and your legal obligations, you must ensure that the HLS options you select are consistent with the species protection requirements.

Advice for farmers on the conservation of protected species and their relation to HLS is available on the Natural England website at: [www.naturalengland.org.uk/conservation/wildlife-management-licensing/habsregs.htm#BPLandmanager](http://www.naturalengland.org.uk/conservation/wildlife-management-licensing/habsregs.htm#BPLandmanager).

### Scheduled Monuments

For SMs on your holding, the local English Heritage (EH) Historic Environment field adviser can give you advice on any management or changes you will need to undertake to bring the monument into favourable condition, and your Natural England adviser will consult EH once you apply. You may need Scheduled Monument Consent from EH for some work. EH can tell you if the proposed works are likely to be acceptable.

### Archaeological fieldwork or metal detecting on your land

Please see section 1.5.5 of the ELS or OELS handbooks.

### Work affecting water

You will need Environment Agency or Internal Drainage Board consent for management that will affect watercourses. This includes work both to and within 8 m of a watercourse or work within the flood or coastal plain. For example, the installation of sluices to raise water levels, or excavation works such as ponds or scrapes, may require land drainage consent or an abstraction licence.

### Work on trees and hedges

You may need permission for work on trees that are subject to a Tree Preservation Order (TPO), for instance during hedge restoration. Ask your local authority Tree Officer. If you are removing trees, or managing overgrown hedges, and you are felling more than 5 m<sup>3</sup> of timber in a calendar quarter, you may need a Forestry Commission (FC) Felling Licence. For further info the FC have produced the following guidance 'Tree Felling – getting permission' ([www.forestry.gov.uk/pdf/treefellingaugust.pdf](http://www.forestry.gov.uk/pdf/treefellingaugust.pdf)).

### Listed buildings

If any works are proposed to listed buildings, you will need to discuss the proposals with your local authority Conservation Officer who will advise if listed building consent is required.

### Conservation Areas

Conservation Areas are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. These can include rural landscape areas, as it may be the special qualities and interest of the area that leads to its designation. Conservation Area status may impose additional restrictions on carrying out work and remove some permitted development rights on agricultural holdings. The Local Planning Authority must be consulted if any part of the holding is located within a Conservation Area and particularly if any work is proposed to trees, buildings, boundaries or structures.

### Planning permission

Most routine agricultural operations do not require planning permission either because they are not regarded as 'development' under planning legislation, or because they are 'permitted development' which is 'reasonably necessary' for agriculture. For some activities, e.g. the creation of new ponds, the planning requirements may not be straightforward. Your Local Planning Authority can give you informal advice as to whether your proposals are either permitted development or those which require planning consent. You are therefore encouraged to contact them at an early stage if you are unsure whether the activity requires planning consent. 'A Farmer's Guide to the Planning System' is available from [www.defra.gov.uk/farm/environment/land-use/pdf/planning-guide.pdf](http://www.defra.gov.uk/farm/environment/land-use/pdf/planning-guide.pdf).

### National Parks

If your land is in a National Park, you are advised to contact the National Park Authority who can provide advice and information about making the best of the environmental interest on your land as part of your application. They are also the relevant authority for many of the above issues.

#### 1.4.8 Will Natural England discuss my application with anyone else?

Yes, when it helps to assess your proposals, and particularly if specialist advice is needed. If your land is in a National Park, we will work closely with the relevant National Park Authority in delivering your agreement. Highways authorities are consulted on new access proposals and advice on historic features is sought from local authority archaeological officers. Your Natural England adviser may also seek the views of local specialists such as a county wildlife trust or local authority countryside staff when assessing your application.

#### 1.4.9 The Environmental Impact Assessment Regulations

The Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006 seek to protect environmentally important land from agricultural intensification. Land likely to be subject to these regulations includes uncultivated and/or semi-natural grassland, heathland, moorland, scrub and wetlands. The type of agricultural operations ('projects') covered include ploughing, cultivation, digging, scraping, draining, liming, spreading soil or manure, and increased application of fertiliser.

Under these regulations, anyone proposing to carry out a relevant project on uncultivated land or semi-natural areas must apply to Natural England for a screening decision (which usually takes up to 30 days). In many cases, the decision will be that the project is not likely to have a significant environmental impact, so it may proceed. But if a project is likely to have a significant impact (e.g. if it may damage valuable semi-natural habitat), the applicant must prepare an environmental statement and apply for consent before the project can go ahead.

When applying for HLS, you should be aware of these regulations, which aim to protect some of England's most valuable environmental assets from intensive agriculture. Some HLS options are specifically designed to restore or create valuable habitats, e.g. arable reversion to species-rich grassland. In entering these options you should assume that the change is permanent, because at the end of your ten year agreement the land may well be subject to the regulations. If the management has been successful and the land has reached a high level of environmental significance, these regulations may not allow it to be returned to intensive agricultural use, although you may be able to re-enter it into a further agri-environment agreement.

For other options, for example field margins which are not seeking to re-create semi-natural habitats, this is very unlikely to be a constraint. Further information is available from [www.defra.gov.uk/enviro/eia](http://www.defra.gov.uk/enviro/eia).

**The Environmental Impact Assessment (Forestry) (England & Wales) Regulations 1999** seek to protect land from potential environmental damage as a result of forestry activity. There are four forestry activities that come under these regulations - afforestation, deforestation, forest roads and forest quarries. The first two activities are most relevant to Environmental Stewardship.

Under these regulations, afforestation (woodland creation) or deforestation (conversion of woodland to another land use) proposals require consent from the Forestry Commission. Threshold areas exist below which consent is not normally required; the threshold varies depending on type of forestry activity and the sensitivity of the site.

The HLS options most likely to fall under these regulations are woodland creation and restoration of heathlands, though other options involving tree planting/felling may also apply. If in doubt, contact your local Forestry Commission office for advice.

Further details of these regulations are available in the Forestry Commission booklet 'Environmental Impact Assessment of Forestry Projects', which is also available on the Forestry Commission website at [http://www.forestry.gov.uk/pdf/wgseia.pdf/\\$FILE/wgseia.pdf](http://www.forestry.gov.uk/pdf/wgseia.pdf/$FILE/wgseia.pdf).

# Section 2

## The application process

### 2.1 Step 1

#### 2.1.1 Obtain an application pack

To obtain an HLS application pack you should contact your regional Natural England ISS office (see Appendix 1). The application pack will include the following information:

- A personalised application form which will have been pre-filled with information about you and your land, including RLR field numbers and areas.

If you have not received the pre-filled application form and maps (described below), you must make sure that all your eligible land is registered on the RLR and then ask your regional Natural England ISS office to send you the necessary documents and maps. Natural England will not be able to accept applications on forms that have not been pre-filled.

- Environmental Information Maps showing designations on your holding such as SSSIs, Scheduled Monuments, Less Favoured Area (LFA) and the Moorland Line. This will allow you to identify high-priority features on your holding which would benefit from the introduction of some of the options;

- a FER and FEP Map. This map of your land should be used to prepare your combined FER and FEP Map, and should be returned with your application form. Guidance for entering features on to your FER Map is provided at section 2.3.5 of your ELS handbook and section 2.3.4 of your OELS handbook. The completion of this map will earn points towards the ELS or OELS part of your HLS application. This completed map is also used for showing the features identified in your FEP. If someone else will be carrying out your FEP, you will need to provide them with your FER Map;

- an ELS or OELS Options Map. This map should be used to mark where you are putting your ELS or OELS options on your land; and

- an HLS Options Map. This map should be used to show where you are putting your HLS options on your land. These will usually include both the land management options and any capital works that you intend to carry out during the first two or three years of your agreement. This map should also be returned with your application form.

- Your targeting statement.

- The HLS Options handbook.

- The HLS FEP Features Manual and example FEP map (**this is not sent out with application packs, but can be requested by FEP surveyors if needed**).

#### 2.1.2 Registering land on the Rural Land Register

Please refer to section 2.1.1 of your ELS or OELS handbook.

#### 2.1.3 What is an RPA 'vendor number'?

Please refer to section 2.1.2 of your ELS or section 2.1.3 of your OELS handbook.

#### 2.1.4 What should I do if some of the farm is not registered on the RLR?

After discussions with the applicant, it may become apparent that there are parts of the farm, which contain features, which are not covered by their RLR registration. For example, some applicants may not have registered all their woodland. If these unregistered areas are not shown on the FER/FEP and Environmental Information maps provided to the applicant then they must be registered on the RLR via the Rural Payments Agency. Updated maps will then have to be obtained from Natural England before proceeding.

If the unregistered land is shown on the maps then the fieldwork and desk studies can continue, provided that the maps submitted to the HER for consultation is annotated to show which areas of additional non-registered land are also within the holding and will form part of the application once registered. The applicant must have all areas of

land that contain a feature registered with the RLR before submitting their FEP and HLS application. The surveyor must ensure that the applicant can identify any unregistered parcels both on the map and in the FEP form so that they can be registered on the RLR if they contain a feature.

Registering additional areas may mean that the applicant will receive a larger payment for the FEP as they may move up to the next payment band (see table in section 2.3.11).

## 2.2 Step 2: Request an initial consultation

### 2.2.1 What is an initial consultation?

Potential HLS applicants must contact Natural England for a consultation prior to completing and submitting a FEP and HLS application. This initial consultation takes the form of a paper-based assessment, followed by a telephone discussion and possibly an on-site visit from a Natural England adviser.

### 2.2.2 Why are initial consultations necessary?

The aim of the initial consultation is to give you a realistic assessment of whether your holding has any potential for HLS before you go to the expense of commissioning a FEP. This is to avoid wasted time, money and effort in preparation by you and your FEP surveyor.

### 2.2.3 How do I obtain an initial consultation?

To request an initial consultation, you should telephone your regional Natural England ISS office (see Appendix 1). A Natural England adviser will contact you within 10 working days. You are advised to factor in sufficient time for an initial consultation when considering entering HLS and anticipating possible start dates.

### 2.2.4 What will the initial consultation entail?

Your Natural England adviser will discuss with you:

- your current farming system;
- details of any current or expiring agri-environment agreements;
- environmental features present on your holding, including designated areas;
- the potential for addressing priorities in the appropriate targeting statement;
- potential opportunities for meeting HLS objectives;
- opportunities for woodland management (in order to refer on to the Forestry Commission);
- natural resource protection issues; and
- potential for coastal/wetland habitat creation and flood risk management.

If your holding shows potential for HLS and fits with the targeting statements for the region, your adviser may arrange to visit your holding with a view to providing a more detailed consultation and assessment. If necessary, your adviser will, for instance, walk your holding with you or your agent. You may wish to arrange for your prospective FEP surveyor to be present at the visit.

### 2.2.5 Will I be told the outcome of the consultation immediately?

On completion of the consultation, the Natural England adviser will write to you or your agent to notify you of their assessment of your holding's potential for an HLS application.

If the Natural England adviser considers that there is no potential for an HLS application on your holding, they will inform you accordingly and invite you to submit an application for ELS or OELS instead, if appropriate.

If the Natural England adviser considers that there is potential for an HLS agreement on your holding, they will inform you accordingly and explain that you now need to arrange for a FEP to be carried out (step 3) and use this to help complete and submit an HLS application (step 4). If an FEP and properly completed HLS application are submitted following advice from a Natural England adviser, then, provided the FEP meets the required standards, it will be eligible for a FEP payment (as set out in section 2.3.11). However, it must be noted that even if the Natural

England adviser considers that the holding has potential for an environmentally valuable HLS application, this is no guarantee of acceptance into HLS because of the selective nature of the scheme.

### 2.2.6 Can I submit a FEP and HLS application without a positive response to an initial consultation?

If you submit a FEP and HLS application despite being advised against doing so at the initial consultation stage and if the HLS application does not subsequently lead to an HLS agreement, then the FEP will not be eligible for a FEP payment. Likewise, if you submit a FEP without first obtaining an initial consultation, and if the associated HLS application does not lead to an HLS agreement, then again the FEP will not be eligible for a FEP payment.

### 2.2.7 Is there a charge for an initial consultation?

Natural England will not charge potential applicants for initial consultations. Prospective FEP surveyors may be present with you at the visit. Any costs incurred by you in respect of an initial consultation will not be reimbursed by Natural England.

## 2.3 Step 3: Carry out a FEP survey

### 2.3.1 What is a FEP?

A FEP appraises the environmental value of land by identifying 'features' and assessing their current condition. It will also identify areas that may become features with appropriate management. For the purpose of the FEP, 'feature' means the environmental features that are listed and explained in the FEP Features Manual. The primary purpose of a FEP is to gather information necessary to inform an HLS application. The FEP will:

- identify features that may benefit from HLS management, which will allow us to assess applications in a consistent way. It will also provide us with a basis for monitoring the success of the scheme; and

- provide a baseline for future assessment of the condition of features managed under HLS.

### 2.3.2 Why is a FEP necessary?

HLS is designed to deliver significant environmental benefits which may require complex management. In order to do this, it is vitally important that you and your Natural England adviser have good quality information about the current environmental value and interest of your farm and its potential to deliver additional environmental benefits. The FEP is designed to capture this information in a way that both you and Natural England can use to help build an HLS agreement.

### 2.3.3 How will a FEP be of interest to the farm business?

Although a FEP is a prerequisite for entry into HLS, it should also be of general interest to the way the farm is managed as it will contain a detailed assessment of the historical, landscape and conservation value of the land and it will cover areas such as soil erosion risk. It will provide a useful tool for ensuring that the whole farm is managed in an environmentally friendly way.

A FEP should, therefore, be useful to other farm advisers and contractors. For instance, by identifying vulnerable habitats, it will help with complying with the Voluntary Initiative (on the safe use of pesticides) and should help in complying with environmental standards in farm assurance schemes.

### 2.3.4 How will a FEP help with applying for HLS?

The targeting statement relevant to the holding will identify the types of feature that are of particular significance in your area and which we hope to have managed under HLS. The FEP will identify all of the features on the land and will therefore enable you to submit an application that can meet our objectives, wherever possible. This will maximise the likelihood of obtaining an agreement. All HLS applications must be supported by a FEP. If an application is received for land without a FEP, it will be rejected. FEPs will be valid for five years and do not need to be repeated once an HLS agreement is in place.

A FEP must meet our quality standards if we are to make a payment for it. In order to meet our quality standards, the FEP surveyor will have to carry out a thorough desk study and field survey. See further section 2.3.12.

### 2.3.5 The relationship between the ELS/OELS FER and the HLS FEP

As a condition of ELS, you must identify and map and protect important environmental features and areas on the land. When applying for HLS, this information is recorded on the combined FER/FEP Map and you do not need to complete a separate FER.

### 2.3.6 Who can carry out a FEP and how long will it take?

FEPs can be carried out by anyone who has experience of the practical issues involved in the five main objectives of the scheme and an ability to identify the relevant features described in the FEP Features Manual.

The time taken to carry out a FEP will vary according to the area of land it covers, the complexity of the land, its accessibility and the experience of the surveyor. All of the land will have to be walked in order to complete a FEP. Before this can happen, the FEP surveyor must undertake a consultation and a desk-based assessment. Whoever carries out the FEP will need to have access to the Internet in order to obtain relevant information.

### 2.3.7 When should a FEP be carried out?

It can be done at any time of year but it needs to be done before applying for an HLS agreement. However, some features will be more easily identified at certain times of the year. For example, grasses and flowers in a species-rich hay meadow are most easily identified in summer, but the effects of soil erosion are more visible in winter. However, if you are familiar with the land and have collected good, reliable information from background research, the winter fieldwork may be possible.

### 2.3.8 How do I obtain a blank copy?

A FEP consists of a completed form and annotated map(s).

The form is available in either electronic or paper format. Note: A personalised paper FEP form will NOT automatically be provided in the application pack. You are encouraged instead to use the electronic version of the FEP (the e-FEP) which is available via the Natural England website: [www.naturalengland.org.uk](http://www.naturalengland.org.uk). This is because the Historic Environment Record (HER) consultation will normally be provided in a format which allows the information to be electronically copied and pasted into the FEP. If you require a paper copy of the FEP form, please contact your regional Natural England ISS office to request a copy.

A blank copy of the FEP Map(s) will be included with your HLS application pack. The map(s) will need to be completed to show both FER and FEP information.

### 2.3.9 How is a FEP prepared?

FEP preparation falls into three main phases:

- A: Carry out desk study and consultations.
- B: Carry out fieldwork.
- C: Complete FEP Map and form.

Each of these steps is described in more detail below.

#### A: Carry out desk study and consultations

Before conducting a field survey of the farm, surveyors should ensure that they conduct a desk study to collate all the currently available information on the area. They should make full use of existing environmental information – local records, existing maps and websites – and consult with parties that hold key additional information. Time spent on data collation before the field survey will enable it to be more focused and efficient and will ensure that the fullest body of evidence can be brought together to support the application for an agreement.

Information to be gathered about the farm

- specific issues to be addressed in the FEP, for example the presence of unrecorded historic features, de facto access;
- identify soil types across the farm, and any areas that are prone to soil erosion (this may have been discussed at the initial consultation);
- understand the current stock management practices, for example manure spreading, stocking rates and timings, crop rotations/patterns;

determine whether there are any areas where semi-natural habitat was found in the last five to ten years;

determine whether there are areas that may have potential for habitat creation or restoration. Soil nutrient and pH analyses which have been carried out by a FACTS registered adviser, within the last three years, will be useful for assessing this potential;

determine whether the land manager, their advisers or staff, are aware of the presence of any species of conservation interest on the farm and obtain details;

find out whether any surveys have recently been carried out on the farm or in the vicinity;

determine whether the applicant would consider increasing the level of public access on the farm if a demand for this can be shown;

determine whether there is a WGS on the farm and whether it includes any additional voluntary access.

### Who should be consulted?

#### *Consult the Historic Environment Record*

In order to fulfil the required standard for a FEP, you must incorporate information and advice obtained from the local HER into the FEP. The HER must be consulted for each FEP and before carrying out the fieldwork stage, so that each feature can be identified and condition assessed effectively. Key information from the HER consultation response can be copied and pasted directly into the eFEP.

The HER is usually held by the county council, unitary authority or national park authority. It is a database of known historic sites within the county and was formerly known as the Sites and Monuments Register. Staff working in the HER office will provide a list of all the recorded features present on the land and advice relating to their significance, size and management. The National Trust and Defence Estates may hold additional information for land owned by them, even when managed by tenants. In addition, the local or county records office will often have copies of useful old maps available for review.

English Heritage is funding local authorities to undertake Historic Landscape Character (HLC) assessments. Where available, the HER will also provide a brief summary of the origins of the landscape of the farm and its immediate surroundings, based on the HLC description or other relevant surveys.

A service standard for the information and advice that the HER is required to provide as part of the HER consultation has been agreed by Natural England, the Association of Local Government Archaeological Officers (ALGAO) and English Heritage. It is available at [www.algao.org.uk/Cttees/Countryside/AgriEnvEng.htm](http://www.algao.org.uk/Cttees/Countryside/AgriEnvEng.htm).

A standard letter to use for the HER consultation can be found in Appendix 2.

This requires you to provide to the HER:

the official Natural England map provided for the purposes of the application. This shows the RLR field numbers which should be used in the consultation response and the field parcels that form the application area;

a six-figure grid reference for the holding, so that the HER can easily locate it on maps;

the overall holding area in hectares;

a clear indication of the ownership boundaries of National Trust or Defence Estates land, where appropriate;

where there is an existing ELS agreement on the holding, a copy of the holding ELS agreement map and/or the FER Map to inform the HER of the extent of any existing historic environment features and options identified under ELS;

brief details of any other land management agreements that are known to exist; and

which local authority's/authorities' areas the holding falls within. This can be easily identified using a clickable map on the Heritage Gateway portal at [www.heritagegateway.org.uk/Gateway/CHR/HER+Index.htm](http://www.heritagegateway.org.uk/Gateway/CHR/HER+Index.htm).

There is a charge levied by the HER for the interpretation of the HER information and advice on management. This is a nationally agreed rate of £75 for areas of 50 ha or less and £150 for more than 50 ha. This sum is exclusive of VAT, which may be charged according to local authority policy. The FEP surveyor will need to make arrangements for payment with the HER. The FEP payment includes reimbursement of a proportion of this cost.

In all cases, you must attach the full HER consultation response to the completed FEP, as this includes information on priorities and significance which is not transferred into the FEP itself.

#### *Consult Natural England if any of the land is a SSSI*

If any of the land falls within an SSSI, as shown on the Environmental Information Map, Natural England's website ([www.natureonthemap.org.uk](http://www.natureonthemap.org.uk)) must be consulted. (SSSIs are divided into management units to help record different habitats and ownerships.)

The following information must be collected:

- the SSSI designation reference number;

- the condition of each management unit, using Natural England's standard terms. This information must be recorded in the 'condition' column of the table in part 2 of the form; and

- any other designations, for example Special Area of Conservation (SAC). Their presence must be recorded in the designation column of the table in part 2 of the form. Natural England's local adviser for the SSSI must also be contacted to ensure that all available information on the SSSI is used in the FEP, such as information on rare species. This can be done by telephone. See the Natural England website for further contact details.

#### Other sources of information

Many features may be difficult to identify in the field, such as below-ground archaeological remains and some, such as flower-rich hay meadows, are not possible to identify at all times of the year. However, it will often be found that many features have previously been recorded by other surveys. Many of these survey details are available to you either on the Internet or through local record offices.

Local sources of information can be invaluable and, in many cases, will provide information that will help ensure that the FEP properly reflects the environmental interest of the farm. Some websites hold national data sets which give information on what is known about the wider area around the farm or, in some instances (such as [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk)), they also provide information about individual fields. We have provided a list of useful sources of local information in Appendix 3. However, please see our warning below about use of data. Data sources used should be recorded in the FEP 'sources' checklist in part 6 of the FEP form.

#### Warning

It should be noted that some of the data sets available on the Internet require careful interpretation. In particular, you should be aware that UK Biodiversity Action Plan (BAP) priority habitat inventories represent the best available information on the occurrence of semi-natural habitats, but this information is incomplete and, as a result, the inventories may contain omissions and errors. Information on the accuracy of each habitat land parcel is available on the Nature on the Map website. Used carefully, these data sets can still be very helpful in identifying land most likely to contain (or have contained) semi-natural habitats.

#### What to do with the information from consultations and other research

All relevant information must be marked on the FER/FEP Map, for example areas identified by the farmer as being prone to soil erosion, SSSI boundaries and the location of known semi-natural habitats. Some of this information will need checking in the field to ensure that mapping and identification are correct. Using the HER consultation information, the 'feature detail', 'designation', 'designation reference' and 'grid reference' boxes in the Environmental Features Data Sheet can be filled in before the site visit. It may also be possible to fill in 'feature name and unit of measurement'.

#### **B: Carry out fieldwork**

The bulk of the fieldwork to be carried out by the FEP surveyor relates to the completion of the Environmental Features Data Sheet (part 2 of the FEP form). Full details of the fieldwork necessary to complete the Environmental Features Data Sheet are set out in the FEP Features Manual which contains extensive information on the identification, recording methodology and condition assessment of all HLS features.

The surveyor must also refer to section 2.3.10 which details the information to be recorded in sections 1 and 3 to 6 of the FEP, as the completion of a number of other questions on the FEP form is dependent on the collection of data during fieldwork.

### C: Complete the FEP Map and form

#### FEP mapping requirements

Natural England will provide you with a blank FER/FEP Map as part of your application pack. This should be used to produce your FEP Map. Other maps, including GIS maps, may not show the required information in a format that is compatible with our mapping systems.

On the FEP Map, you should record:

all FER features. For information on how to produce a FER Map, see section 2.3.5 of the ELS handbook or section 2.3.4 of the OELS handbook;

extra features that you may need prior to doing the FEP fieldwork, for example details of any SSSI designation; and

any other FEP features on the holding identified during the FEP. The only exception relates to historic environment features provided as part of the HER consultation. It is not necessary to copy these across onto the FEP Map; instead the HER map can be appended to the FEP to provide a record of all historic environment features. If any additional historic environment features are identified during the FEP, then these must be recorded on the FEP Map.

Details on how to record features and annotate the FER/FEP Map are set out below.

#### Whole/part field features

If a feature covers a whole field, write the feature code (in black ink) in the centre of the field. If a feature covers a significant proportion of the field, but not all of it, then mark the feature code in the centre of the feature and mark the boundary of the feature with a dashed black line.

If the field is a mosaic of different features – for example, upland heath and upland flushes, fens and swamps, BAP habitat – mark both feature codes in the centre of the field and do not attempt to map the boundaries of the features. On open moorland habitat, however, boundaries should be mapped as accurately as possible – aerial photographs should be used. (See the section on *mapping resolution and mosaics* below for further details.)





It is quite likely that there will be more than one feature in a field. Mark on all the codes of the features present.

For large-scale features that cover more than one field, mark the approximate boundary of the feature on the map and mark the feature code in each field.

Ensure that a land use feature has been marked in every field (these include features such as arable land, traditional orchards and improved grassland).

#### Field boundary features

On the FEP Map, use the following colour-coding approach to record boundaries based on their condition assessment:

 [light green line]	boundary feature planted within the last five years
 [dark green line]	boundary feature in Condition A
 [orange line]	boundary feature in Condition B
 [red line]	boundary feature in Condition C

The same colour-coding approach should be used to record the historic environment feature HO5 (Relict Boundary). Write the feature code on the map alongside the coloured line. It is not necessary to give each boundary a separate boundary reference number.

Ditches should all be recorded as dashed blue lines, with their condition assessment included on the map (ie annotate the line with the text FO8A/Fo8B/Fo8C). Ditches of high environmental value should be marked with an asterisk (eg Fo8A\*).

### *In-field and boundary trees*

Trees should be marked on the FEP Map as per the FER guidelines, with the number of any such trees recorded on the map.

### *Species features*

Species features should only be marked if they are regularly associated with a discrete area, for example bird species that are known to regularly nest in the same field.

### *Access*

Potential for new or upgraded public access routes should be marked with a dashed dark green line. Proposed new open access areas need not be mapped.

### *Mapping resolution and mosaics*

The map should be clear enough to enable easy identification of the feature in the field, both to assess condition and management needs and to carry out quality control procedures.

Any features that are significant enough to merit differing management (potentially involving different options/supplements) should be mapped (or, when very small, indicated as dots or lines) separately. This could, for example, include SSSI features. As a guide, area type features (generally habitats) should be individually mapped where they cover either more than 0.25 ha (50 m by 50 m) or more than 10 per cent of the field unit.

Mosaics can be mapped by marking the codes for the features contributing to the mosaic in the centre of the area of the mosaic, ie without the need to individually map the extent of components (though the area occupied by the individual features should be estimated and entered in the FEP table). A mosaic is a complex and repeated co-occurrence of two or more habitats. The component habitats are at a scale and resolution that makes mapping of individual components impractical. The mosaic itself may be a discrete feature within a grazing unit, which otherwise holds a different feature.

For instance, on an upland intake site, there may be a repeated mosaic of valley mires in hollows with dry heath on rock outcrops. The scale of the change from one to the other is at too fine a resolution to map the individual components separately. The remainder of the field may be semi-improved grassland and of sufficient size to map separately. In this case, the valley mire and dry heath would be mapped as an MO8/MO4 mosaic with the semi-improved grassland mapped separately as GO2. A dashed line would represent the boundary between the two.

Mixtures of habitats should not be mapped as mosaics just because they occur in the same field. The rule of thumb given at the second bullet point above should be used to determine whether it is appropriate to map as mosaic or as individual habitat features.

### **2.3.10 What is the layout of the FEP form?**

The FEP form is sub-divided into the following parts:

Part 1 – Farm and surveyor details.

Part 2 – The Environmental Features Data Sheet: this is where information on the location, condition and size of all existing field-scale environmental features is collected.

Part 3 – Farm-scale information and potential for creation of new features: this is where an assessment is made of larger-scale environmental issues, for example landscape.

Part 4 – Other relevant information.

Part 5 – Summary of FEP findings and management proposals.

Part 6 – Checklists.

#### **Part 1 – Farm and surveyor details**

##### **Part 1.1 Farm contact details**

This should normally be your details. If you are represented by an agent then their details should be entered here. The *HLS application number* can be found on the pre-printed FEP or HLS application form and on the maps sent to you.

## 1.2 Surveyor details

Details of the surveyor who carried out the FEP and the date of the FEP visit(s). The *Total area covered by the FEP* must be the same area of land that is shown on the FER/FEP Map as registered on the RLR (this may not be the same as the total area of the farm).

### Part 2 – Environmental Features Data Sheet

Please see the FEP Features Manual for full details on how to complete this part of the FEP form.

### Part 3 – Farm-scale environmental features and potential for creation of new features

This part is designed to cover those issues that are best considered on a farm scale rather than by individual field. Unless the surveyor is particularly familiar with the farm, this part should be completed during or after the site visit.

#### Part 3.1 Farm overview

The farm overview is intended to provide a succinct description of the farm and its management. The amount of information required will vary depending on the farm but will typically include:

past and current farming system, for example arable, dairy, beef, sheep etc;

information on types, breeds of stock and stocking calendar. If any native breeds are kept, this should be recorded. A list of native mainstream and rare breeds can be found on our website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk);

details of rotations and cropping;

details of soil types, acidity and fertility;

key management practices, for example use of contractors or graziers, minimal tillage cultivation, sub-soiling etc; and

details of any farming or other business aspirations in the medium to long term which may affect the farming system, for example diversification enterprises or retirement/succession plans.

#### Part 3.2 Landscape

This section provides an assessment of the landscape character of the farm and the surrounding countryside. Assessing landscape character helps to identify what makes a place distinctive, what gives a locality its own 'sense of place' and what makes it different from the neighbouring valley, plain or surrounding area.

The farm landscape assessment is designed to identify the 'key' characteristics and features present, potential changes in management and any management priorities that will benefit the landscape. The priorities will be assessed together with any conflicts between other environmental interests, to inform the selection of appropriate land management options to achieve environmental benefits on the farm.

The whole of England has been surveyed and its landscape character classified and described by the former Countryside Agency. This national landscape character assessment identified 159 different Countryside Character Areas known as Joint Character Areas (JCAs). Detailed descriptions of the physical, historical and cultural influences, buildings and settlement, and land cover for each JCA is provided to help the surveyor understand the overall landscape character of each area. These 'key' characteristics represent the pattern and spatial distribution of features and elements in the landscape. For each JCA, a number and name (eg 27 'Yorkshire Wolds') is identified. The map showing the indicative boundaries of the JCAs, their full descriptions and 'key' characteristics can be found on the Natural England website at [www.countryside.gov.uk/LAR/Landscape/CC/jca.asp](http://www.countryside.gov.uk/LAR/Landscape/CC/jca.asp). They have also been published in eight regional 'Countryside Character' volumes.

This landscape assessment is divided into three sections:

A) Joint Character Area;

B) additional landscape features; and

C) landscape condition and priorities for landscape management and enhancement.

Section A will be easiest to complete in the field, while sections B and C are more likely to be completed back in the office from field notes. The surveyor may find it helpful to take photographs from different viewpoints around the farm to help with completing these sections and tables back in the office. Complete the landscape assessment in relation to the JCA whose key characteristics best reflect the landscape around the holding.

In many locations, there may be a much more detailed local or regional assessment of landscape character carried out by a county council or local planning authority. This will provide more relevant and useful information at the farm scale. A list of local landscape character assessments can be found on the Landscape Character Network website at [www.landscapecharacter.org.uk/db/index.html](http://www.landscapecharacter.org.uk/db/index.html).

Local and regional landscape assessments are often updated, so the website should be referred to regularly. Where available, the Historic Landscape Character HLC assessment should also be used to identify additional features on the farm. These documents provide a rich source of valuable information on which landscape features are significant on the holding and how the farm fits into the wider landscape.

#### *How to complete the landscape assessment*

**Joint Character Area:** The JCA name and the relevant key landscape characteristics appropriate for the holding will have been automatically selected for the application. If the surveyor suspects that the JCA and key characteristics do not represent the landscape around the holding, the farm is large or fragmented, or the holding is near the JCA boundary, they should take a copy of the neighbouring JCA description and key characteristics with them when carrying out the fieldwork.

Is this characteristic typical of the wider area surrounding the farm?: State yes or no for this question – *do not leave it blank*. The ‘wider area’ can be described as the ‘visual envelope’ around the farm (2–3 miles or 3–5 km) and is probably the valley, plain or hill it is located in or on, ie the local vicinity. If the farm is not typical of the wider area, is this because the farm is unique and very different for a particular reason, or because it is being assessed against the wrong ‘key’ characteristics? This may be the case if the farm is near the boundary of two or three JCAs and is more typical of an adjacent JCA. If so, a different JCA may need to be selected and used for this assessment.

**Additional landscape features:** In this section, record any additional – ie previously not mentioned – significant key landscape characteristics from local landscape or historic landscape character assessments. Landscape features or elements observed on the farm or in the surrounding landscape from the site visit should be included here. If the holding, due to size and/or fragmentation, is covered by more than one JCA, please name the other JCA(s) and outline approximately how much land is in each JCA. Additional landscape features or key characteristics from the adjacent JCA(s) should be recorded if relevant.

**Landscape condition and priorities for landscape management and enhancement:** In this section, record the current condition of those landscape features or key characteristics where a change in management will benefit or enhance the landscape. These are likely to be features that are in a poor, fair or unstable condition, and where the introduction of active management would represent good ‘value for money’, ensure long-term stability, and strengthen landscape character. Any priorities for landscape management should be noted. Conflicts or constraints with other environmental interests on the farm should be identified.

### Part 3.3 Access

#### *Existing access*

**Significant problems:** Identifying any problems with existing public access that may help us assess the suitability of any proposed new access. Existing public access routes, as shown on the Environmental Information Map should be:

- easy to find (ie well advertised);
- easy to follow (ie well signposted); and
- easy to use (ie not obstructed).

If, overall, the network of public rights of way does not meet the above criteria, this should be recorded. It is important to record whether any problems are outside the farmer’s control, such as fly tipping blocking a public right of way.

As an example, there may be a public right of way that runs across an archaeological feature which causes erosion. This could then be identified as an opportunity to create an alternative route, as covered in the questions below.

**De facto access:** One of the scheme objectives is to improve public access to the countryside. One way of doing this is to legitimise and support the farmer in maintaining de facto routes. De facto routes are those which are commonly used but are not legal public rights of way.

#### *Potential for new access*

Features of high public interest or 'statutory access land'. We are interested in opportunities for creating new routes: to fill gaps in the local rights of way network or to give access to, add to or enhance long distance routes and coastal access;

- to provide access to, and between, land locked open country designated under the Countryside and Rights of Way (CRoW) Act as open access land; and

- to upgrade CRoW Act open access land for other users, for example people with reduced mobility, horse riders and cyclists.

The FEP should show what is considered to be possible and potentially beneficial to the public and what you are minded to consider entering into HLS. This includes existing Environmentally Sensitive Areas and Countryside Stewardship access routes which the farmer wishes to continue under HLS.

**Rights of Way Improvement Plan:** If a Rights of Way Improvement Plan is available, the priorities within it should be considered when assessing potential new routes. Rights of Way Improvement Plans are prepared by local authorities, and can be obtained from the local authority highways department. You should also refer to the local HLS targeting statement.

**Potential for new routes or upgrading existing routes:** There may be potential for providing new access for the public to give access to interesting, unusual or unique features on the land. There may also be potential for upgrading existing public footpaths to create a bridleway or surfaced route more suitable for use by disabled people.

**Educational access:** This information is optional and only required if the applicant is likely to apply for the educational access option of HLS. Demand for educational access should be discussed with local schools or other groups. Evidence of potential demand will be required at the HLS application stage. This option very much depends on the land manager being willing and able to spend time with groups explaining the farm and farming in general. An explanatory leaflet is available from Natural England which covers the requirements of this option in more detail. Natural England will also be able to tell you whether there are gaps in the existing provision in the locality.

### Part 3.4 Natural resource protection

The HLS scheme has management options that will help to reduce diffuse pollution from farmland. This section is aimed at identifying where diffuse pollution is likely to occur and recommending management solutions through HLS options. Your Natural England adviser should discuss any natural resource protection issues with you as part of the initial consultation. See also FEP Features Manual section 4.8, which includes guidance on how to identify soil erosion risk.

#### *Targeted areas*

To answer this question, you will need to find out if any part of the land is within a priority catchment area or any other target area for resource protection.

Information outlining the HLS target areas will be added to the Nature on the map website, in addition to this the maps and supporting documentation will also be available on the Natural England website from this Autumn. Where resource protection has been identified as a priority for HLS targeting this will be clearly stated in the target area statements. In the meantime you should contact your local Natural England office for detailed targeting information on resource protection.

#### *Priorities for natural resource protection on the farm*

Please briefly outline the most important measures that need to be taken on the land to protect natural resources. This may include any issues identified during the initial consultation or other discussions you may have had with Natural England advisers.

### Part 3.5 Coastal and wetland habitat creation and flood risk management

The possibilities for the creation of coastal and/or wetland habitat and contributing to flood risk management in the area may have been discussed with you as part of the initial consultation with your Natural England adviser. If so (or if any potential is identified during the FEP), then you should:

- record the outcome of any subsequent consultation with the Environment Agency; and
- include an assessment of any potential management or habitat creation possibilities, for example creation of new wetland features, ponds ditches, inter-tidal habitats etc.

To identify whether land is on a river or coastal flood plain, you will need to use the Environment Agency website ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)) or the MAGIC website ([www.magic.gov.uk](http://www.magic.gov.uk)) to find which parcels are on the indicative sea and river flood plain. The Environment Agency is responsible for formally identifying land that has potential for reducing flood risk and potential for coastal realignment. They normally consult with the landowner or tenant, so you may already be aware of any land that has been targeted. If you are in doubt as to whether this applies to any of your land you should contact the Environment Agency for further information.

Land actively protected from regular flooding will usually be behind defences such as sea walls and river walls or have pumped drainage.

### Part 4 – Other relevant information

Information on the following should be included in this part:

If the land is in a SSSI, then any views about management can be summarised here.

The particular significance of any of the features identified in part 2 (the Environmental Features Data Sheet) should be outlined.

The presence of a feature of particular interest on nearby land could be highlighted here, for example the presence of a bat roost and hence potential for the application area to be used as a foraging area.

Where there are several features in a field which require conflicting management, the proposed management solution should be identified.

Observations on management issues affecting the general condition of features, for example trees dying back due to current management practices, can be included.

If there are other issues that you do not feel have been adequately covered in parts 2 and 3, then please make your comments in this part of the form.

### Part 5 – Summary of FEP findings and management proposals

The FEP surveyor should consider the features that have been identified on the Environmental Features Data Sheet (part 2) against the appropriate regional/JCA targeting statement in respect of the holding, and then complete this part of the form to give an assessment of what they consider to be the key opportunities on the holding for addressing regional HLS priorities.

The most significant environmental features on the land should be highlighted, with a brief summary of the recommended management. This may be in general terms, such as: the introduction of appropriate cattle grazing onto the farm would allow more sensitive grazing of the upland heath and help to control bracken by trampling. Specific management advice can also be provided, for example: 'The Scheduled Monument in field X is of particular regional significance but is being damaged by arable cultivations – it is a priority to change the land use to permanent grass'; or 'The SM in field X is in good condition having previously been reverted from arable to grass. There is potential to introduce sensitively managed access to the site'.

### Part 6 – Record of consultations and FEP checklist

Please identify which websites and organisations have been consulted in the process of carrying out this FEP. It is necessary to send us the full consultation response from the HER and supporting evidence for applications including access. Please do not send us any other supporting documentation relating to any other investigations.

### Submitting a completed FEP to Natural England

Ensure that all the field numbers used in both the FEP form and on the FEP Map match and are consistent with the RLR before submitting an application. Retain copies of all documentation.

#### Electronic forms

Details of how to submit an eFEP can be found on the Natural England website at: <http://defraweb/erdp/schemes/hls/fep-handbook/tips.htm>

The FER/FEP Map, all material obtained in consultation with the HER and the completed paper FEP form (if not submitted electronically) must be sent to the regional Natural England ISS office, making it clear that they accompany an eFEP which has been submitted separately. Details of Natural England ISS offices are available at [www.naturalengland.org.uk/contact](http://www.naturalengland.org.uk/contact) or in Appendix 1.

The name of the applicant must be clearly marked on the HER response.

#### 2.3.11 Will I be reimbursed for the costs incurred in obtaining a FEP?

You will normally be paid by us for submitting a FEP as long as it meets the required standards and accompanies a properly completed HLS application. Therefore, a FEP should not be commissioned unless it will accompany an application for HLS following an initial consultation. Please see section 2.2.6 for further guidance.

The amount that you are paid for a FEP will depend on the total area of RLR registered land as shown on the FER/FEP Map. (See section 2.1.1 of the ELS or OELS handbook for more information on the RLR.)

The payments are set out in the table below. This payment includes an amount to cover the fees charged for consulting and obtaining advice from HER offices: £75 for areas of 50 ha or less and £150 for more than 50 ha (see section 2.3.9.a for further details). The HER costs are exclusive of VAT which the HER office may charge in addition.. A model letter for consultations with the HER has been provided in Appendix 2.

Area (ha)	Total payment (£)
less than 5.5	395
5.5 to 15.49	555
15.5 to 49.49	715
49.5 to 149.49	1,035
149.5 to 200.49	1,110
200.5 to 500.49	1,430
500.5 to 1,000.49	1,750
1,000.5 to 1,500.49	2,070
1,500.5 to 2,000.49	2,390
2,000.5 to 2,500.49	2,710
2,500.5 to 3,000	3,030
greater than 3,000	3,350

Please note that the payment will not be based on the actual costs incurred.

The FEP payment is not dependent upon the application to join HLS being successful. If a FEP and properly completed HLS application are submitted following advice from a Natural England adviser (at the initial consultation) then, provided the FEP meets the required standards, it will be eligible for a FEP payment.

If the HLS application proceeds to agreement, then the FEP payment will be processed once the signed HLS agreement document has been returned and the start date of the agreement has passed.

If the HLS application is rejected, then the FEP payment will be processed once the decision to reject the HLS application has been taken.

#### 2.3.12 Are there any quality standards for a FEP?

We will only pay for FEPs that meet our quality standards so the applicant will need to be confident that whoever produces the FEP is competent in this area of work. Natural England advisers will conduct office and field checks to ensure that FEPs are of sufficient quality and have included all the required consultations. We recognise that

completing some parts of the FEP requires a degree of judgement, however if the FEP is found to contain any material inaccuracies or omissions, the applicant will be asked to correct and resubmit it. The applicant will not receive the FEP payment until it meets our quality standards. If material inaccuracies or omissions are found once an HLS agreement is in place, we may consider this to be a breach of the agreement and consider appropriate sanctions.

For details of how we deal with breaches and appeals, please see Section 4 of this handbook and Section 5 of the ELS or OELS handbook. See also the declaration on the FEP form.

## 2.4 Step 4: Choose your management options

The FEP should have identified all environmental features on your land. Your targeting statement will explain which of the features identified in your FEP are most likely to meet the objectives of the scheme and would therefore benefit most from inclusion in an HLS application.

The FEP will also provide a guide as to which land management options or capital items would be most suitable for the various fields and features on the land. You then need to decide which of these options you would like to apply for, taking into account your current farming system. Some of the options may require a very different approach to farming some fields. Before applying for these, you need to be sure that you can adapt your farming system accordingly.

Part C of the HLS handbook - Options, Capital Items and Management Conditions – summarises the aims and management involved for each land management option or group of options. Where relevant, it also includes guidance on what type of land is eligible for particular options. Although the options have been described as primarily addressing a single objective, in practice they can be used to benefit a range of environmental objectives. For example, the creation of species-rich grassland on former arable land could also help protect archaeological remains and reduce diffuse pollution. The payment rates for management options and capital items are provided in the HLS payment booklet, which accompanies the HLS Options booklet.

### 2.4.1 What should I apply for?

Unless you are applying for an HLS-only agreement (see section 1.1.3), you must also apply for ELS or OELS options using a combined application form. If you already have an ELS or OELS agreement, you need to re-apply for these options, to restart your ELS/OELS when you apply for HLS.

To complete your ELS/HLS or OELS/HLS application form, you will need to refer to guidance given at section 2.3 of the ELS or OELS handbook, as well as the HLS options handbook. Please read these handbooks in their entirety to ensure that you are fully aware of all aspects of the application process.

### 2.4.2 Do I need to submit a management plan?

In the great majority of cases, the FEP should provide the necessary information on which to base the agreement. The need for HLS management plans is therefore restricted to those complex situations which require a thorough evaluation of the current condition and future potential of the feature, together with detailed recommendations for implementing proposed management. In addition, there are situations where a comparatively simple (one-day) implementation plan may be needed.

### 2.4.3 Detailed management plan to support the design of an HLS agreement

We recognise that, in a few specific cases, the FEP will not be able to provide the level of detail required to inform the design and/or feasibility of an agreement. Instead, a detailed plan is required which involves professional advice. This plan would usually be carried out through a one-year stand-alone agreement, which could then be followed by a ten-year HLS agreement, if appropriate. In addition to a thorough survey and an assessment of feasibility, the plan should suggest all the HLS options and capital items required to deliver optimum management. In certain cases, it may be necessary to undertake the recommended work through a special project. Payment is for specialist advice required over and above that which could be provided by the FEP. Typically, this is for situations such as:

- historic parkland restoration;
- inter-tidal and major wetland creation and restoration;
- heathland restoration in a complex archaeological landscape; or

the management of poorly known rare species or those of very restricted distribution.

If your application is likely to involve any of these situations, please discuss them with your Natural England adviser at the pre-FEP consultation stage before drawing up your application.

Once the need for a plan and its details have been agreed with Natural England, you will be paid a contribution for the cost of employing professional help to prepare the management plan. Your Natural England adviser will confirm the required content of the plan (detailed guidance notes are usually available).

#### 2.4.4 Implementation plan

In some situations, plans may be commissioned to refine certain aspects, such as scrub and bracken management, heath/moor burning, resource protection works or large-scale field boundary network restoration. These implementation plans will normally be prepared at the start of your agreement, and will then form part of your agreement. Your Natural England adviser will explain if one of these plans is needed and whether funding is available through a CWP.



2.5 Step 5: How to complete Annex 2 (ELS/OELS and HLS non rotational options).

**Step A** Write the code of your chosen option at the top of the options column. Note, in this example, the first two options columns are ELS options (for further details see the ELS handbook). The third option, in this example, is an ELS option attracting an HLS payment.

**Step B** Calculate the amount of this option for each field parcel you have decided to put it in and record this amount in the corresponding row of the options column. For each entry, calculate the area in hectares (rounded to the nearest 0.01 hectare (100 m<sup>2</sup>)) or the number of occurrences or the number of metres (for certain boundary options).

**Step C** Calculate the total amount of your option for all field parcels and record this figure in the row marked 'Total amount (ha/100m)'.

**Step D** Enter the cost per hectare or number available for the option in the row marked 'HLS £ per unit', eg for HE3 you would enter £400.

**Step E** Calculate the total payment for that option.

**Step F** Once you have recorded all your non-rotational options within field, calculate your total HLS payment for the options recorded and enter this figure below your ELS points total.

**Annex 2: Field Datasheet for ELS and HLS non-rotational options within fields**  
Please enter all the ELS and HLS non-rotational options within fields that you have chosen into this datasheet. Lists of the options available are provided in the ELS and HLS handbooks.

RLR field no./ boundary no.	RLR field size (ha)	LFA status	Soil erosion/ run off risk? (tick if YES)	Options						Total ELS points HLS £'s
				EE2 Amount (ha/100m/no)	EK2 Amount (ha/100m/no)	HE3 Amount (ha/100m/no)	HK15 Amount (ha/100m/no)	HB12 Amount (ha/100m/no)	HQ2 Amount (ha/100m/no)	
XY 4567 9024	33.27	NO				1.38				
XY 5698 0456	19.83	NO		0.86						
XY 6845 6572	21.54	NO		0.62						
XY 6833 6570	22.51	NO	✓			1.14				
XY 6810 6529	10.04	NO	✓		10.04		10.04			
XY 6850 6571	19.45	NO	✓	0.72						
XY 6790 6278	9.54	NO	✓							
XY 6790 6570	10.87	NO	✓				10.87			
XY 6390 6570	20.41	NO	✓	0.92						
XY 6390 6772	10.09	NO	✓							
XY 6870 6576	12.05	NO	✓							
XY 6990 6479	10.05	NO	✓	0.53						
XY 6390 6573	2.49	NO	✓							
XY 6850 6549	3.18	NO								
Boundary 1								800		
Pond 1									1	
Total amount (ha/ no.)	205.32			3.65	10.04	2.52	20.91	800	1	
ELS points per unit				400	85					
ELS points				1460	853					<sup>3</sup> 2313
HLS £ per unit						400	130	35	90	
HLS £						1008.00	1864.90	280.00	90.00	<sup>4</sup> 4096.30
Total area of land, excluding LFA land in parcels of 15 ha or more and land parcels which are not eligible. (this sheet)	<sup>1</sup> 205.32									
Total area of LFA land in parcels of 15 ha or more excluding land parcels which are not eligible. (this sheet)	<sup>2</sup>									

Where you have chosen an entry level option to contribute towards your HLS application, you must use the relevant HLS code, eg use HE3 instead of EE3 for a 6 m buffer strip. All codes are shown in the Payment Booklet.

To calculate the HLS £s, multiply the total amount (hectare/length) by the HLS £s per hectare or number. In this case, the option is maintenance of hedgerows of very high environmental value, option code HB12, so the calculation is:  
800m x £35/100m (£0.35/m) = £280

Where you have an ELS option combined with an HLS option on the same parcel (eg XY 6810 6529), then the HLS payment may have to be reduced where there is an overlap in the management required. See the HLS options handbook for further explanation and some examples of the payment reduction.

1, 2 Total area for this sheet should be added to the total on any continuation sheets and entered into Section 3 table A.  
3 Total points for this sheet should be added to the total on any continuation sheets and entered into Section 3 table B.  
4 Total value of HLS options for this sheet.







## 2.9 Step 9: How to complete your Higher Level Stewardship Options Map

An example HLS Options Map is included at the back of this handbook.

For each option you wish to include in your HLS agreement, you must:

decide where the option is to be located on your land (you may decide you want to have the option in more than one location);

mark every instance of the option with a coloured pencil on your HLS Options Map(s) using the appropriate colour for that option specified in the map key. Do not mark rotational options or access base payments – these are recorded separately on the Field Data Sheet (Annex 3 of the application form, or Annex 4 for OHLS);

mark any capital works on the same map, annotating each boundary on which work is to be completed with a unique boundary reference number. See Section 3 of the HLS Options handbook for information on how to choose your capital works; and

write the appropriate option code, using a fine black pen, on or against the option in each place that you have marked it on your HLS Options Map(s).

## 2.10 Step 10: Submit your application

### 2.10.1 Declarations and undertakings

You will need to study parts 2 and 5 of the application form as these contain important declarations and undertakings which will be binding for the duration of your agreement. If you are at all uncertain about your ability to comply with these undertakings, please do not sign the application form until you have discussed your concerns with your Natural England adviser. Please also read section 2.3.5 of your ELS handbook or section 2.3.4 of your OELS handbook.

Please read, complete and sign the declaration in your application form.

Please return the following items to your regional Natural England ISS office.

your completed and signed application form;

annexes 1 to 5 of your application form;

your FEP and combined FER/FEP Map;

your ELS or OELS Options Map marked with the options you have chosen;

your HLS Options Map marked with the options you have chosen;

the HER consultation response; and

where your application includes organically managed land, copies of your current, valid certificates of organic registration and accompanying schedules issued by your Organic Inspection Body, covering all the land in your organic unit.

Where applicable, you will also need to include:

consents from other organisations, including the common land supplementary application form, landlord consent and agent authorisation form, where appropriate; and

management plans (see section 2.4).

You are advised to retain a copy of all these documents, before sending them to Natural England.

### 2.10.2 What will I receive if my application is successful?

Your agreement document will include the following sections:

Part 1 will provide details of your annual ELS or OELS and HLS payments, including, where appropriate, 'conversion aid' payments on land in OELS.

Part 2 will be a summary showing options within your ELS or OELS and HLS agreement.

Part 3 will describe the management required for each HLS option you have chosen, the prescriptions you must follow, and what will be the 'indicators of success'.

Part 4 will include, if applicable, your CWP. The works to be carried out will usually be scheduled over a two- or three-year period.

Part 5 will provide specifications, if applicable, for the minimum standard of work for items in your CWP.

Part 6 will list all your fields under permanent grass and the total area of temporary grass, along with the permitted maximum stocking density for your land.

Part 7 will be maps showing the location of your ELS or OELS and HLS options.

In addition, you will receive:

any relevant Environmental Stewardship Guidance Notes, which will provide additional guidance on various land management issues. If you need more information on any particular topic, please ask your Natural England adviser; and

a copy of your FER/FEP Map which forms part of your agreement.

# Section 3

## Changes to your agreement

### 3.1 Can I make changes to my agreement?

Hopefully you will be able to carry out the options and management required under your agreement without difficulty. However, the situation may arise where you may need to change the choice or location of your chosen management options due to an unforeseen and serious situation arising (e.g. flooding, severe and prolonged weed infestation). An amendment may be made to your agreement in such a situation.

It is important that there is continuity of management during your agreement if the environmental benefits are to be achieved. Amendments are therefore only to be used for changes that are absolutely necessary.

You must inform Natural England about your proposed amendment before you make any changes to your options. We will provide you with a Land Transfer and Amendment request form (ERDP/LTA1) which you should complete and return. Your amendment will not be valid until you have received a letter from your Natural England ISS office giving consent to the amendment and advising you of the date from which the amendment will take effect.

We would not expect to amend an agreement more than once during its ten year term. Once an amendment has been made, further amendments are only permitted in very exceptional circumstances.

### 3.2 What if I let, sell or transfer my land to another party?

Please notify your Natural England ISS office as early as possible in advance of any change in occupancy or ownership (including sale, transfer, inheritance, or lease) of all or any part of your agreement land. If advance notification is not possible, you must inform us within 3 months of the land being transferred otherwise you will be in breach of your agreement and you are likely to have to repay the grant you have received, unless force majeure or other exceptional circumstances apply (see section 4.3).

You must tell the new occupier about your agreement before you transfer any land. If the new occupier does not continue with the agreement on the transferred land, and/or Natural England does not receive their application within 6 months of the actual date of transfer, you (and not the new occupier/s) will be in breach of your agreement and you are likely to have to repay all or a part of the grant you have received.

#### 3.2.1 What if I let, sell or transfer all of my agreement land?

You must contact your local Natural England ISS office to confirm the lease, sale or transfer in writing, identifying the new occupier. As indicated above, your whole agreement must be transferred to the new occupier/s and either continue to its original expiry date or be re-started as a new agreement. If this does not happen, you will be in breach of your agreement.

#### 3.2.2 What if I let, sell or transfer part of my agreement land?

You should contact your Natural England ISS office to ask them to send you a Land Transfer and Amendment request form (ERDP/LTA1). You will then have to complete and return the form no later than 3 months after the date of lease, sale or transfer, to amend your agreement.

The new occupier/s will be expected to continue with the ES agreement on the transferred land and you will be in breach of your agreement if they do not do so (see 3.2 above).

You will be expected to continue with your existing options on the land that you have retained, in your amended agreement. Where necessary you may need to add further options to meet your revised points threshold. The amended agreement will run for the remaining term of the original agreement. Alternatively, you may choose to start a new agreement, (including any other eligible land that you have), provided that you meet the scheme rules at that time.

If, following a partial transfer, your remaining land will no longer meet the ELS entry criteria, the agreement may need to be closed early (e.g. if you do not add sufficient options to meet your revised points target). In this case, unless force majeure or other exceptional circumstances apply (see section 4.3), you will be in breach of your agreement, and you are likely to have to repay all or a part of the grant you have received.

### 3.3 What if I acquire land?

If you acquire additional land it will be in your interests to notify us of the acquisition as soon as possible, to avoid a delay, or break in payment. Where the acquired land is already under agreement and does not remain at the same or higher level of management, the original agreement holder will be in breach of their agreement.

It is not possible to add land to an OHLS agreement. See the OELS handbook for details. Instead, one of the following options will be available, depending on your proposed level of management for the acquired land. For example, on acquisition of new land you may wish to upgrade your agreement from ELS to ELS/HLS. A Natural England adviser can discuss the individual circumstances with you and propose the best solution for your needs.

**Option 1:** You can set up a new agreement to include all your eligible land, including the new land and any existing agreements that you may have. You will have to meet the eligibility and entry conditions at the time the new agreement is set up.

**Option 2:** You can take over the agreement on the acquired land for its remaining term. This would be a separate agreement from any pre-existing ES agreement that you may have. Where you take on land forming a part, but not the whole, of an existing ES agreement you may need to add new options to the land to meet the ELS or OELS points target.

**Option 3:** You can apply for a separate agreement on the new land, and, if applicable, wait until your first existing agreement expires and consolidate all your eligible land into one new agreement at that time.

**Option 4:** For ELS and HLS only, if the acquired land will be managed in the same scheme as your existing agreement and the additional conditions below are met, you can add it to your existing agreement:

Land cannot be added to an agreement during the final 2 years of that agreement.

For agreements greater than 20ha. in size, the land to be added must be no more than 10% of the size of the original agreement. (i.e. If you have an agreement of 100ha. you may add up to 10ha.)

For agreement of 20ha. or smaller you may add no more than 2ha.

For land already under agreement:

- The land to be added must have the same, or earlier, agreement start date than your existing agreement. (i.e. If your agreement starts on 1 January 2008 you can only add land that entered ELS on or before 1 January 2008.) This is to ensure that the normal 5 years management is achieved.
- The entry criteria for both agreements must be the same.

Option 4 can only take effect on the mid-year or end of year payment date applicable to your agreement. Additionally, where you have acquired only part of another agreement holder's land, the two agreements must have common payment dates (for example, if your agreement payment dates are 1 February and 1 August, the payment dates on the agreement from where the land is being transferred must be the same). If it is not possible to align the dates, you will need to bring the land in using Option 1, 2 or 3.

### 3.4 What if I want to upgrade my agreement?

If, on acquisition of land, or at any other time, you wish to upgrade your agreement, for example from ELS/HLS to OELS/HLS, you should contact Natural England in the first instance to discuss your plans. You will need to submit a new application for the relevant scheme, and if your application is successful, a new agreement will be set up and your existing agreement will be closed.

### 3.5 When will agreement transfers take effect?

Subject to advance notification of the transfer, Natural England will carry out transfers on the dates specified below. (If advance notification is not received, these dates may not apply and the transfer may be delayed until the next available start date following the notification, or an alternative agreed with your Natural England adviser).

Natural England can only carry out transfers on an HLS start date. Transfers of land into an agreement will be effective from the first HLS start date after the actual date of sale, lease or transfer. (Where the transferred land is coming from another agreement, it will be transferred out of that agreement on the last day of the previous month).

For example, if the actual date of sale, lease or transfer is 15 April, Natural England will start the new or amended agreement (for either the existing and acquired land or acquired land only) on 1 May, and where applicable, transfer the land out of the original agreement on 30 April.

For transfer of land between parties, where the actual transfer date does not align with the date on which Natural England effects the transfer, it will be the responsibility of the parties involved to apportion any payments for this period. The transferor (i.e. the party disposing of their interest in the land), will also remain responsible for the agreement and will be liable if there is a breach of agreement until such time as Natural England has effected the transfer. Natural England recommends these factors are built into the contract of sale.

These dates apply except:

Where the land is being added to an existing agreement, (see section 3.3 Option 4), in which case the transfer in date is restricted to the agreement's payment dates. In these cases, Natural England will start the amended agreement on the next payment date, and any land coming from another agreement will be transferred out on the last day of the month preceding the payment date.

Where late notification is received, a transfer is being made between different schemes, or where transferred land is not continued at the same level of management by the new agreement holder, or their application is not received within the deadline. In these cases, Natural England will advise you of the dates depending on the circumstances of the transfer.

### 3.6 Derogations

A derogation is required where a minor and temporary change from the agreed management requirements is needed on a single occasion. This may involve permission to control serious weed infestations using herbicides, relaxation from time-based prescriptions, or changes to cutting or cultivating prescriptions due to practical problems.

If you require a derogation for any of the following:

HLS options;

ELS or OELS options which attract an HLS payment; or

ELS or OELS options on the same parcel as an HLS option,

you must obtain written approval before you make any changes to your management. A derogation request form (NE-DR) may be downloaded from [www.naturalengland.org.uk](http://www.naturalengland.org.uk) or obtained from your regional Natural England ISS office. Where the derogation concerns organically managed land, you will also need to obtain your Organic Inspection Body's approval before the proposed change can be made. Your Organic Inspection Body will be required to confirm, by countersigning your derogation request form, that your request is compatible with organic standards. On receipt of your request, a Natural England adviser may visit you to discuss the issue. You will be informed in writing whether your application for a derogation is approved or not.

The procedure for completing a derogation notice form for your ELS or OELS options is explained at section 4.6 of your ELS handbook or section 4.8 of your OELS handbook.

# Section 4

## Breaches and appeals

### 4.1 Breaches of agreement

You will be in breach of your agreement if you:

- fail to comply with any agreement conditions; or
- make any false or misleading statements in your application or in any other correspondence relating to your agreement.

This is the case whether it is you or anybody else who causes a breach. It is your responsibility to ensure that all agreement conditions are fulfilled, and that all information in your application and other correspondence is accurate.

Should you be found to be in breach of your agreement, penalties may apply. See Section 5 of the ELS or OELS Handbook for details.

### 4.2 Overpayments

It is your responsibility to check that payments you receive are in accordance with the details set out in your agreement. If you are paid more than you are entitled to under your agreement, you will be liable to reimburse the amount overpaid. You may also be liable to pay interest on that amount covering the period between the date we notify you of the overpayment and reimbursement. We will write to you explaining how the sum has been calculated and how the overpayment must be repaid.

### 4.3 Force majeure (exceptional circumstances)

Where a breach is due to circumstances beyond your control that could not have been avoided by reasonable action, Natural England has discretion to decide not to take action to recover or withhold payments. In order for *force majeure* to be taken into account, you must have notified your Natural England regional office of the *force majeure* event in writing within ten working days of you, or your representative, being in a position to do so. Please note that these categories are very narrow and cover only the most exceptional circumstances.

Examples of force majeure include:

- death of the agreement holder;
- long-term incapacity of the agreement holder;
- expropriation of a large part of the land, provided this could not be anticipated when the agreement was signed;
- severe natural disaster gravely affecting the land, including exceptional flooding events;
- accidental destruction of livestock buildings on the land; and
- an epizootic (such as foot and mouth disease) affecting part or all the agreement holder's livestock.

Examples of circumstances that are not force majeure are:

- if a water company has already given notice that it will be putting a pipeline over your land during the proposed lifetime of the agreement;
- if you are selling the land as part of a long-term plan for retiring from farming; and
- flooding of low-lying farmland that is regularly flooded during predictable weather conditions.

#### 4.4 Variation of your agreement by the Secretary of State (acting through Natural England)

Very rarely, it may be necessary for the Secretary of State for the Environment, Food and Rural Affairs (acting through Natural England) to vary your agreement in line with changes to European law and in other exceptional circumstances. In applying for the scheme, you are accepting that such changes may be made at any time. You will be given notice in writing of such changes.

#### 4.5 What if I disagree with any Natural England decision or proposed action regarding my application or agreement?

If you are unhappy with the decisions that we have taken in respect of your application or agreement, you should write to the Office Manager at your Natural England office who will ensure that your case is properly investigated and advise you of the procedure to be followed. In the event of a dispute, initially your case will be dealt with informally by Natural England advisers. Where informal discussions fail to resolve the dispute, you will be sent a written explanation of our concerns, explaining the action, if any, we propose to take.

If you remain dissatisfied with the decisions that have been taken by Natural England staff following reasonable attempts to resolve the dispute informally, you can ask to have your case referred to a Natural England officer who has not been involved with your agreement. This officer will consider any points that you have raised and report to the Natural England manager with their view on the step or steps proposed to resolve the dispute.

If you remain dissatisfied with the decision of the Natural England manager you can have the matter referred to one or more independent persons, nominated by the Natural England manager for further consideration.

#### 4.6 Complaints

If you have any more general complaints about our handling of your application and/or agreement, further details of the internal complaints procedure which will be followed in the event of a dispute are available from your Natural England ISS office, or via the internet at [www.naturalengland.org.uk/contact/complaints.htm](http://www.naturalengland.org.uk/contact/complaints.htm)

# Section 5

## Additional requirements to which you must agree

The basic scheme rules, legal requirements and conditions for payment are set out in section 1.5 of your ELS or OELS handbook. Where these requirements include a reference to a five-year period, the HLS requirement is for a ten-year period. Because of the more complicated nature of HLS options, there will be some additional requirements that will apply to the HLS part of your agreement, as follows.

### 5.1 General conditions on all HLS agreement land

On your HLS agreement land, you must also follow the general management conditions set out below, unless specifically stated otherwise in your agreement. HLS agreement land is all land on which HLS management prescriptions apply, including items within a CWP.

Do not apply lime.

On the conventional land that you manage, do not apply pesticides, except for the control of spear thistle, creeping thistle, curled dock, broad-leaved dock, common ragwort, nettles or other undesirable species named in your agreement. Herbicides may only be applied to these species by weedwiper or by spot treatment.

Do not allow your agreement land to be levelled, infilled, used for the storage or dumping of materials or used by motor vehicles or machinery (except where necessary for the management of the land), if this is likely to cause long-term damage from rutting or compaction of the soil, or otherwise damage areas being managed under the scheme.

Do not light fires (including burning brash or cuttings) where they could cause damage to features of archaeological or historic interest, or within 10 m of tree canopies or on any areas managed for their wildlife habitat interest. (This does not restrict your ability to manage heathland vegetation by controlled burning in compliance with the Heather and Grass Burning Regulations 2007 and accompanying Code.)

Do not allow your agreement land to be used for organised games or sports, rallies, camping or caravanning, shows or sales where this is likely to damage areas being managed for their wildlife habitat interest or features of archaeological or historic interest; where this is likely to cause excessive or unreasonable disturbance to wildlife being encouraged under your agreement; or where this would cause unreasonable restriction to public rights of way or 'access land' as designated under the Countryside and Rights of Way Act 2000.

Do not carry out or permit metal detecting or archaeological fieldwork on any of the archaeological sites on your holding identified in your FEP, unless agreed with your Natural England adviser in writing.

### 5.2 Grassland management

If your agreement contains grazing management measures, you must maintain your current areas of temporary and permanent grassland in accordance with Part 6 of your agreement, for the duration of the agreement. A maximum stocking density will also be given and it will be a requirement that you must not over-graze or under-utilise any of the grassland.

### 5.3 Public rights of way and access

Requirements relating to public rights of way on your land are set out in section 1.5.3 of your ELS or OELS handbook. In addition, the following conditions also need to be observed:

You must fulfil your responsibilities relevant to any land on the holding classified as 'open access land' on a conclusive map published in accordance with Part 1 of the Countryside and Rights of Way Act 2000.

You must allow any existing informal public access on the holding to continue.

If your HLS agreement provides for payments for access, you must ensure that you have public liability insurance adequate for the type of access provided. You will be breaching your agreement if we find that:

- there was already public access to the agreement land before your agreement was signed; and
- we were not fully informed about this existing access.

#### 5.4 Capital works

If there are any capital works to be done, you must:

- follow the timetable in Part 4 of your agreement; and
- complete them to the specification set out in Part 5 of your agreement.

Throughout the period covered by your agreement, you must maintain the capital works to a standard that satisfies us. This includes replacement as necessary.

If your agreement replaces an existing or expired CSS or ESA agreement, you must take all reasonable care to protect, for the duration of this new agreement, any capital works that you have completed and for which you have been paid under that agreement.

#### 5.5 Other funding

You must not accept any other European Union (EU) funding or enter into another agreement that applies to the agreement land or capital works covered by your Environmental Stewardship agreement without the written consent of Natural England. (EU regulations do not permit more than one source of EU funding for the same activity.)

#### 5.6 Publicity

For any publicity, events, information or interpretative material on or about the agreement land, you must:

- get written agreement from Natural England; and
- acknowledge the support of the Environmental Stewardship Scheme, as part of the Rural Development Programme for England.

# Appendix 1

## Useful Addresses

### Regional Natural England ISS contact details

Regional Natural England ISS offices are open from 8.30 am to 5.00 pm Monday to Friday, excluding bank holidays. Please have your application or agreement details to hand when contacting us.

Please note that all requests for OELS and OHLS application packs should be directed to the Crewe office (North West region).

East of England for ELS and HLS  
Bedfordshire  
Cambridgeshire  
Essex  
Hertfordshire  
Norfolk  
Suffolk

Incentive Schemes Services  
PO Box 247, Cambridge CB2 2WW  
Tel: 0300 060 1114  
Fax: 0300 060 1124  
Email: [iss.cambridge@naturalengland.org.uk](mailto:iss.cambridge@naturalengland.org.uk)

East Midlands for ELS and HLS  
Derbyshire  
Leicestershire  
Lincolnshire  
Northamptonshire  
Nottinghamshire  
Rutland

Natural England  
Incentive Schemes Services  
PO Box 8296, Nottingham NG8 3WZ  
Tel: 0300 060 1111  
Fax: 0300 060 1121  
Email: [iss.nottingham@naturalengland.org.uk](mailto:iss.nottingham@naturalengland.org.uk)

North East for ELS and HLS  
Durham  
Northumberland  
Tyne and Wear  
Former county of Cleveland

Natural England  
Incentive Schemes Services  
PO Box 578, Newcastle upon Tyne NE15 8WW  
Tel: 0300 060 1117  
Fax: 0300 060 1127  
Email: [iss.newcastle@naturalengland.org.uk](mailto:iss.newcastle@naturalengland.org.uk)

North West for ELS, HLS and all OELS/OHLS  
Cheshire  
Cumbria  
Greater Manchester  
Lancashire  
Merseyside

Natural England  
Incentive Schemes Services  
PO Box 380, Crewe CW1 6YH  
Tel: 0300 060 1113  
Fax: 0300 060 1123  
Email: [iss.crewe@naturalengland.org.uk](mailto:iss.crewe@naturalengland.org.uk)

South East for ELS and HLS  
Berkshire  
Buckinghamshire  
East Sussex  
West Sussex  
Greater London  
Hampshire  
Isle of Wight  
Kent  
Surrey  
Oxfordshire

Natural England  
Incentive Schemes Services  
PO Box 2423, Reading RG1 6WY  
Tel: 0300 060 1112  
Fax: 0300 060 1122  
Email: [iss.reading@naturalengland.org.uk](mailto:iss.reading@naturalengland.org.uk)

South West for ELS and HLS  
Cornwall  
Devon  
Dorset  
Gloucestershire  
Somerset  
Wiltshire  
Former county of Avon

Natural England  
Incentive Schemes Services  
PO Box 277, Bristol BS10 6WW  
Tel: 0300 060 1118  
Fax: 0300 060 1128  
Email: [issbristol@naturalengland.org.uk](mailto:issbristol@naturalengland.org.uk)

West Midlands for ELS and HLS  
Herefordshire  
Shropshire  
Staffordshire  
Warwickshire  
West Midlands  
Worcestershire

Natural England  
Incentive Schemes Services  
PO Box 530, Worcester WR5 2WZ  
Tel: 0300 060 1115  
Fax: 0300 060 1125  
Email: [iss.westmidlands@naturalengland.org.uk](mailto:iss.westmidlands@naturalengland.org.uk)

Yorkshire and the Humber for ELS and HLS  
East Riding of Yorkshire  
North Yorkshire  
South Yorkshire  
West Yorkshire  
North Lincolnshire

Natural England  
Incentive Schemes Services  
PO Box 213, Leeds LS16 5WN  
Tel: 0300 060 1116  
Fax: 0300 060 1126  
Email: [iss.leeds@naturalengland.org.uk](mailto:iss.leeds@naturalengland.org.uk)

## RPA's Customer Service Centre contact details

Customer Service Centre  
Rural Payments Agency  
PO Box 1058  
Newcastle Upon Tyne  
NE99 4YQ

Email: [customer.service.centre@rpa.gsi.gov.uk](mailto:customer.service.centre@rpa.gsi.gov.uk)  
Tel: 0845 603 7777

# Appendix 2

## Standard letter for Historic Environment Record consultation

Dear [name]

[Your address]

[Address for HER contact]

[Date letter sent]

See [www.algao.org.uk/Association/Members.htm](http://www.algao.org.uk/Association/Members.htm)

### HIGHER LEVEL STEWARDSHIP: FARM ENVIRONMENT PLAN CONSULTATION

I am carrying out a FEP for:

Application number:

Farm name:

Farm address:

Six-figure grid reference for the holding:

Local authority area(s) which the holding falls within:

Holding area (in hectares):

The ownership of all or part of the holding is known to be:

National Trust  
Yes/No

Defence Estates  
Yes/No

There [is/is not] an ELS agreement on the holding.

My aim is to submit an application to meet the following HLS application deadline:

As part of the FEP process, I am required to consult with you, as the local HER.

Please provide me with information and advice on the known HER on the above holding, in line with the agreed ALGAO, Natural England and English Heritage Service Standard for HER consultation responses and using the standard proforma template. For your information, the Service Standard is available at [www.algao.org.uk/Cttees/Countryside/Agri-envEng/HLS%20Service%20Standard%202-01.pdf](http://www.algao.org.uk/Cttees/Countryside/Agri-envEng/HLS%20Service%20Standard%202-01.pdf).

I enclose a blank colour copy of the official Natural England FEP Map(s) at 1:10,000 scale or larger. This shows the holding boundary, the RLR field numbers which should be used in the consultation response and the field parcels that form the application area.

[Delete as appropriate if the following points are not applicable to this holding.]

I have identified the limit of any areas of National Trust or Defence Estates land on the enclosed map.

There is an ELS agreement on the holding and I also enclose a copy of the ELS agreement map and FER Map.

The other land management agreements in place on the holding are  
[please insert relevant details or state 'none']:

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Please provide me with a formal response even if you conclude that there are no known features recorded on the HER that can be managed under the scheme.

I would be grateful for return of your response within 20 working days from receipt of this letter. I understand that I will be charged a fee of £75 for holdings under 50 ha and £150 for holdings over 50 ha, and that this fee may be subject to VAT.

Please send the invoice to:  
[insert relevant name and address]

I look forward to hearing from you and thank you in advance for your advice.

Yours sincerely

[Your name]

Enclosures:

With this consultation request, I have enclosed [tick where relevant]:

- a colour copy of a blank FEP Map(s) at 1:10,000 scale or larger;
- a copy of the ELS agreement map(s); and
- a copy of the FER Map(s).

# Appendix 3

## Other sources of information

Subject area	Name	Address	Description of data available
FEP guidance	Defra FEP website	<a href="http://www.defra.gov.uk">www.defra.gov.uk</a>	Guidance on drafting FEPs, targeting statements, management advice, examples, additional information sources; Priority Catchments map and information, JCA information.
Wildlife	Nature on the map	<a href="http://www.natureonthemap.org.uk">www.natureonthemap.org.uk</a>	Protected areas, including SSSIs, BAP priority habitat detailed information; priority catchments for tackling diffuse pollution; farmland birds target areas; and significance of priority habitats across England using character areas and other spatial frameworks.
	MAGIC	<a href="http://www.magic.gov.uk">www.magic.gov.uk</a>	Land management, designations, soils data, existing AE agreements, Environment Agency indicative flood plain map.
	Local Records Centres	A full list of contacts provided on: <a href="http://www.nfbr.org.uk">www.nfbr.org.uk</a>	More detailed and up-to-date information on the distribution of species and habitats.
	UK BAP website	<a href="http://www.ukbap.org.uk">www.ukbap.org.uk</a>	Protected areas, UK BAP priority habitat inventories (see warning on page 16) and Lists of BAP priority habitats and species and Local BAP plans.
	National Biodiversity Network	<a href="http://www.searchnbn.net">www.searchnbn.net</a>	Species records from national and local sources (additional guidance is available on the FEP website).
	Countryside Agency	<a href="http://www.countryside.gov.uk">www.countryside.gov.uk</a>	Landscape descriptions and key characteristics with an interactive map.
Landscape	Countryside Character Network	<a href="http://www.ccnetwork.org.uk">www.ccnetwork.org.uk</a>	Linked to the Countryside Agency and provides information on landscape assessments, and a database listing all local landscape assessments that have been carried out.
Access	Local Highways Authorities	Various local authority websites	Rights of Way Improvement Plans.
Historic environment	1st Edition OS maps	Available via various websites	Indicates potential historical features, land forms and habitats.
Flood management	Environment Agency	<a href="http://www.environment-agency.gov.uk">www.environment-agency.gov.uk</a>	Resource protection, flood management and water quality, indicative flood plain map.
Other	Aerial photography	Available via various websites	Visual representation of farm areas, can aid orientation, mapping and targeting of areas of interest.

# Appendix 4

## Glossary and list of acronyms

### Glossary

#### Agreement land

All land on which Entry Level or Organic Entry Level and Higher Level Stewardship management prescriptions apply, including items within a Capital Works Plan.

#### Agri-environment schemes

Schemes under European Commission Regulation 1257/99 which offer grants for measures to conserve and enhance the countryside. The main schemes are Environmental Stewardship, Environmentally Sensitive Areas, Countryside Stewardship and Organic Farming.

#### Biodiversity Action Plans

Action plans to conserve and enhance biological diversity within the UK for our most threatened species and wildlife habitats.

#### Capital works

Works in an agreement attracting one-off payments, for example hedge laying. Usually part of a Capital Works Plan.

#### Capital Works Plan

The capital works to be carried out during specified periods of your agreement. Capital Works Plans will usually last for two to three years.

#### Common land

Land where management rights are vested in a number of individuals.

#### Countryside and Rights of Way Act 2000

Strengthens the legislation on the protection of Sites of Special Scientific Interest (see below) and introduces new rights of access on foot to open countryside (mountain, moor, heath, downland) and commons.

#### Derogation

Agreed temporary relaxation from the specified requirements in an agreement.

#### EIA Regulations

The Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) (England) Regulations 2001, and the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999.

#### Environmental Information Map

The map that Natural England will send to you, with your personalised application form, showing designations on your land such as Sites of Special Scientific Interest, Scheduled Monuments and Less Favoured Area.

#### Environmental Stewardship

Replaced Environmentally Sensitive Areas and Countryside Stewardship Schemes from 2005. Has three elements – Entry Level Stewardship, Organic Entry Level Stewardship and Higher Level Stewardship.

#### Farm Environment Plan

Records features identified on your land together with a statement on their condition. Suitable Higher Level Stewardship management options may also be suggested. Must accompany an application for Higher Level Stewardship.

#### Farm Environment Record

A simple record of the features on your land, required as part of the Entry Level Stewardship or Organic Entry Level Stewardship element of your agreement. As a condition of your agreement, you agree to retain the features identified.

#### Farm Environment Record/Farm Environment Plan Map

The map of your land, sent to you by Natural England, which is used as a basis for your combined Farm Environment Record and Farm Environment Plan Map, which you return to Natural England with your completed application form.

#### Field Data Sheet

Annex 2 of the Higher Level Stewardship application form, on which you have entered your Entry Level Stewardship or Organic Entry Level Stewardship and Higher Level Stewardship non-rotational in-field options. (Rotational options are entered on Annex 3 of the application form, or Annex 4 for OHLS.)

#### *Force majeure*

A breach of your agreement caused by unusual or unforeseeable circumstances or because of events beyond your control and which could not have been avoided by reasonable action.

#### Historic parkland

A designed landscape, usually with mature trees set in pasture.

#### Indicators of success

Agreed between you and your Natural England adviser, these will help you judge whether particular management is achieving the desired results and, where necessary, help you to fine tune your management to allow for variations in conditions between years and between different areas of your land.

#### Joint Character Area

One of 150 areas of the English countryside, each with a characteristic association of wildlife and natural features.

#### Leaching

The process by which percolating water removes nutrients from the soil.

#### Less Favoured Area

An area where the natural characteristics (geology, altitude, climate etc) make farming difficult.

#### Livestock unit

A measure of grazing pressure, allowing stocking rate comparison between livestock types. Grazing livestock units are calculated according to conversion factors which vary according to the type of animal.

#### Moorland Line

Land within the Moorland Line is predominantly semi-natural upland vegetation, used primarily for rough grazing. The Moorland Line was drawn using Ordnance Survey mapped features such as walls, tracks or streams. It was established in 1992 to assist the development, implementation and evaluation of policy in the English Uplands.

#### Mosaic

A number of vegetation types within a given area, often having increased value through association with each other.

#### Natural England adviser

Adviser responsible for giving advice on Environmental Stewardship to applicants, agreement holders and other organisations.

#### Non-rotational options

Management options which remain in the same place on your land for the duration of your agreement.

#### Options Map

The map(s) of your land which you send back to Natural England, with your completed application form, on which you have marked the options you wish to enter into Entry Level Stewardship or Organic Entry Level Stewardship and Higher Level Stewardship. These will usually include both land management options and capital works.

#### Overgrazing

Grazing of land which significantly reduces the growth, quality or species composition of vegetation (other than vegetation normally grazed to destruction) on that land.

#### Permanent grassland

Land that is used to grow grasses or other herbaceous forage naturally or through cultivation and which has not been subject to cultivation for at least five years.

#### Poaching

Severe damage to the sward caused by concentrations of livestock.

#### Pollarding

The traditional practice of cutting all the branches from a tree, usually willow, at about six feet above ground so that the regrowth cannot be eaten by stock. The harvested timber was used for a variety of purposes.

#### Plantation

Woodland where most of the trees have been planted.

#### Priority targets

The targets against which your application will be assessed. Details of the targets that apply to your land will be included with your application form. If your application does not address any of the targets for your area, it will be rejected.

#### Rotational options

Options that can be moved around your land during the course of your agreement, for example skylark plots, wild bird seed mix plots, conservation headlands.

#### Rural Land Register

A database of land parcels and areas within England, managed by the Rural Payments Agency. For land to be eligible for Higher Level Stewardship, it must be registered on the Rural Land Register.

#### Rural Payments Agency

An executive agency of Defra, responsible for the Common Agricultural Policy payment functions, formerly delivered by Defra and the Intervention Board.

#### Single Business Identifier

A reference number allocated by the Rural Payments Agency to everyone registered on the Rural Land Register. This number is also used as the reference for all Single Payment Scheme claimants

#### Scheduled Monuments

Nationally important sites and monuments that have been given legal protection by being placed on a list or 'schedule'. English Heritage takes the lead in identifying sites in England which should be placed on the schedule by the Secretary of State for Culture, Media and Sport. The current legislation, the Ancient Monuments and Archaeological Areas Act 1979, supports a formal system of Scheduled Monument consent for any work to a designated monument.

#### Silviculture

The management of woods and forests.

#### Single Payment Scheme

A decoupled subsidy payment replacing the ten major Common Agricultural Policy payment schemes, one of the major reforms of the Common Agricultural Policy which came into effect in 2005.

#### Supplements

Annual payments to cover additional work needed for the management of specific habitats.

#### Targeting statement

A statement, agreed with local organisations, setting out the priority targets in your area. Part of your application pack. Your application will be assessed against these targets.

#### Undergrazing

Where annual growth is not being fully utilised, or where scrub or coarse vegetation is becoming evident, and this is detrimental to the environmental interests of the site.

## List of acronyms

ALGAO	Association of Local Government Archaeological Officers
BAP	Biodiversity Action Plan
CRoW Act	Countryside and Rights of Way Act
CSS	Countryside Stewardship Scheme
CWP	Capital Works Plan
Defra	Department for the Environment, Food and Rural Affairs
ECS	Energy Crops Scheme
ELS	Entry Level Stewardship
ESA	Environmentally Sensitive Area
EU	European Union
EWGS	English Woodland Grant Scheme
FEP	Farm Environment Plan
FER	Farm Environment Record
FWPS	Farm Woodland Premium Scheme
FWS	Farm Woodland Scheme
GIS	Geographic Information System
HER	Historic Environment Record
HLC	Historic Landscape Character
HLF	Heritage Lottery Fund
HLS	Higher Level Stewardship
HS	Habitat Scheme
ISS	Incentive Scheme Services
JCA	Joint Character Area
LFA	Less Favoured Area
LU	livestock unit
OAS	Organic Aid Scheme
OELS	Organic Entry Level Stewardship
OFS	Organic Farming Scheme
RLR	Rural Land Register
RPA	Rural Payments Agency

SAC	Special Area of Conservation
SBI	Single Business Identifier
SDA	Severely Disadvantaged Area
SPS	Single Payment Scheme
SSSI	Site of Special Scientific Interest
TPO	Tree Preservation Order
WES	Wildlife Enhancement Scheme
WGS	Woodland Grant Scheme

Front cover photograph: View of Muker Village. © Natural England/Robert Goodison



The European Agricultural Fund for Rural Development: Europe investing in rural areas



Natural England is here to conserve and enhance the natural environment, for its intrinsic value, the wellbeing and enjoyment of people and the economic prosperity that it brings.

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