



Greening: Work out what it means for you



Contents

Introduction – page 1

Greening: What you'll need to do – page 2

Step 1: Think about what types of land you have and work out how much of your land will be 'arable' in 2015 – page 3

Step 2: Work out if the rules might apply to you – page 7

Step 3: If you think the rules may apply to you, check the exemptions
– page 8

Step 4: Work out how to follow the crop diversification rules – page 11

If you want to know more about Common Agricultural Policy (CAP) reform, you can find out where to get more information at the end of this leaflet.

In this leaflet, you'll see the following icons which will help you understand what's been decided, what hasn't been agreed yet and important information you need to know.

When you see this icon:

It means that this information:



has been decided and will be part of the Basic Payment Scheme



hasn't yet been agreed – we'll give you more information about it later this year



is important information that you need to know

Legal notice

This leaflet is our interpretation of the current regulations and draft regulations for the Common Agricultural Policy Schemes from 2015. Only the courts can give a definitive interpretation of the law.

We reserve the right to review our position if circumstances change, for example, when the European Commission publishes their final regulations, issues new guidance or we change how we interpret the regulations.

You may want to get independent professional or legal advice before you change anything about your business. We cannot advise you or your legal representatives on your business structure.



The Single Payment Scheme (SPS) ends in 2014. In 2015, it will be replaced by the Basic Payment Scheme (BPS). As part of BPS there will be new 'greening' rules you must follow and a greening payment that will be worth about 30% of your total payment.

If you're going to claim BPS, it's important you start thinking about the greening rules now – in case you have to change anything on your holding. The rules may cover things that you're already doing – in which case you won't need to do anything differently – but it is worth checking now.

You must follow the greening rules in 2015 – they are compulsory. If you don't you could lose some – or all – of your greening payment. You are also more likely to be inspected if we find you're not following the greening rules.



This leaflet explains what we know so far about the greening rules and what they may mean for you. It will be useful for you if you're a farmer, an agent or an agronomist. We're giving you this information as early as we can, because you need to think about greening now.

This leaflet is just a guide – we don't know all the details about greening yet. We'll be announcing more about the following soon:

- what will count as Ecological Focus Area features and how they'll be measured
- what the rules will mean for you if you have an existing Environmental Stewardship agreement

We'll tell you more about these in our next leaflet, which we'll publish later in the summer. If you have an Environmental Stewardship agreement which may be affected, Natural England will write to you to let you know what this will mean and the choices you have.



The greening rules

There will be 3 greening rules:

- 1. Crop diversification:** if you have 10 or more hectares of arable land, you will have to follow the crop diversification rules on the number of crops you grow and the areas they cover – unless you qualify for an exemption.
- 2. Ecological Focus Areas:** if you have more than 15 hectares of arable land, you will need 'Ecological Focus Areas' – unless you qualify for an exemption. If you do need Ecological Focus Areas, these will need to be equivalent to at least 5% of your total arable land.
- 3. Permanent grassland:** in England the overall percentage of permanent grassland – compared to the agricultural area – must not fall by more than 5%.



What you'll need to do for greening depends on the eligible agricultural area you have and what you're growing on it. Follow these 4 steps to find out more.

The easiest way to work out what you'll need to do for crop diversification and Ecological Focus Areas in 2015 is to follow these 4 steps. Depending on your circumstances, you might not need to go through every step.

Step 1: Think about what types of land you have and work out how much of your land will be 'arable' in 2015 (page 3)

Step 2: Work out if the rules might apply to you (page 7)

What you'll need to do to meet the crop diversification and Ecological Focus Area rules depends on how much arable land you will have in 2015. We've included a table to help you work out if these rules will apply to you.

Step 3: If you think the rules may apply to you, check the exemptions (page 8)

If you find in Step 2 that you might need to follow the crop diversification or Ecological Focus Area rules, in Step 3 you can check the exemptions from these rules.

Step 4: Work out how to follow the crop diversification rules (page 11)

If you find at Step 3 that you'll need to meet the crop diversification rules, this step helps you find out what you'll need to grow.



These steps only cover:

- the crop diversification rules and exemptions
- the exemptions from the Ecological Focus Area rules

We'll tell you more about the Ecological Focus Area and permanent grassland rules in our next leaflet later in the summer.



Organic land

Any of your land which is certified as organic (including land 'in conversion') will qualify for the greening payment automatically – as long as it's been certified by an accredited body.

If you have organic and non-organic land, we'll provide more information later in the summer about what you need to do to meet the greening rules on your non-organic land.



CAP Reform | Step 1 Countdown

Think about what types of land you have and work out how much of your land will be 'arable' in 2015.

To work out what the greening rules will mean for you, you'll first need to know the agricultural area of your holding that will be eligible for the Basic Payment Scheme in 2015. You need to work this out in hectares.

To do this you'll also need to work out how many hectares of arable land, permanent grassland and permanent crops you will have in 2015. The definitions for all of these are different for the Basic Payment Scheme than they were for the Single Payment Scheme.

The most important thing to work out first is how much arable land you will have in 2015, as this will help you in Step 2.

You'll need to work out what you need to do for greening based on all of your eligible agricultural area – even if you won't be making a Basic Payment Scheme claim on some of that area.

Holding

A holding is all of the land managed by a farmer for agricultural activities within the UK.

We'll publish more information for farmers with cross border holdings later in the year.



Eligible agricultural area

This is the agricultural area that will be eligible for the Basic Payment Scheme. It is made up of the following, which you can find out more about below:

- arable land
- permanent grassland
- permanent crops



Arable land

For the Basic Payment Scheme, arable land is:

- land cultivated for crop production – including land used for combinable crops, crops grown for fibre, root crops, crops grown for animal feed such as forage maize and forage rape, field vegetables, cut flowers or bulbs and soft fruit (other than permanent crops)
- fallow land (see page 4 for more information)
- temporary grassland (see page 4 for more information)



Permanent crops are not arable land. There's more information on permanent crops on page 5.

Step 1 (continued)



Fallow land

Fallow land means:

- no crop production or grazing
- you can't sow a crop to be harvested outside the fallow period

But you can plant wild-bird seed mixes and nectar sources during the fallow period.



There will be a set period in the year when you'll need to have the land fallow. We'll let you know the dates of this period later in the year. It will include 15 May in the year you apply.

We'll give you more information on fallow land and what you can do to manage this land later in the summer.



Temporary grassland (including herbaceous forage)

This is land that has been in grass or other herbaceous forage for less than 5 years.

Herbaceous forage is any herbaceous plant traditionally found in natural pastures or normally included in mixtures of seeds for pastures or meadows in the UK. These plants include:

- Lucerne
- Sainfoin
- forage Vetches
- Clovers

But not any of the following fodder crops, as they count as arable crops:

- Kale
- fodder rape or any other forage Brassicas
- fodder root crops
- forage Maize
- any other cereals grown for silage or for any other form of forage

Land used for livestock production as part of a crop rotation should be counted as temporary grassland – if it's been used for less than 5 years. This includes land used for outdoor pigs.

Permanent grassland

This is land that has been used to grow grasses or other herbaceous forage for 5 years or more. It can be self-seeded or sown.

If the land has been re-sown with grass or other herbaceous forage during the past 5 years, it is still permanent grassland.

If you enter land as grass or herbaceous forage on 6 Single Payment Scheme/Basic Payment Scheme applications one after the other, you must classify it as permanent grassland on the sixth application – unless it's been used to grow a catch crop in the time between applications.



Permanent crops

Permanent crops are crops that occupy the land for 5 years or more (other than permanent grassland) and provide repeated harvests. This includes short rotation coppice and nursery crops. More information on these and some examples of permanent crops can be found below.



Examples of permanent crops

- Almonds
- Apples
- Apricots
- Artichoke
- Asparagus
- Avocados
- Bilberries
- Blackberries
- Cherries
- Chestnuts
- Citrus fruit
- Cranberries
- Currants
- Figs
- Gooseberries
- Grapes
- Guavas
- Hazelnuts
- Hops
- Lavender
- Loganberries
- Macadamia nuts
- Mangos
- Mangosteens
- Melissa
- Mint
- Miscanthus
- Mulberries
- Papayas and Locust beans
- Peaches
- Pears
- Pecans
- Pineapples
- Pine nuts
- Pistachios
- Plantains
- Plums
- Raspberries
- Reed canary grass
- Rhubarb
- Rosemary
- Sloes and Quinces
- Walnuts

Other fruits under the genus 'Vaccinium' are also permanent crops.

Step 1 (continued)

Nursery crops

Nursery crops are areas of young woody plants grown in the open air, on soil in greenhouses or under polytunnels for later transplantation. They include:

- vine and root stock nurseries
- fruit tree nurseries
- ornamental nurseries
- commercial nurseries of forest trees (excluding those for the holding's own requirements grown in woodland)
- nurseries of trees and bushes for planting in gardens, parks, at the road side and on embankments.

Land used to grow Christmas trees will not usually be eligible for the Basic Payment Scheme, as the trees are not grown for later transplantation.

Short rotation coppice

Short rotation coppice means areas planted with those tree species of CN code 0602 90 41 that consist of woody, perennial crops, the rootstock or stools remaining in the ground after harvesting, with new shoots emerging in the following season.

The eligible species for short rotation coppice are:

- Alder (*Alnus*)
- Ash (*Fraxinus excelsior*)
- Birch (*Betula*)
- Hazel (*Corylus avellana*)
- Hornbeam (*Carpinus* spp)
- Lime (*Tilia cordata*)
- Poplar (*Populus* spp)
- Sweet chestnut (*Castanea sativa*)
- Sycamore (*Acer pseudoplatanus*)
- Willow (*Salix* spp)

The maximum harvest cycle (the period between harvests) is 20 years.



CAP Reform Countdown | Step 2

Work out if the rules might apply to you.

To find out which rules might apply to you, use the amount of arable land you worked out in Step 1 and the table below.

If the area of arable land you'll have in 2015 is...	Do you need crop diversification?	Do you need Ecological Focus Areas?
Less than 10 hectares	No	No
10 hectares to 15 hectares	Yes, you probably will – go to Step 3 to check	No
More than 15 hectares	Yes, you probably will – go to Step 3 to check	Yes, you probably will – go to Step 3 to check



If you think the crop diversification or Ecological Focus Area rules might apply to you, go to Step 3 on the next page.

If these rules don't apply to you (or if you qualify for an exemption in Step 3), you will still get the greening payment - as long as you meet the permanent grassland rules. We'll tell you more about these in our next leaflet.



If you think the rules may apply to you, check the exemptions.

If you think after Step 2 that the rules might apply to you, check if your land use means you'll have to have crop diversification or Ecological Focus Areas.



The definitions of land types for the Basic Payment Scheme (BPS) are different than they were under the Single Payment Scheme (SPS), so make sure you read steps 1 and 2 before you check the exemptions.

Crop diversification exemptions

Under the crop diversification rules farmers have to grow a number of crops on their holding. It's important that you understand the new crop diversification rules and whether they apply to you.

Even if you have 10 or more hectares of arable land in 2015, you might still be exempt from the crop diversification rules. The table below shows all the exemptions from crop diversification. If any of them apply to you, you will be exempt.

Crop diversification exemptions for 2015 (similar rules will apply after 2015)

More than 75% of your **arable land** will be:

- fallow land
- temporary grassland
- a combination of the above

and the rest of your arable land will be 30 hectares or less.

More than 75% of your total **eligible agricultural area** will be:

- permanent grassland
- temporary grassland
- used for the cultivation of crops grown in water (such as Watercress)
- a combination of the above

and the rest of your arable land will be 30 hectares or less.

You have new land and different crops. There are two parts to this exemption:

1. More than 50% of the arable land you declare on your BPS 2015 application was not declared on your SPS 2014 application
and
2. all the arable land parcels you declare on your BPS 2015 application must be used to grow a different crop from the 2014 calendar year. (See page 11 for more information on crops).

You can find out more about the last crop diversification exemption ('You have new land and different crops') in 'CAP reform in England: What you need to know now'. It's available on the Rural Payments Agency website: www.rpa.defra.gov.uk/sps2014. More information on the evidence needed to qualify for this exemption will be available later in the summer.

Following the crop diversification rules

If none of the exemptions on page 8 apply to you, you'll need to know how to follow the crop diversification rules. You can find out more in Step 4 (page 11).

Ecological Focus Area exemptions

Farmers may need to have Ecological Focus Areas on their holdings. Depending on what land you have, you might be exempt. The table below shows you all the exemptions from this rule. If any of them apply to you, you will be exempt.

Ecological Focus Area exemptions

More than 75% of your **arable land** is:

- fallow land
- temporary grassland
- used for cultivation of leguminous crops (see the table on the next page)
- a combination of the above

and the rest of your arable land is 30 hectares or less.

More than 75% of your total **eligible agricultural area** will be:

- permanent grassland
- temporary grassland
- used for the cultivation of crops grown in water (such as Watercress)
- a combination of the above

and the rest of your arable land will be 30 hectares or less.



Step 3 (continued)

Leguminous crops

Examples of leguminous crops that could count towards the Ecological Focus Area exemptions (page 9) are shown in the table below.

Crop	Genus	This includes:
Chickpea	Cicer	Chickpea
Fenugreek	Trigonella	Fenugreek
Field beans	Vicia	Broad beans, Field beans, Tic beans
Green beans	Phaseolus	French beans, Green beans, Haricot beans, Runner beans
Lentils	Lens	Lentils
Lupins	Lupinus	Lupins
Peas	Pisum	Feed pea, Mangetout, Marrow fat pea, Snow pea, Snap pea, Vining pea
Soya	Glycine	Soya bean, Soybean

Following the Ecological Focus Area rules

If none of the exemptions on page 9 apply to you, you'll need to know what you need to have on your land to follow the rules.



We don't know all the details about Ecological Focus Areas yet. We'll be announcing more information about what features will count and how they will be measured soon. We'll tell you more in our next leaflet, which we'll publish later in the summer.



We do know that an Ecological Focus Area won't need to be one single feature or area. It could be made up of a number of different features or areas – as long as they all add up to the equivalent of at least 5% of the amount of arable land you declare on your Basic Payment Scheme application.



CAP Reform | Step 4 Countdown

Work out how to follow the crop diversification rules.

If you're not exempt from the crop diversification rules then you need to check the number and area of crops you'll need to grow. Use the table below to find out.

If your holding has:	You must grow:
Between 10 hectares and 30 hectares of arable land	At least 2 different crops on your arable land. Your largest crop must not cover more than 75% of your arable land.
More than 30 hectares of arable land	At least 3 different crops on your arable land. Your largest crop must not cover more than 75% of your arable land. The two largest crops together must not cover more than 95% of your arable land.



To meet the rules, you'll have to have the right number of crops in the ground, covering the right area, for a certain period of time during the calendar year. We're not sure what this period will be yet, but it will include 15 May in the Basic Payment Scheme year.



What counts as a 'crop' for crop diversification?

For crop diversification, the regulations say that a 'crop' is:

- a culture of any of the different genera defined in the botanical classification of crops (see the next page for examples)
- a culture of any of the species in the case of Brassicaceae, Solanaceae, and Cucurbitaceae (see the next page for examples)
- land lying fallow (see page 4)
- grasses or other herbaceous forage (temporary grassland, see page 4).



Winter and spring crops count as separate crops. We'll tell you more about what will count as winter and spring crops in our next leaflet.



Step 4 (continued)

Examples of crops in 'a'

Some of the crops most commonly grown in England that would count under 'a' (on page 11) are listed below. There's a more detailed list on GOV.UK: www.gov.uk/cap-reform.

Crops commonly grown in England:

- Beet (including Sugar beet, Fodder, beet and Beetroot)
- Barley
- Carrots
- Daffodils
- Field beans
- Green beans
- Linseed
- Maize
- Oats
- Onions (including Spring onions, Scallions, Garlic, Chives Leeks, Shallots)
- Peas
- Rye
- Strawberries
- Triticale
- Tulips
- Wheat

Examples of crops in 'b'

Some of the crops that would count under 'b' (on page 11) are shown in the table below. There's a more detailed list on GOV.UK: www.gov.uk/cap-reform. Individual crops within a single species count as one crop for crop diversification. For example, if you grew Cabbage and Cauliflower these are both one species, 'Brassica oleracea'. For crop diversification these would count as one crop.

Crop name	Species	Includes
Cabbage	Brassica oleracea	Broccoli, Brussels sprouts, Cabbages, Calabrese, Cauliflower, Chinese kale, Kale, Kohlrabi, Red cabbage, Savoy cabbage, White cabbage,
Potato	Solanum tuberosum	Early potato, Maincrop potato, Seed potato
Rapeseed	Brassica napus	Industrial rape, Oilseed rape, Swede
Squash	Curcubita pepo	Courgettes, Marrows, Pumpkins, Squashes, Zucchini
Turnip	Brassica rapa	Bok choy, Chinese cabbage (Pak choy), Turnip, Turnip rape



We'll tell you how to declare the different crops on your Basic Payment Scheme application later in the year.



**CAP Reform
Countdown**

**More
information**

We hope you've found this information useful. As soon as we know more about the new schemes, we'll tell you.

We know you'll need a lot more detail from us before you'll be able to completely understand all the different parts of the Basic Payment Scheme and the greening rules.

We'll publish more information throughout the rest of the year. Meanwhile, you might find it useful to read the following:

- **www.gov.uk/cap-reform** – this web page is dedicated to CAP reform. It's got all the latest news, as well as all the leaflets and publications we've released so far.
- **'An Introduction to the new Common Agricultural Policy schemes in England'** – this leaflet was published in April 2014 and can be found on GOV UK at the address above. It gives a simple summary of the new schemes and explains what to expect over the coming months. We'll be publishing a follow-up to this leaflet later in the summer.
- **'CAP reform in England: What you need to know'** – this was sent to farmers who claim for the Single Payment Scheme in March 2014. It includes information about transferring SPS entitlements before the scheme ends, as well as an introduction to the crop diversification rules. It can be found on GOV UK at the address above.

Want to read the regulations?

The main European regulations governing the Basic Payment Scheme and greening are EU Regulation No. 1307/2013 and EU Regulation No. 1306/2013.

Farming Advice Service

The Farming Advice Service offers advice on cross-compliance, for more information call 0345 345 1302 and follow them on Twitter: @DefraFAS.

June 2014

CAPLF002

© Crown copyright 2014

Produced by the Department for Environment, Food and Rural Affairs

www.gov.uk/cap-reform