Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Agricultural Holdings (Units of Production) (England) Order 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

STATUTORY INSTRUMENTS

2015 No. 1745

LANDLORD AND TENANT, ENGLAND

The Agricultural Holdings (Units of Production) (England) Order 2015

Made - - - -	*1st October 2015*
Laid before Parliament	*7th October 2015*
Coming into force - -	*7th November 2015*

The Secretary of State, in exercise of the powers conferred by paragraph 4 of Schedule 6 to the Agricultural Holdings Act 1986(**1**), makes this Order in exercise of those powers.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Agricultural Holdings (Units of Production) (England) Order 2015 and comes into force on 7th November 2015.

(2) In this Order—

"disadvantaged land" (except in the expression "severely disadvantaged land") means any area of land shown coloured blue on the England LFA maps;

"eligible hectare" has the same meaning as in Article 32(2) of Regulation 1307/2013;

"the England LFA maps" means the four volumes of maps entitled "Less Favoured Area Map of England 2009", each volume being marked with the number of the volume, dated 29th January 2010, signed on behalf of the Secretary of State for Environment, Food and Rural Affairs and deposited at the Intelligence Hub at the offices of the Department for Environment, Food and Rural Affairs at Nobel House, 17 Smith Square, London SW1P 3JR;

"less favoured area" means any area of land shown coloured blue (disadvantaged land) or pink (severely disadvantaged land) on the England LFA maps;

"moorland" means all the land that is—

(a) severely disadvantaged land, and

(b) shown coloured brown in the three volumes of maps entitled "Moorland Map of England 2009", each volume being marked with the number of the volume, dated 29th January 2010, signed on behalf of the Secretary of State for Environment, Food and Rural Affairs

(**1**) 1986 c.5. Section 96(1) of that Act defines "the Minister" as the Secretary of State in relation to England.

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and deposited at the Intelligence Hub at the offices of the Department for Environment, Food and Rural Affairs at Nobel House, 17 Smith Square, London SW1P 3JR;

"Regulation 1307/2013" means Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy(**2**);

"severely disadvantaged land" means any area of land shown coloured pink on the England LFA maps.

Assessment of productive capacity of land

2.—(1) Paragraphs (2) and (3) have effect for the purpose of the assessment of the productive capacity of a unit of agricultural land situated in England, in order to determine whether that unit is a commercial unit of agricultural land within the meaning of paragraph 3(1) of Schedule 6 to the Agricultural Holdings Act 1986.

(2) Where the land in question is capable, when farmed under competent management, of being used to produce any livestock, farm arable crop, outdoor horticultural crop or fruit as is mentioned in any of the entries 1 to 3 in column 1 of the Schedule to this Order—

(a) the unit of production prescribed in relation to that use of the land is the unit in the corresponding entry in column 2, and

(b) the amount determined, for the period of 12 months beginning with 7th November 2015, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 3, as read with any relevant note to the Schedule.

(3) Where land capable, when farmed under competent management, of producing a net annual income was an eligible hectare in 2014 in accordance with entry 4 in column 1 of the Schedule—

(a) the unit of production prescribed in relation to that use of the land is the unit in the corresponding entry in column 2, and

(b) the amount determined, for the period of 12 months beginning with 7th November 2015, as the net annual income from that unit of production in that period is the amount in the corresponding entry in column 3.

Revocation

3. The Agricultural Holdings (Units of Production) (England) Order 2014(**3**) is revoked.

George Eustice
Minister of State
Department for Environment, Food and Rural Affairs

1st October 2015

(**2**) OJ No L 347, 20.12.2013, p 608, as last amended by Commission Delegated Regulation (EU) 2015/851 (OJ No L 135, 2.6.2015, p 8).
(**3**) S.I. 2014/2712.

SCHEDULE Article 2

Prescribed units of production and determination of net annual income

(1)		*(2)*	*(3)*
Farming use		*Unit of production*	*Net annual income from unit of production (£)*
1. Livestock			
Dairy cows		Cow	450
Beef breeding cows:	on land in a less favoured area	Cow	-172
	on other land	Cow	-189
Beef fattening cattle (semi-intensive)		Head	-116[(1)]
Dairy replacements		Head	109[(2)]
Ewes:	on land in a less favoured area	Ewe	-32
	on other land	Ewe	-16
Store lambs (including ewe lambs sold as shearlings)		Head	5.00
Pigs:	sows and gilts in pig	Sow or gilt	250
	porker	Head	13.40
	cutter	Head	17.00
	bacon	Head	20.40
Poultry:	laying hens	Bird	4.40
	broilers	Bird	0.80
	point-of-lay pullets	Bird	0.40
Christmas turkeys		Bird	6.20
2. Farm arable crops			
Barley		Hectare	-69
Beans		Hectare	28
Oilseed rape		Hectare	-58
Dried peas		Hectare	70
Potatoes:	first early	Hectare	2,540

(1) This is the figure for animals which are kept for 12 months. In the case of animals kept for less than 12 months, a pro-rata adjustment of this figure is to be made.

(2) This is the figure for animals (irrespective of age) which are kept for 12 months. In the case of animals kept for less than 12 months, a pro-rata adjustment of this figure is to be made.

(**1**)
(**1**)