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Welcome to the Farming Advice Service newsletter

If you would like to sign-up to receive the Farming Advice Service (FAS) newsletter straight to your inbox, please email bookings@farmingadvice.org.uk with 'Register for newsletter' in the subject line. Your details will not be shared with any third parties.

We hope you find the information in this issue helpful. If you have any comments or ideas for topics you'd like us to cover, please let us know.

FAS technical advice line:

Telephone: 0345 345 1302

Email: advice@farmingadvice.org.uk

Website: www.gov.uk/government/groups/farming-advice-service

**Farming
Advice Service**

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Protecting your soils post-harvest



Under the new cross-compliance rule, Good Agricultural and Environmental Condition (GAEC 5), there is a requirement to have minimum land management that reflects site-specific conditions to limit erosion. It is important that you select the correct post-harvest options to ensure that harvested land is left in a state where erosion is unlikely. Suitable options are provided on page 8 of the [‘Cross compliance in England: soil protection standards 2015’](#).

The new rules for soils are applicable to all Basic Payment Scheme (BPS) claimants and farmers claiming Environmental Stewardship payments. Therefore, it is important that you are aware of how to comply with the requirements to safeguard your payments. FAS has produced an article that provides top tips for compliance with the updated soil management requirements. Click [here](#) to read the full article. If you require further advice regarding soil management on your farm, please contact FAS on 0345 345 1302 or email advice@farmingadvice.org.uk

Remember to establish catch crops and cover crops

In the [June edition](#) of the FAS newsletter, we explained the rules that surround establishing catch/cover crops to meet the EFA requirements.

Catch crops are planted to provide ground cover between summer harvest and the sowing of an autumn-planted crop. To count as an EFA in 2015, catch crops must be established by **31 August 2015 and retained until at least 1 October 2015**.

Cover crops are planted between summer harvest and the sowing of a spring-planted crop, providing ground cover to prevent leaching or soil erosion, or to provide

green manure. To count as an EFA in 2015, **cover crops** must be established by **1 October 2015 and retained until at least 15 January 2016**.

If you made a declaration on your 2015 Basic Payment Scheme (BPS) application form that you would establish catch crops and/or cover crops on your land, then it is very important that you do this. If the Rural Payments Agency (RPA) undertakes an inspection and there are discrepancies between the areas declared on the BP5 form and the established areas on your land, this may lead to a reduction in your BPS payment.

Field margin management

A closed period that places a ban on **cutting and trimming** hedges and trees between 1 March and 31 August (inclusive) has been introduced as part of the updated 2015 cross-compliance requirements. While a closed period has always applied under cross compliance for hedgerow management during the bird breeding season, during 2015 this was extended by one month (to cover the main chick-rearing season) and is now also applicable to trees. If you are a BPS or Environmental Stewardship claimant, you must adhere to these requirements or you could receive a reduction in your payment. Further information can be found under GAEC 7a and 7c in [‘The guide to cross compliance in England 2015’](#).

Cross compliance field margin management

Cross compliance field margins are established to protect hedgerows and watercourses against pollution and runoff from agricultural sources by taking all reasonable steps to maintain a green cover. The field margins (green cover) should measure 2 metres from the centre of the hedgerow or from the centre of a watercourse or field ditch, or 1 metre from the edge of the watercourse or field ditch to the landward side of the top of the bank. You must not cultivate, or apply fertilisers or pesticides to cross compliance field margins, but you are permitted to ‘top’ the green cover or use pesticides for spot application to control the spread of any weeds if they are deemed reasonable steps. If the work is to be undertaken during the bird nesting and rearing season, you must not intentionally or recklessly destroy or damage the bird, eggs or nest. Further information can be found in [‘The guide to cross compliance in England 2015’](#).

Fallow land/Ecological Focus Area (EFA) strips

To count as an EFA, a buffer strip must be all of the following:

- next to a watercourse (or parallel with, and on a slope leading to, a watercourse)
- on or next to arable land
- have a minimum width of 1 metre (edge to edge), and
- not be used for any crop production (although if it is temporary grass it can be grazed and/or cut)

Farmers can use the same buffer strips to meet the greening and the cross compliance rules.

Some strips of temporary grassland are wider than 1 metre and meet the definition of both an EFA buffer strip and

EFA fallow land. In these cases, farmers can count the first metre as an EFA buffer strip. They could then count the extra width as EFA fallow land (as long as it is at least 2 metres wide). If this is done, it must be possible to tell the difference between the EFA buffer strip and the EFA fallow land during the fallow period (1 January to 30 June). This means at least one of the following must apply:

- they have different vegetation
- the vegetation is of different heights
- there is different land management (for example, the fallow land has been cultivated)

The difference must be visible at an inspection.

During the EFA fallow period (1 January 2015 to 30 June), farmers can do the following on their fallow land:

- use herbicides and cultivation to control weeds (for example, Blackgrass, Ragwort, Hemlock)
- carry out drainage work
- sow wild bird seed mixes and/or nectar sources
- top green cover or previous crop residue
- sow grass, if they can show that it is being sown for reasons other than agricultural production, such as where it is sown under an agri-environment scheme. This will apply to fallow land counted for both the crop diversification and EFA rules.

They must not:

- harvest or graze it
- plant or sow any crop on it (except wild bird seed mixes, pollen sources or nectar sources)
- apply fertiliser or farmyard manure (except where a wild bird seed mix, a pollen source or a nectar source has also been sown)

Further information on the management of buffer strips under EFA can be found in [‘The Basic Payment Scheme in England 2015’](#).

Entry Level Stewardship (ELS)/Higher Level Stewardship (HLS) field margins

If you have a field margin that is entered into an ELS or HLS agreement, you must check the terms of your agreement to ensure that you are permitted to undertake work on the field margins. Please contact [Natural England](#) if you have any questions regarding your ELS/HLS requirements.

Nitrate Vulnerable Zone reminders



New format Nitrate Vulnerable Zone (NVZ) guidance

The Department for Environment, Food and Rural Affairs (Defra) has released its Nitrate Vulnerable Zone (NVZ) guidance in a new format. There are no changes to the rules, only to the way the rules are presented. The new format guidance appears on four pages covering [nutrient management](#); [storing organic manures](#); [using nitrogen fertilisers](#) and [grassland derogations](#) in NVZs. Links to the pages appear together on the GOV. UK [land management](#) page under the 'Pollution' section.

Any comments you have on the new style guidance, which aims to simplify, yet retain the essential guidance provided, would be helpful. To do this select the 'Contact' option at the bottom of the page you wish to comment on, and then click the 'GOV. UK form' option to provide comments on the page visited. Queries on the rules should be directed to the FAS technical helpline: 0345 345 1302.

Don't forget that the closed periods started from 1 August

The Nitrate Pollution Prevention Regulations establish 'closed periods' for the application of organic manures that contain high, readily available nitrogen (i.e. contains more than 30%

of the total nitrogen (N) content in a form that can be readily taken up by the crop). These manures (e.g. slurry, poultry manure and liquid digested sludge) present a significant risk of polluting water if spread on the land at the wrong time of the year. If your land is in an NVZ, you must not spread these manures during the following dates shown in table 1 below.

Please note – if you are in an NVZ that was designated for the first time in 2013, you **MUST** comply with the closed periods this year.

There are some exceptions to the rules for the closed periods:

- If a crop is sown on tillage land with sandy or shallow soil on or before 15 September, then you may apply organic manure between 1 August and 15 September inclusive.
- If you are an organic farmer or you are formally converting to organic status, then applications up to a

maximum rate (150 kg N/ha) will be permitted during the closed period to:

- Winter oilseed rape and grass – applications are permitted between the start of the closed period and the end of October.
- Asparagus, brassicas, overwintered salad onions, parsley and bulb onions. Applications can be between the start of the closed period and the end of February.
- Other crops on the basis of written advice from a FACTS qualified adviser.

The closed periods do not apply to organic manures with a low, readily available N content, which **may** include the following:

- Farmyard manure (FYM).
- Duck manure produced by birds on straw or wood shavings (but you are expected to demonstrate a low level of readily available N by sampling and analysis).

Table 1: NVZ closed periods for organic manure with a high readily available N content

	Grassland	Tillage land
Sandy or shallow soils	1 September to 31 December	1 August to 31 December
All other soils	15 October to 31 January	1 October to 31 January

Applications of manure with a low, readily available N content must still comply with the non-spreading conditions and areas.

You must not spread organic manure:

- When the soil is waterlogged, flooded, snow-covered or frozen for more than 12 hours in the previous 24 hours.
- Less than 50 metres from a spring, well or borehole.
- Within 10 metres of surface water, except:
 - On land managed for breeding wader birds or as species-rich, semi-natural grassland and under certain circumstances (see [using nitrogen fertilisers in nitrate vulnerable zones](#)).
 - When you are using precision manure spreading equipment to apply slurry, sewage sludge or anaerobic digestate, in which case you may spread manure 6 metres or more from surface water.

For further details about the organic manure closed periods and how to adhere to the rules, please see [using nitrogen fertilisers in nitrate vulnerable zones](#).

Slurry storage – are you prepared for winter?

Slurry and poultry manure are also subject to a minimum storage capacity as set out in the NVZ Regulations.

You must have sufficient facilities to store all slurry produced on your holding and all poultry manure produced in a yard or building during the following 'storage periods':

- 1 October to 1 April (six months) in the case of pigs and poultry.
- 1 October to 1 March (five months) in the case of other livestock.

From 2015, this is a requirement for those who had an area first designated as an NVZ during 2013.

If you have any slurry on your farm, **you must** store it in a tank, lagoon or other suitable facility. These requirements are set out in the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel

Oil) (SSAFO) (England) Regulations 2010. If you are building a new store or substantially altering or enlarging your slurry storage facilities, you must notify the Environment Agency at least 14 days before you start any construction work. Your local Environment Agency team will assess your proposal and advise you of the outcome. You can also email enquiries@environment-agency.gov.uk or telephone 03708 506 506. Providing details about the location, design and capacity of your proposal will help avoid delays.

For more information, please see [storing organic manures](#) and links on that page.

In addition to the slurry, there must be capacity in a slurry store to hold:

- Rainfall expected to enter the store during the storage period.
- Any washwater or other liquids that enter the store during that period.

If you have poultry manure or other types of solid manure, **you must** store them:

- In a vessel.
- On an impermeable base, with appropriate collection and containment of runoff.
- In a roofed building.
- In an appropriately located temporary field heap.

For further details about the storage requirements, please see the [storing organic manures](#) page.

Separation of slurry

If you separate slurry into solid and liquid parts, you must do so either using a purpose-built machine or on a waterproof surface where you can collect the liquid that drains from it. If the solid that remains can be stacked in a heap without leaking liquid, it can be treated as farmyard manure. If not, it's still slurry. If there is leakage from a stack, you must collect this and treat it as slurry.

If you intend to separate slurry on your farm and your land is in an NVZ, you must comply with this rule. From

the 2015 closed period (see Table 1), this also applies if your land was designated in an NVZ for the first time in 2013 (previously exempt). The information on www.gov.uk/guidance/storing-organic-manures-in-nitrate-vulnerable-zones will be updated soon.

Rules for manure heaps

The rules for storing solid manure in a field heap can be found on the [storing organic manures](#) page. Be aware that you are not permitted to build or maintain a field heap within 30m of surface water (including ditches) if the land slopes steeply (12 degrees (1 in 5 or 20%) or greater). There is also a requirement that the field heap occupies as small a surface area as is required to support the mass of the heap and prevent it from collapsing.

Grassland derogation for 2016

Grassland farmers can apply for a derogation from the 170kg N/ha/year livestock manure limit provided they meet certain criteria. If your application is approved and you meet certain conditions, you will be able to work to a higher level of 250kg of manure N/ha/year from grazing livestock on your farm. Applications can be submitted using Defra's Farming Online system via the [grassland derogations for livestock manure in nitrate vulnerable zones](#) page. If you are unable to apply online, telephone applications are being handled by the Environment Agency's helpline on 03708 506 506.

All applications must be made between **1 October and 31 December 2015**.

Whether you are applying online or by telephone, you will need to have information about your holding to hand. If you have not applied for or been granted a derogation before, you may find a question and answer document that has been prepared on the subject useful. Please email nitratesdirectiveteam@defra.gov.uk to obtain a copy.

Further information on the derogation can be found on the [grassland derogations for livestock manure in nitrate vulnerable zones](#) page.



If you have a public right of way (PROW) on your land, there are several rules that you need to be aware of. There is full guidance available on GOV.UK and below is a reminder of a few of the key rules.

Do not obstruct PROW on your land

You must not disturb the surface of a public right of way so that it becomes inconvenient to use or wilfully obstruct free passage along a public right of way (for example, by locking gates, allowing overhanging vegetation, or blocking the route with electric or barbed-wire fences). In most cases this rule also applies to growing crops but if necessary, crops can be grown so long as the reinstatement procedures are followed. For further information on the reinstatement procedures, please click [here](#).

Follow guidance when maintaining and replacing structures on PROW

Where a stile or gate on a PROW is your responsibility, you must maintain it so that it is safe and reasonably easy to use. You can claim 25% or sometimes more of the cost of any replacement works from the local highway authority. Some authorities provide materials or others may carry out the work themselves.

Where a stile needs replacing, always consider with the local highway authority whether this should be with a gate or, preferably, by leaving a gap, so that it will be less of an impediment to people with impaired mobility.

If you are considering erecting any new stiles or gates across a PROW you will need authorisation from your local highways authority. Any new structures which don't have authorisation are, by law, obstructions.

If you add new ditches or widen existing ones (having secured any necessary permissions, including from the highway authority), then you must provide adequate bridges for PROW users.

Guidance is available at <https://www.gov.uk/public-rights-of-way-landowner-responsibilities#structures-for-access>

Reinstating ploughed cross-field PROWs

Byways, restricted byways and unsurfaced public roads must not be cultivated (ploughed). The same applies to footpaths or bridleways that follow a field edge. If you need to cultivate a cross-field footpath or bridleway, you must make sure that the path:

- Remains apparent on the ground, to at least the minimum width, and is not obstructed by crops.
- Is made good to at least the minimum width, so that it is reasonably convenient to use, within 14 days of first being cultivated for that crop or within 24 hours of any subsequent cultivation (unless a longer period has been agreed in advance in writing by the highway authority).
- When reinstating a cross-field path the following minimum widths must be observed:
 - 1 metre for any cross-field footpath
 - 2 metres for any cross-field bridleway

How to prevent a new PROW being recorded on your land

In some circumstances, landowners can prevent new PROW being recorded on their land by completing a landowner statement and declaration.

Forms and guidance are available from <https://www.gov.uk/government/publications/commons-act-2006-landowner-statements-highways-statements-and-declarations-form>

Another way of managing access on your land is to dedicate public rights of way. This will create permanent routes but can help to manage public access on farmland by creating alternative paths. You can also create access to areas of land via dedicating open access areas: <https://www.gov.uk/open-access-land-management-rights-and-responsibilities>



Countryside Stewardship Mid Tier

Countryside Stewardship provides incentives for land managers to look after their environment. The scheme is open to all eligible farmers, woodland owners, foresters and other land managers through a competitive application process. Unlike previous rural development schemes, applications for most elements of Countryside Stewardship are competitive, which means that applications will be scored against criteria, and that not everyone who applies will be successful. Targeting and scoring will encourage applicants to choose options that help achieve the environmental priorities in their local area. Further information on the scoring can be found in the [Countryside Stewardship manual](#).

The main priority for Countryside Stewardship is to protect and enhance the natural environment, in particular the diversity of wildlife (biodiversity) and water quality. Other outcomes include:

- flood management;
- the historic environment;
- landscape character;
- genetic conservation; and
- educational access.

Mid Tier is one of the three main elements within Countryside Stewardship and will consist of multi-year agreements for environmental improvements in the wider countryside, including multi-year management options and capital grants.

Mid Tier workshops and Clinics

Natural England has recently held 40 Mid Tier workshops to target those farmers with ELS agreements that expire in 2015. The workshops were attended by 1,859 farmers.

Natural England is subsequently in the process of delivering one to one support via a bookable clinic service.

The clinics are being set up in over 166 venues, each offering 6 places for applicants to bring their expiring ELS agreements for review and receive advice on priority options under Countryside Stewardship. Additional clinics are being added on a weekly basis to meet demand and offer suitably local venues for applicants. If you would like the opportunity to attend a clinic, please ring the booking line on **01270 616800**.

This support for mid-tier applicants will end just before the close of the application window on 30 September for Countryside Stewardship agreements with a start date of 1 January 2016.

For further information on Countryside Stewardship and Mid Tier applications, please refer to the [Countryside Stewardship manual](#).



Abstraction licence reminders

Time limited abstraction licences: renewal reminder

Abstractors who hold a time-limited licence that expires on **31 March 2016** must submit an application to replace it (if they still wish to abstract) before **31 December 2015**. The Environment Agency will accept applications from the summer and encourage abstractors to apply early.

For further information about applying or renewing a water abstraction licence, please visit the [Environment Agency website](#) or call the Customer Contact Centre on 03708 506 506.

Abstraction licences for irrigation

Farmers and growers sometimes need to soften soil with irrigation water before they can lift root crops. If there is hard ground that needs irrigating to help harvesting, then you must check that your abstraction licence period allows you to do this. Depending on your licence, the summer season on irrigation licences ends on **30 September or 31 October** each year, so please check it before proceeding.

If you want to take more water than your licence allows or to extend your abstraction season, **you must** contact the Environment Agency Customer Contact Centre by e-mail on enquiries@environment-agency.gov.uk or by phone on 03708 506 506.

Please note that the Environment Agency charges an application fee of £135 to vary a full licence and, in exceptional circumstances, it may have to advertise the change. Advertising could cost you up to £1,000. The Environment Agency has up to 4 months to determine an application to vary a licence, so early action is crucial. It is in the interest of licence holders to plan their water use accordingly and should ensure they have a secure and stable water supply to meet their needs in future years.

Forthcoming FAS events



Farm walk on CAP implementation 2015 – South West

Thursday 3 September at Porte Farm, Kentisbury, Barnstaple, Devon, EX31 4NL. The event will take place between **10.30am and 12.30pm** and will be repeated between **2.00pm and 4.00pm**. Please state when booking which session you would prefer.

Ross Cherrington from the Farming Advice Service will lead the walk and provide the latest information on:

- Cross compliance in 2015 – covering the new soil management rules.
- Animal identification and record keeping.
- Greening – including crop diversification, permanent grassland and EFAs.
- Sustainable use of pesticides.

Representatives from Devon Wildlife Trust will be present to introduce South West Waters Upstream Thinking Project.

BASIS Continuing Professional Development (CPD) points are available for attendees.

Places are limited, so please book now to avoid disappointment.

FAS will be organising further events during autumn 2015. To find details of events in your area, please check the FAS [events calendar](#).

**Register for free text message updates**

We use text messages to send reminders of approaching key dates for cross compliance. To register for FREE text message updates, please call 0345 345 1302 or email bookings@farmingadvice.service.org.uk with 'Register for text updates' in the subject line. Remember to include your name and mobile phone number in the message. Your details will not be shared with any third parties.

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Key dates

1 August	If you have been granted a derogation by RPA to plant Oil Seed Rape or Temporary Grass, you may be able to cut hedgerows from this date. (GAEC 7A)
1 August	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on shallow or sandy soils except where crops will be sown on or before 15 September. (SMR 1)
31 August	You must have established your EFA cover crops by this date and keep them until 1 October
1 September	You can cut hedgerows and trees from this date. (GAEC 7A and 7C)
1 September	You can cast up traditional hedgebanks from this date. (GAEC 7A)
1 September	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland on shallow or sandy soils. (SMR 1)
1 September	Start of closed period for applying manufactured nitrogen fertilisers to tillage land. (SMR 1)
15 September	Start of closed period for applying manufactured nitrogen fertilisers to grassland. (SMR 1)
16 September	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on shallow or sandy soils which have been sown with crops on or before 15 September. (SMR 1)
1 October	You can burn heather, rough grass, bracken, gorse or vaccinium on land in upland areas from this date. (GAEC 6)
1 October	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on soils which are not shallow or sandy. (SMR 1)
1 October	You must have established your EFA cover crops by this date and keep them until 15 January 2016
15 October	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland on soils which are not shallow or sandy. (SMR 1)
31 October	If you hold a summer water abstraction licence (authorising abstraction wholly within the months of April to October), the Environment Agency will make actual abstraction return forms available to you from 31 October. You then have 28 days to send your readings to the Environment Agency. (GAEC 2)