

November 2016 – e-news issue 30

Welcome to the Farming Advice Service newsletter

Thank you for subscribing to the Farming Advice Service (FAS) newsletter.

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**Farming
Advice Service**

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

FAS technical advice line:

Telephone: 03000 200 301

Email: advice@farmingadvice.org.uk

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

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How can FAS help you?



Free and confidential advice

Common Agricultural Policy (CAP) regulations require EU Member States to run an advisory system covering cross compliance, greening, water protection and aspects of pesticide use. In England, this is provided by the Farming Advice Service (FAS). Under these regulations, the advice given to individual farmers must be **confidential** – that is, FAS **must not** disclose any personal or individual information or data it obtains in the course of its advisory activity.

FAS updates the farming sector on relevant EU and Department for Environment, Food and Rural Affairs (Defra) policies. It explains the requirements under and objectives of CAP, EU directives, national legislation and policies; and the actions that can be taken to help meet compliance. FAS provides **free, confidential** advice on

cross compliance and the greening requirements, some aspects of the Water Framework Directive (such as silage, slurry and agricultural fuel oil (SSAFO) and waste exemptions) and the Sustainable Use (of pesticides) Directive.

Getting in contact with the advice line

Farmers requiring telephone advice from FAS can contact the **Rural Services Helpline** on **03000 200 301** Monday to Friday between **8.30am** and **5pm**.

The Rural Services Helpline provides a single number for all **Farming Advice Service, Rural Payments Agency** and **Animal and Plant Health Agency** enquiries. By providing a single point of contact, the Government aims to make it simpler for farmers to access technical guidance on a range of topics, including cross compliance, greening, CAP payments and animal health inspections.

You can also email enquiries to advice@farmingadvice.org.uk.

FAS resources

In addition to the bi-monthly [newsletter](#), FAS has produced a number of resources, including [technical articles](#) and [posters](#).

During October 2016, FAS held two webinars for farm advisers in partnership with Defra and the Rural Payments Agency (RPA).

Webinar 1 – Cross compliance update for 2016

This webinar provided information on:

- changes to cross compliance in 2016 – presented by Andrew Wells from FAS;
- inspections – presented by Pam Frost from the RPA;
- common cross-compliance failures – presented by Andrew Wells from FAS.

There was also a question and answer session.

Webinar 2 – Protecting payments on your client's livestock farm

This webinar provided information on:

- cross compliance requirements for livestock farms, including common areas of non-compliance – presented by Ian Cairns from FAS;
- changes affecting livestock keepers from July 2016 – presented by Pat Brophy from Defra.

There was also a question and answer session.

To view recordings of the webinars, please go to the FAS [webinar page](#).

For further information, please visit our [website](#), call 03000 200 301 or email advice@farmingadvice.org.uk.

Key dates

1 November	You can burn heather, rough grass, bracken, gorse or vaccinium on land, other than in upland areas, from this date. (GAEC 6)*
26 November	Pesticide application equipment in use must be covered by a certificate issued by the National Sprayer Testing Scheme. (Pesticides National Action Plan)
30 November	If you have a two-part tariff agreement for your water abstraction licence, expect to receive your second part charge after 30 November. (GAEC 2)
1 December	You need to carry out your annual inventory of sheep. (SMR 8)**

* GAEC = Good Agricultural and Environmental Conditions

** SMR = Statutory Management Requirements



Keeping public rights of way free of obstructions

Many farmers have land with a public right of way (PROW). Typically, these fall into the following categories:

- footpaths;
- bridleways;
- restricted byways;
- byways open to all traffic.

If you own agricultural land with a PROW, there are several rules you need to be aware of. Below are a few of the key rules you need to comply with. Full guidance is available on GOV.UK

As the owner or occupier of land with a PROW, you have an obligation to keep the route visible and clear of obstructions. Obstructing a PROW intentionally is a criminal offence and the highway authority has the right to demand that you remove any obstructions.

In practice, this means removing and preventing obstructions on or across the PROW route, such as permanent or temporary fences, animal feeders, hedgerows growing over the path, padlocked gates, barbed wire or encroaching crops other than grass.

Section 137A of the [Highways Act 1980](#) requires owners of agricultural land to ensure that vegetation does not encroach onto a highway from the sides or above, while considering the height clearance required for different users, such as horse riders.



Important information on greening rules

Greening rules for the 2017 scheme year

Greening supports farmers to adopt and maintain practices that help meet national environment and climate goals. Greening payments account for approximately 30% of the total payment you will receive for claiming under the Basic Payment Scheme (BPS). If you fail to comply with the greening rules, then you could lose some or all of your greening payments under BPS. Please be aware that, as of 2017, reductions in greening payments for failure to comply with the rules can also be accompanied by administrative penalties proportional to the severity and scope of the non-compliance.

There will be no changes to the greening rules in England for the 2017 scheme year. For the latest information, please visit GOV.UK.

Crop diversification

If your farm has over 10 hectares (ha) of arable land, you are required to meet the greening 'crop diversification' rules. These require you to grow a minimum of either two or three crops depending on the amount of arable land you have on your holding.

Given the arable farming cycle, farmers should begin to plan their crop diversification requirements to ensure compliance with the greening rules for 2017. A full list of the crop diversification rules is available in '[Basic Payment Scheme: rules for 2016](#)'.

Ecological focus areas

If your farm has more than 15 ha of arable land, then you are likely to be required to dedicate at least 5% of the total arable land declared on your BPS application to ecological focus areas (EFA). EFAs are areas of land that are used to deliver ecological and environmental benefits.

Exceptions

Exceptions to crop diversification and EFA rules, such as farmers using organic land or having over 75% of the land as permanent grassland, can be found in '[Basic Payment Scheme: rules for 2016](#)'.

EFA fallow land in 2017

If you intend to declare EFA fallow land during the 2017 scheme year, please remember that the fallow period is from 1 January until 30 June (inclusive). This is different to the fallow land entered under the crop diversification requirements.

For more information on EFA fallow land, please refer to '[Basic Payment Scheme: rules for 2016](#)'.

Implications for 2017 if you took up the EFA cover crop option in the 2016 scheme year

If you declared cover crops on your 2016 BPS application, you must adhere to the 2016 rules on this land. The 2016 rules require cover crops to be established by **1 October 2016 and retained until at least 15 January 2017**. This does not affect the ability to claim the same land area as EFA fallow land from 1 January 2017 since the claim is for a new scheme year.

For further information on EFA cover crop options and rules for the 2016 scheme year, please refer to the '[Basic Payment Scheme: rules for 2016](#)'.

Water abstraction licence expiry



Under [GAEC 2: Water abstraction](#), you must have an abstraction licence from the Environment Agency to take more than 20 cubic metres (approximately 4,400 gallons) of water from an inland or underground source for spray irrigation in a single day.

Once you have an abstraction licence, you must comply with its conditions when taking water for irrigation purposes.

You do not need a licence if you take 20 cubic metres or less in a 24-hour period, provided your abstraction is part of a single operation. If you abstract from the same source at several points, the exemption only applies if the combined total of all abstractions is 20 cubic metres or less a day.

Abstractors who hold a time-limited licence that expires on **31 March 2017** must submit an application to replace it (if they still wish to abstract) before **31 December 2016**. Abstractors with time-limited licences that expire in 2018 will start to receive invitations to apply from September. The Environment Agency has been accepting applications since the summer and encourages abstractors to apply now because of the large number of licences that are expiring.

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

Nitrate Vulnerable Zone (NVZ) reminders



NVZ grassland derogation for 2017

Grassland farmers can apply for a derogation from the 170kg nitrogen per hectare per year (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 the higher level of 250kg nitrogen/ha/

year livestock manure from grazing livestock on your farm.

Applications should be submitted to the Environment Agency by telephone on 03708 506 506, Monday to Friday, between 8.00am and 6.00pm.

All applications must be made by **30 December 2016**.

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 GOV.UK website.

Closed periods for organic manures with a high, readily available nitrogen content



The Nitrate Pollution Prevention Regulations establish 'closed periods' for the application of organic manures that contain high, readily-available nitrogen (N) (that is, where more than 30% of the total N content is in a form easily used by plants). These manures (for example, slurry, poultry manure, liquid digested sludge and anaerobic digestate) present a significant risk of polluting water if spread on the land at the wrong time of the year. If your land

is located within an NVZ, you must not spread these manures during the dates shown in Table 1.

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

- If a crop is sown on sandy or shallow tillage land on or before 15 September, 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, applications up to a maximum rate (150kg 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. No more than 40kg N/ha can be spread on grassland at any one time.

- Asparagus, brassicas, overwintered salad onions, parsley and bulb onions. Applications can be made between the start of the closed period and the end of February. In the case of brassicas, up to 50kg N/ha can be spread every 4 weeks until the harvest (the 150kg N/ha total limit still applies).
- Other crops on the basis of written advice from a Fertiliser Advisers Certification and Training Scheme (FACTS) qualified adviser.

Table 1 – closed periods for organic manure

	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

Closed periods for the application of manufactured fertiliser



The NVZ rules also establish closed periods for the use of manufactured fertiliser. You may not apply manufactured fertiliser to:

- tillage land between 1 September and 15 January;
- grassland between 15 September and 15 January.

There are some exceptions. Manufactured fertiliser may be spread on the crops listed in Table 2 providing the amounts spread do not exceed those stated.

In the case of:

- **winter oil seed rape and grass** – applications are allowed between the start of the closed period and the end of October;
- **grass** – a maximum of 40kg N/ha may be spread at any one time until the end of October;

- **brassicas** – an additional 50kg N/ha may be spread every 4 weeks during the closed period up to the date of harvest.

In the case of other crops, manufactured fertiliser may be spread on the basis of written advice from a FACTS qualified adviser.

Further guidance regarding the NVZ requirements for using nitrogen fertilisers can be found on GOV.UK.

Table 2 – crops that can receive manufactured fertiliser

Crop	Maximum rate (kg N/ha)
Winter oilseed rape	30
Asparagus	50
Brassicas	100
Grass	80
Overwintered salad onions	40
Parsley	40
Bulb onions	40

Inspection of pesticide application equipment is required from November 2016



Don't forget that by **26 November 2016**, all in-use pesticide application equipment over 5 years old – with the exception of knapsack and handheld sprayers – must have passed inspection by the National Sprayer Testing Scheme (NSTS) within the last 5 years.

The NSTS is the only body designated to inspect and certify pesticide application equipment for use. Therefore, having equipment tested by an approved NSTS examiner is the only way to stay compliant. A list of approved examiners can be found on the NSTS website.

After the **26 November 2016** deadline, equipment must pass an inspection every 5 years and then every 3 years from **26 November 2020**. Equipment that has a 'low scale of use', such as granular applicators and boom sprayers less than 3 metres wide, must pass inspections at an interval of no more than **6 years**.

A complete list of 'low scale of use' equipment can be found in Pesticides: UK national action plan and will be updated regularly.

Forthcoming FAS events

South East – cross compliance update

The event will be delivered as two workshops. When booking, please state which session(s) you would like to attend.

Tuesday 22 November, at Chieveley Village Hall, High Street, Chieveley,

Berkshire, RG20 8TE. Book online [here](#).

BASIS CPD points are available for attendees.

Places are limited so please book now to avoid disappointment.

10.30am to 12.30pm	Cross compliance for livestock farmers	Including identification, registration and movements. The workshop will focus on the most common failures to help you to protect your BPS payments. The workshop will also cover the changes for livestock keepers from July 2016 and an explanation of the new rules.
2.00pm to 4.00pm	Cross compliance in 2016	This workshop will focus on the most common failures found by the RPA in 2015.

South West – cross compliance and water quality update

This practical event is for farmers, farm workers and agricultural contractors. The event will take place between **10.30am and 1.30pm** on **Wednesday 30 November** at **Taynton and Tibberton Village Hall**, Tibberton Rd, Taynton, Gloucester, GL19 3AN. Book online [here](#).

The event will focus on:

- **Common cross compliance failures and how to avoid them** – presented by Briony Burge, FAS.
- **In-field cross compliance requirements, including GAEC 1:** Manure and fertiliser spreading and the production of the required farm risk map, **SMR 1:** Nitrate Vulnerable Zones and **GAEC 7a:** In field boundary protection requirements – presented by John Morgan, FAS.
- **The Impact of pollution on surface water** and what to look for in your local watercourse to assess condition

– presented by Sharon Chisolm, Environment Agency.

- **The voluntary approach to protecting soils and water.** The role of buffer strips, EFAs and expiring Entry Level Stewardship options – presented by Mark Smith, Campaign for the Farmed Environment.

BASIS CPD points are available for attendees.

Places are limited so please book now to avoid disappointment.

North West – cross compliance updates

These meetings will be led by an **independent** farm adviser and will focus on the key areas of non-compliance identified at cross compliance inspections. In addition, the meetings will cover:

- livestock identification and movements – particularly the new rules introduced in 2016 designed to simplify movements;

- cross compliance soil management rules – how to comply and reduce the risk of problems during inspection.

7.00pm to 9.30pm on Wednesday 30 November, at **The Stoneybeck Inn**, Bowscar, Penrith, Cumbria, CA11 8RP. Book online [here](#).

7.00pm to 9.30pm on Thursday 1 December, at **Westmorland County Agricultural Society**, Lane Farm, Crooklands, Milnthorpe, Cumbria, LA7 7NH. Book online [here](#).

BASIS CPD points are available for attendees.

Places are limited so please book now to avoid disappointment.

North West – Get to grips with NVZs and cross compliance soil management

According to the latest NVZ inspection results, 29% of inspected farms failed. This free workshop, which will be led by an **independent** farm adviser, will provide information in the following areas to help delegates comply with the NVZ requirements:

- farm and field limits;
- closed periods for manure and fertiliser applications;

- storage requirements;
- nitrogen planning and record-keeping requirements;
- the rules regarding spreading techniques including risk maps;
- cross compliance soil management rules – how to comply.

Wednesday 23 November at the **Greyhound Hotel**, Warrington Road, Leigh, Lancashire, WN7 3XQ. The morning session, from **10.00am to 12.00pm**, will focus on the specific requirements for arable farmers and the afternoon session, from **1.00pm to 3.00pm**, will focus on livestock farmers. Book online [here](#).

Thursday 24 November at **Bickley Hall Farm**, Bickley Lane, Malpas, Cheshire, SY14 8EF. The event will be delivered as two sessions; **10.30am to 12.30pm**, and repeated in the afternoon at 1.30pm to 3.30pm. Book online [here](#).

Monday 5 December at **Byley Village Hall**, Moss Lane, Byley, Middlewich, Cheshire, CW10 9NG. The event will be delivered as two sessions; **10.30am to 12.30pm**, and repeated in the afternoon at **1.30pm to 3.30pm**. Book online [here](#).

BASIS CPD points are available for attendees.

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

North East – livestock meetings

The events will:

- explain the new County Parish Holding (CPH) 10-mile rule;
- cover the cross compliance requirements for livestock farms;

- focus on explaining common areas of non-compliance to reduce the risk of inspection penalties;

- introduce the BVDFree England Campaign.

The events will take place from **7.30pm to 9.30pm** (tea and coffee available from 7.00pm) on the dates given below.

BASIS CPD points are available for attendees.

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

Date	Venue	BVD presentation	Online booking
5 December	Coquetvale Hotel, Station Rd, Rothbury. NE65 7QJ	Alnorthumbria Vets	Book online here
12 December	UTASS, 9-11 Chapel Row, Middleton-in-Teesdale, DL12 0SN	Castle Veterinary Surgeons	Book online here
13 December	Hexham Mart, Tyne Green, Hexham, NE46 3SG	Scott Mitchell & Associates Vets	Book online here

FAS will be organising several events during autumn and winter 2016 in many areas of England. To find details of events local to you, please check the FAS [events calendar](#).



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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 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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