

September 2014 - e-news issue 16

Welcome to the Farming Advice Service newsletter

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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.

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**Farming
Advice Service**

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Common Agricultural Policy (CAP) update: August 2014

Greening

On 14 August, the Department for Environment, Food & Rural Affairs (Defra) released the latest CAP guidance. The document called 'The new Common Agricultural Policy schemes in England: August 2014 update' can be downloaded from the [GOV.UK website](http://gov.uk) and is a follow up to 'An Introduction to the new Common Agricultural Policy schemes in England', which was published in April 2014.

The latest document was also posted to all Single Payment Scheme (SPS) and Rural Development Programme for England (RDPE) land-based claimants in August. It incorporates the information from 'Greening: how it works in practice'. While not all of the details are confirmed at this stage, the leaflet provides notification of what to expect in the requirements for 2015.



FAS held a series of CAP 2015 update events for advisers throughout the summer. If you were unable to attend an event, please click [here](#) to view a recording of the webinar that took place in July 2014. When viewing the webinar, please do so in conjunction with reading the latest CAP guidance which provides further detail that was not available in July. We have already started planning events for farmers to cover the CAP 2015 changes – all events are advertised on our [event calendar](#) so keep an eye out for forthcoming events in your region.

You can also sign up to receive updates from the CAP reform blog (<https://capreform.blog.gov.uk>).

Cross compliance

Cross compliance will continue in 2015 under the new CAP, but there will be some changes. If you claim the Basic Payment Scheme (BPS) or have a Rural Development Programme land-based agreement, you will have to meet the new cross compliance rules. The main changes from 2015 onwards are:

- All of the Good Agricultural and Environmental Conditions (GAECs) and most of the Statutory Management Requirements (SMRs) have been renumbered. Some GAECs have been split or merged into other rules.
- There will be new rules for soils that will replace the current GAEC 1 (Soil Protection Review), which is being removed.
- GAECs 11 (Control of weeds) and 12 (Agricultural land which is not in agricultural production) will be removed. Instead, as part of the BPS eligibility rules, this land will need to be maintained in a state which makes it suitable for grazing or cultivation. More information will be provided about this in November.
- GAEC 9 (Overgrazing and unsuitable supplementary feeding) will be removed. The requirement to avoid overgrazing will be incorporated

into a new GAEC 5 (minimum land management reflecting site-specific conditions to limit erosion). Therefore, the impact of overgrazing will be judged in terms of soil erosion risk, rather than detriment to semi-natural vegetation.

- SMR 3 (sewage sludge) and SMRs 13, 14 and 15 (control of foot and mouth disease, certain animal diseases and bluetongue) will be removed.

There will also be a number of changes to certain landscape feature rules grouped together under a new GAEC 7A (Boundaries). The changes will include:

- A longer 'no trimming' season for hedges, which will run from 1 March until 31 August each year. This will also apply to trees from the start of 2015. This and the previous tree protection rules from the old GAECs 16 (Felling of trees) and 17 (Tree Preservation Orders (TPO)) will be included in a new GAEC 7C (Trees).
- Stone banks, stone walls or earth banks must not be removed (or stones or earth removed from these features).



Defra has produced '[Cross compliance: lists of SMRs and GAECs from 2015](#)' to outline which SMRs and GAECs will apply from 2015 onwards.

Please note that the current cross compliance rules will apply until 31 December 2014. All claimants are expected to continue to follow the current rules and to keep up to date [Soil Protection Reviews](#) (SPR), which are still subject to inspection.

If you have questions about greening or changes to cross compliance rules for 2015, please contact the FAS advice line on 0345 345 1302 or email advice@farmingadvice.org.uk

FAS is a government-funded advice service, mandated by legislation, provided by **independent advisers** delivering advice which is **confidential** (to anyone including government inspectors), but based on information provided by and in close liaison with government. CAP Regulations say FAS must 'not disclose any personal or individual information or data they obtain in the course of their advisory activity to persons other than the beneficiary who is managing the holding concerned'.

Nitrate Vulnerable Zone (NVZ) reminders

New rules for manure heaps

From 16 May 2014, 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 will also be a requirement that the field heap occupies as small a surface area as is practically required to support the mass of the heap and prevent it from collapsing. Further information on the new rules for storing solid manure can be found in Chapter 10 of the document '[Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016](#)'.

Grassland derogation for 2015

Grassland farmers can apply for a derogation from the 170kg of nitrogen per hectare (N/ha) per year livestock manure limit provided they meet certain criteria. If your application

is approved and you meet certain conditions, you will be able to spread up to 250kg of manure N/ha per year from grazing livestock on your farm. Applications can be submitted via Defra's Farming Online system (www.gov.uk/nitrate-vulnerable-zones). 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 2014.

Whether you are applying online or by telephone, you will need to have information about your holding to hand. If you have not previously applied for or been granted a derogation, 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 in Chapter 6, Part B and at Annex 2, Part B of the [NVZ guidance](#).

Storage requirements for those designated as an NVZ in 2013

If your land was designated as an NVZ for the first time in 2013, you will need to provide adequate storage for any slurry you produce from the closed period in autumn 2015. Although the closed period is 12 months away, advance planning will ensure you are ready for this requirement. See Chapter 8, part 3 onwards of the [guidance](#) for further advice.

New version of PLANET software is now available

The PLANET software can be used to help farmers with field level nutrient management decisions and to assess compliance with the NVZ regulations. PLANET has been updated to take account of the NVZ rule changes for 2014. All those registered to use PLANET should have received an email update to notify them that the new version of PLANET is available. If you would like to register for PLANET you can do so on the [PLANET website](#).



Avoiding overgrazing and supplementary feeding damage of semi-natural vegetation

The aim of GAEC 9, as set out in '[The Guide to Cross Compliance in England](#)', is to help protect important habitats that contain natural or semi-natural vegetation by preventing overgrazing and unsuitable supplementary feeding. It applies to you if you keep livestock on natural or semi-natural vegetation.

Under the cross compliance rule for GAEC 9, you must not allow overgrazing on natural and semi-natural areas of your holding.

'Overgrazing' means grazing land with so many livestock that the growth, quality or diversity of natural or semi-natural vegetation is adversely affected. 'Natural and semi-natural vegetation' is defined as self-seeded or self-propagated vegetation characteristic of the area. This land includes, but is not restricted to, moorland, unimproved grassland, grazed woodland or forest, heathland and sand dunes.

In addition, you must not carry out unsuitable supplementary feeding,

which means providing supplementary feed for livestock in a way that adversely affects the quality or diversity of natural and semi-natural vegetation through the trampling or poaching of land by livestock, or by ruts caused by vehicles used to transport feed. The only exception to this is where it is necessary for the purpose of animal welfare during periods of extreme weather conditions.

If you have received any notification of appropriate measures to prevent overgrazing and/or unsuitable supplementary feeding, or written directions in relation to the land subject to it by the Secretary of State, this must be complied with.

For further management guidance and good practice information, please view the publication '[Guidance for Cross Compliance in England: Management of Habitats and Landscape Features](#)'.

Abstraction licence reminders

Time limited abstraction licences: renewal reminder

Abstractors who hold a time limited licence that expires on **31 March 2015** must submit an application to replace it (if they still wish to abstract) before **31 December 2014**. 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](http://environment-agency.gov.uk) 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 currently 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 four 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.

Abstraction reform

In September, the abstraction reform team is holding two online digital discussions on abstraction reform and drought/discharges.

The discussions run for three weeks from Friday 5 September. The two online dialogues will be hosted on the Defra dialogue application (<http://defra.dialogue-app.com>). To take part in the discussions, you will need to complete a short registration process. This can be done by clicking on the 'register' tab in the top right corner of the Defra dialogue home page. For further information of how the dialogue application works, you can click on the 'how to use this site' tab on the bottom of the page.

Public rights of way



The aim of GAEC 8, as set out in 'The Guide to Cross Compliance in England', is to keep public rights of way open and accessible because they are important landscape features. It applies to you if you have any visible public rights of way on your land. A public right of way includes footpaths, bridleways, restricted byways and byways open to all traffic.

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, growing crops, allowing overhanging vegetation, or blocking the route with electric or barbed-wire fences).

You will not break these rules if you have lawful authority or excuse. This is when you need to disturb the surface of a footpath or bridleway across a field to plough the land or to bring it into agricultural use, and it would be inconvenient and difficult to avoid disturbing the surface of the path. If you do this, you must make good the surface of a disturbed cross-field footpath or bridleway to not less than the minimum width (1 metre for a footpath and 2 metres for a bridleway) within 14 days of the first disturbance if you are sowing a crop, or within 24 hours in all other circumstances. In addition, you must indicate the route of a reinstated cross-field footpath or bridleway to members of the public.

You must also maintain any stile, gate or similar structure across a footpath or bridleway in a condition that makes it safe and reasonably easy to use (this applies where maintenance is your responsibility, which is usually the case on a landowner's land).

For further management guidance and good practice information, please view the publication '[Guidance for Cross Compliance in England: Management of Habitats and Landscape Features](#)'.



Protecting your soils post-harvest

One of the requirements of the [SPR](#) is to ensure that you select the correct post-harvest options. This is to ensure that land harvested by a combine harvester or mower is left in a state where erosion is unlikely. The SPR is a requirement of cross compliance in 2014 (GAEC 1) and must be followed if you are in receipt of payments under the SPS.

Choose the correct post-harvest management technique by taking into account the weather, soil type and topography, and consider the crop that has been harvested and the next crop to be sown. Hot, dry conditions can cause soils to cap during harvest and during cultivations which can exacerbate runoff, especially if rainfall is heavy. Care must be taken when choosing to plant so as to prevent the risk of significant runoff.

Before cultivating and drilling, make sure that any topsoil and subsoil compaction is removed. First check the depth of compaction by digging several soil pits across a field before setting up the appropriate machinery (such as a subsoiler) to just below the pan so as to remove the layer of

compaction. Please ensure that soil is sufficiently dry to enable effective subsoiling. By identifying the correct depth of compaction, savings can be made on fuel use, machinery parts, labour costs and time by not cultivating deeper than necessary.

If leaving overwintered stubbles, consider removing compaction from tramlines and headlands, and consider a light cultivation where this does not impede Entry Level Stewardship (ELS) overwintered stubble prescriptions (ELS options: EF6 and EF22) to remove any surface capping.

Where a spring crop will be sown, consider planting a winter cover crop to help improve soil organic matter levels that can improve workability, and can help to retain moisture and nutrient levels for further crop development needs. It can also help to provide valuable soil protection from winter rains and prevent soil loss if sown by early October.

If you require any further advice regarding soil management on your farm, please contact FAS on 0345 345 1302 or email advice@farmingadvice.service.org.uk

Forthcoming event

CAP Implementation and cross compliance 2015 update

Thursday 25 September at Trethorne Leisure Park, Kennards House, Launceston, Cornwall PL15 8QE.

This event will start at 7.30pm and finish at 9.30pm.

The workshop will be run by an independent adviser to provide the latest information on:

- CAP 2015 update and implementation.
- Greening rules – crop diversification and Ecological Focus Areas.
- Impacts for farm businesses – example scenarios.
- Cross compliance changes for 2015.

BASIS continuous professional development (CPD) points are available for attendees.

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

Please call **0345 345 1302** or email bookings@farmingadvice.org.uk to book your place at the FAS events listed above. Please remember to include the event name, date, session that you wish to attend, your name, company name and contact details.

FAS will be running an events programme during 2014, which will cover most regions. The events will be advertised on our website, so please keep an eye on the [events calendar](#).



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Key dates

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 4)
1 September	Start of closed period for applying manufactured nitrogen fertilisers to tillage land. (SMR 4)
15 September	Start of closed period for applying manufactured nitrogen fertilisers to grassland. (SMR 4)
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 4)
1 October	You can burn heather, rough grass, bracken, gorse or vaccinium on land in upland areas from this date. (GAEC 10)
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 4)
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 4)
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 18)