

Soil management requirements for 2015: important changes

From 1 January 2015 the cross compliance soil management rules have changed significantly. The new soil management rules are applicable to all Basic Payment Scheme (BPS) and certain pillar II claimants, so it is important that you are aware of how to comply with the requirements to safeguard your payments.

What has changed?

The previous Good Agricultural and Environmental Condition (GAEC) requirement to complete and retain a Soil Protection Review (SPR) has been replaced with a new set of national minimum standards. The new rules require no paperwork but are focused, on the condition of the land; this will now be the primary area for inspection.

If you have a BPS or Environmental Stewardship inspection during 2015, a full land inspection will be conducted taking into account all parcels on the holding and payment reductions may be applied if you are not complying with the new requirements. The new rules require you to:

Maintain a minimum soil cover (GAEC 4)

You must take all reasonable steps to protect soil by maintaining minimum soil cover, by providing any of the following cover options:

- vegetative cover from all types of crop, grass and herbaceous forage
- cover crops and leguminous and nitrogen fixing crops (green manures)
- game cover and crops planted for biodiversity
- trees, coppice, fruit crops, hops, nursery crops, vines
- overwintered stubble from combinable crops
- other stubbles and crop residues such as vegetable, maize and sugar beet.

There are exemptions to this rule if there is agronomic justification for not establishing cover or if establishing a cover would conflict with the requirement to minimise soil erosion (GAEC 5). Details of acceptable agronomic justifications and soil cover are set out in [‘The guide to cross compliance in England 2015’](#) and the [‘Cross compliance in England: soil protection standards 2015’](#) guidance.

Where a suitable agronomic justification applies that is not listed in the guidance, you will need to apply for a derogation from the Rural Payments Agency (RPA). Your request needs to be sent in writing by email (csc@rpa.gsi.gov.uk) or by post (Rural Payments Agency, PO Box 300, Sheffield, S95 1AA) and should include your Single Business Identifier (SBI), details of the fields affected and information about why you are requesting a derogation.

You must have written confirmation that a derogation has been granted before you take advantage of the unlisted agronomic justification. If you were to receive an RPA inspection, the inspector would have details of any derogation that had been granted in advance of the inspection. If one of the listed agronomic justifications applies, you will discuss this with the inspector during their visit.

Minimise erosion (GAEC 5)

You must put measures in place to limit soil and bankside erosion on your holding. Some examples of practices that may cause erosion if not managed correctly are:

- cropping practices and cropping structures;
- livestock management, including outdoor pigs and poultry, causing overgrazing and poaching;
- wind; and
- vehicles, trailers and machinery.

Examples of appropriate measures to limit soil erosion are available in the [‘Cross compliance in England: soil protection standards 2015’](#).

Where compaction may cause soil erosion, you must, where appropriate, cultivate post-harvest land and late harvested crops using primary cultivation methods such as ploughing. Alternative primary cultivation methods are included in [‘Cross compliance in England: soil protection standards 2015’](#).

The RPA inspector will look at all of the parcels on your holding and a reduction in your payments could occur if any of the following non-compliances are found:

- soil erosion over a single area greater than 1 hectare. Please note that this is a continuous area and can include land that crosses permanent boundary features, meaning that the erosion is not necessarily limited to one field/parcel.
- bankside erosion, caused by livestock trampling, along a continuous stretch of more than 20 metres long and 2 metres wide of a watercourse

The reduction that is received will depend on the severity of the erosion that is found on your holding.

Maintain good levels of soil organic matter (GAEC 6ⁱⁱ)

You must maintain good levels of soil organic matter by demonstrating compliance with the following regulations, all of which were applicable under cross compliance prior to 2015:

You must:

- not burn crop stubble, except for plant health reasons. Where burning is needed for plant health reasons, it must comply with the Crop Residues (Burning) Regulations (1993) (Regulations 4 (b) and 5);
- not burn bales and stacks where it will burn stubble;
- not burn for education and research purposes;
- comply with the Heather and Grass Burning Regulations (2007) (Regulations 5(2) and 6(1)(a)); and
- comply with the Environmental Impact Assessment (Agriculture) (England) (No 2) Regulations (2006) (Regulations 4, 9, 26 and 28) and the Environmental Impact Assessment (Forestry) (England and Wales) Regulations (1999) (Regulations 4(1) and 22). Do not plough, cultivate or intensify species-rich and semi-natural habitats so as to conserve organic matter and carbon levels in soils. An environmental impact assessment (EIA) may be required if the land has not been cultivated within 15 years or if it is semi-natural.

Get in touch with the FAS

If you would like free and confidential advice on the soil management rules from an independent adviser, please contact FAS on 0345 345 1302 or advice@farmingadvice.service.org.uk

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ⁱ 'GAEC 5: Minimum land management reflecting site specific conditions to limit erosion'

ⁱⁱ 'GAEC 6: Maintenance of soil organic matter level through appropriate practices, including a ban on burning arable stubble, except for plant health reasons'