

April 2015 - e-news issue 20

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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Basic Payment Scheme 2015 – action required

In March, the Rural Payments Agency (RPA) announced some changes to the way Basic Payment Scheme (BPS) applications will be submitted for 2015, with pre-populated BP5 claim forms being issued. **All BPS guidance is at GOV.UK/rpa/bps.** The deadline for RPA to receive completed forms is midnight **15 June**. Farmers are encouraged to submit their BPS claim as soon as possible. If you wish to apply for BPS during 2015, you need to ensure that:

1 You have registered with the online Rural Payments Service. You can register using the GOV.UK verify service or over the telephone by contacting the RPA helpline on 03000 200 301. If you do it over the telephone, it should take you approximately 20 minutes.

2 You have checked your personal and business details held by the Rural Payments Service. If there is any incorrect information held, please ensure that you amend it.

3 If needed, you have given your agent permission to act on your behalf. Again, you can do this by logging into the Rural Payments Service.

4 You have checked your BP5 application form. During April, pre-populated forms are being sent to claimants who have registered with the Rural Payments Service. If you want to start preparing your claim in advance, there is a blank form available from GOV.UK/rpa/bps

5 If needed, you have told the RPA about changes to your land or entitlements using an 'RLE1' form. This form and guidance on how to complete it can be downloaded [here](#).

6 You have submitted your claim to the RPA by midnight on **15 June 2015**. Penalties will be applied to applicants who submit their claim after this deadline.

RLE1 form (left) and guidance on how to complete it (right) can be downloaded [here](#).

Rural Land and Entitlements

Request for changes to the Rural Land Register and for the transfer of entitlements

EL11

Notes - Please read the Guidance before you start:

A Please do not use correction fluid. If you make a mistake, please cross through, initial and date it. For boxes with an 'X' complete all the space not containing your mistake.

B Please use CAPITAL LETTERS and black ink. Do not use pencil. Write only in the spaces provided. Include a covering letter if you have any additional comments.

Part A: General details

Please complete your customer details below.

Single Business Identifier (SBI):

Name of beneficiary (as business name):

Main CPI holding number:

If you are claiming under a Rural Development Programme scheme put an 'X' in this box:

Rural Payments Agency, PO Box 312, Welwyn, SG8 9EG.
Rural Payments Helpline: ruralpayments@rpa.gov.uk, or 03000 200 301
The Rural Payments Agency is a division of the Department for Environment, Food and Rural Affairs.

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Annex 2 - How to estimate a land parcel reference number

Annex 3 - Counting slopes when measuring total field size

RPA usually takes into account slopes when measuring field sizes. However, if you think that the area of your field is larger than they have measured because there is a slope, you should send a copy of an independent survey to them. You must pay for this survey.

If the survey shows that, because of a slope, the field size should be greater than recorded (with identical permanent boundaries), RPA will use the area found by the survey.

When you must do:

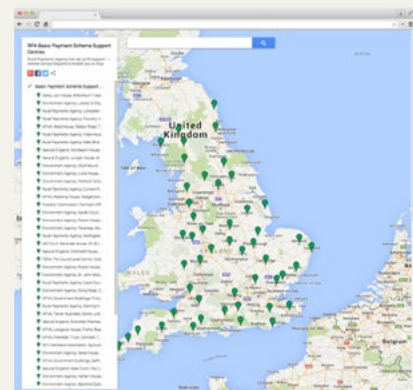
- As long as you need to prove slope areas, must be surveyed and certified by an independent person who holds a qualification from the Royal Institution of Chartered Surveyors (RICS), the Institution of Civil Engineers, the Central Association of Agricultural Valuers (CAAV) or a similar professional body.
- When selecting your surveyor, you must make sure that they have an appropriate qualification and suitable experience to carry out the mapping task. They will need to be familiar with the technical equipment needed for the work and understand the necessary accuracies that must be achieved.
- Your surveyor should give you a plan drawn to scale, which clearly shows the areas in question, measurements in metres, date, Ordnance Survey sheet number, SBI, CPI and surveyor's details or certification items.
- The plan must clearly show the scale and orientation and must be drawn to the scale quoted. The preferred scale is 1:500, although 1:2,500 may be satisfactory for large areas if details of the layout (including individual plot boundaries) are shown clearly. If the boundaries are indicated in colour, 1:500 scale should be used to show these areas.
- Your surveyor must base the plan on an accurately measured ground survey using appropriate instrumentation and using best practice guidelines. You and your surveyor should also consider whether a determined boundaries survey (under Land Registration Act 2002) is appropriate. In general, distances called from the plan between defined points of detail should be accurate within +/- 0.3 metres at a map scale plus one part in 1,000 of the distance measured.
- Where a plan contains more than one land parcel, your surveyor must show each land parcel on the plan with a different land parcel reference number. These must be enough detail on the plan to allow us to relate the position of the proposed boundary to other surrounding boundaries or detail shown on the plan. This may mean that your plan needs to show detail immediately outside the external boundaries of the site.

If you make any changes later to land parcel that has been independently measured, you will need to send another independent survey to RPA following the guidelines given above.

Don't forget that help is available

If you require assistance with registering with the [Rural Payments Service](#), please contact the RPA on **03000 200 301**.

Help is available for farmers and agents at 50 support centres across England. Farmers and agents can drop off their completed application forms and get a basic check of their application at any support centre. The check will ensure claimants have included their Single Business Identifier (SBI) number, land data, filled in the active farmer section and signed the declaration. Everyone submitting their claim at a support centre will receive a receipt.



You can find your nearest support centre, plus details of opening times, with the help of this handy map at [GOV.UK](#). In addition 10 mobile support centres are visiting remote areas to help farmers. Farmers who need help to register, or agents with 5 or more claims, should call the helpline on **03000 200 301 to make an appointment**.

Nitrate Vulnerable Zone reminders

Record-keeping requirements

By **30 April** you are required to have a record of the:

- Number of livestock kept on your farm in the previous calendar year and the amount of nitrogen (N) they produced. This is to ensure that the amount of livestock manure that is spread or directly deposited by grazing animals does not exceed 170 kgN/hectare (ha) or 250 kgN/ha from grazing livestock for farms with a grassland derogation. This is the 'loading limit' and is averaged over the area of the farm. Further guidance, including a step-by-step guide to producing the calculations, can be found in **Chapter 6** of the document '[Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016](#)'
- Number and type of livestock kept on your farm during the previous storage period, details of imports or exports of manure during the storage period, and the dates and location of any sites used for storing solid manure. This is to ensure that there was adequate and suitable manure storage available on the farm,

including for the previous closed period. **Chapter 10** of the guidance document provides detailed guidance on compiling these records.

Grassland derogation – returns

*If you held an NVZ Grassland Derogation for 2014, you are required to submit farm information known as a 'fertilisation account' to the Environment Agency by **30 April 2015**.*

You must submit records for the period 1 January to 31 December 2014 that show:

- The total agricultural area of the derogated holding and the area (in hectares) covered by each of the following crops – winter wheat, spring wheat, winter barley, spring barley, winter oilseed rape, sugar beet, potatoes, forage maize, grass and any other crops.
- The number and category of livestock kept on your farm, and the amount of nitrogen and phosphate in the manure they produce. These categories are given in the Department for Environment, Food and Rural Affairs' (Defra) '[Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016](#)', Annex 2, Part D, together with standard values for manure nitrogen and phosphate.
- The amount and type of livestock manure imported to or exported from your farm, together with the total amount of nitrogen and phosphate in that manure.

- The weight (tonnes) and nitrogen content of all manufactured nitrogen fertiliser stocks kept on, imported to or exported from your farm.

You can submit your records electronically by email to regaware@environment-agency.gov.uk or by post to: Regulation Awareness Team, National Customer Contact Centre, The Environment Agency, Quadrant 2, Parkway Business Park, Sheffield, S9 4WF.

Grassland derogation – soil monitoring

If you hold a grassland derogation, you must carry out soil monitoring for phosphorus (soil P) at least every four years, for at least every five hectares of your holding. Results from previous soil sampling can be used provided they are less than four years old, and cover the same cropping regime and soil characteristics. If you do not have previous results for soil P, then you must make sure you have sampled at least 75% of the agricultural area of your holding within 12 months of your first derogation being granted, and the remainder within 12 months of your second derogation being granted.

Guidance on sampling for soil P can be found on page 225 of [The Fertiliser Manual](#) (RB209).



Water abstraction returns – reminder

Reporting water abstraction

Farmers who hold abstraction licences are required to record the amount of water they abstract and submit the information to the Environment Agency.

Records of abstraction are generally referred to as 'returns'. Your return can be, for example, water meter readings or actual volumes abstracted. Depending on their licence conditions and the quantity of water that they are allowed to abstract, most farmers will need to keep weekly or monthly records of the actual amount of water they take and submit annual returns as shown in Table 1.

Ways of submitting a return

Paper form – the Environment Agency sends out a paper form to abstractors. When completed with the details of water abstracted, the form is sent back to the Environment Agency.

Generic Operator Returns (GOR) online reporting system – water abstraction returns can be submitted online by completing the web screens or using the water resource GOR

spreadsheet application. If you are interested in using the online service please e mail WR_Systems_Team@environment-agency.gov.uk quoting your abstraction licence number.

Paper forms and online returns are pre-populated with information about your return, making it quicker for you to complete your submission. If you are a winter/all-year abstractor, you should have received a paper form for the period 1 April 2014 to 31 March 2015, unless you have requested to use the online service. Even if you have not abstracted any water, it is important that you submit a 'nil' return to the Environment Agency.

How returns are used

Once submitted, the information is used for:

- Charging.
- Checking compliance with licence conditions.
- Water resource management.

Charging (two-part tariff)

Returns are used for two-part tariff billing. If you abstract water

for irrigation, you may be able to get a reduction in your annual bill by applying for a two-part tariff agreement. If your application is successful you will, for example, get a 50% reduction in your bill per year if you do not abstract any water and submit a 'nil' return.

Compliance

Water abstraction licence conditions are set to manage the balance between human use and environmental needs. The Environment Agency assesses compliance with the conditions and prefers to work with licence holders to resolve compliance issues. However, if licence conditions are breached, further action can be taken to protect the environment and other water users. Abstractions for spray irrigation fall under cross compliance Good Agricultural Environmental Condition (GAEC) 2: Water Abstraction. The Environment Agency can use the returns you submit to report compliance issues to the RPA.

Water resource management

Information on abstracted volumes is used to assess the impact that abstraction has on river flows or wetland sites, helping to manage water resources in England. Returns also help the Environment Agency and partners to assess present and likely future demand for water.

If you have any enquiries regarding your water abstraction licence or returns, please contact the Environment Agency on 03708 506 506 (Monday to Friday, 8am to 6pm) or email enquiries@environment-agency.gov.uk.



Table 1: Water abstraction return dates

When can you abstract water?	This means you are referred to as a...	When does the EA ask you for your return?	When do you need to submit returns by?
Wholly between 1 April and 31 October	Summer abstractor	End of October each year	30 November each year
Not wholly between 1 April and 31 October	Winter/all-year abstractor	End of March each year	30 April each year



Important information for those using pesticides

Changes to the 'grandfather rights' rules

*Under the previous UK legislation governing pesticide use, those born before 31 December 1964 who used an agricultural product on their own or their employer's land were exempt from the requirement to hold a certificate of competence (this exemption was known as 'grandfather rights'). New Regulations provide for the continuation of that exemption until **26 November 2015**, after which everyone who purchases a professional product must ensure that the intended end user holds a specified certificate.*

This means that after 26 November 2015, **everyone** who uses a professional pesticide product, including those who previously relied on grandfather rights, must hold a specified certificate. Existing certificates of competence (for example, PA2 and PA6) will remain valid under the new legislation.

Anyone who already has one of these will need to do nothing new.

A list of specified certificates is available from www.pesticides.gov.uk/Resources/CRD/Migrated-Resources/Documents/R/Recognised_certificates.pdf.

Applying pesticides on fields that have a public right of way

If you are applying pesticides to a public right of way (PROW), you must ensure that people are not put at risk. If you are unsure about the public access provision on or near the areas that you are treating, you should find out in advance of starting the work. You should stop the work if there is a risk to health and people are using the PROW whilst you are applying pesticides.

Where a PROW crosses or runs alongside a field, you can provide warning notices to members of the public at main access points of your grounds, but this does not close

the PROW. In the notice you may wish to provide details of alternative routes, but if the public is still using the PROW despite warning notices, you must stop spraying temporarily. Whilst you can put up notices on your grounds, please note that the notice should not be placed directly on the PROW unless you have obtained permission from the Highways Agency to do so.

The pesticides must be used in accordance with the instructions provided on the label and you should only use products that do not require an access restriction on animals or people.

Detailed guidance is available in the '[Code of Practice for Using Plant Protection Products](#)'.

If you have any queries regarding the requirements for sustainable pesticide use, you can obtain free, independent advice from the Farming Advice Service. Call 0345 345 1302 or email advice@farmingadvice.org.uk.

Strengthened TB testing rules extended from 1 January 2015 – reminder

*If you are a cattle keeper, you are now considered to be in breach of cross compliance if TB tests that were set for your herd by the Animal and Plant Health Agency (APHA) are not carried out by the testing deadline. In January 2014, Defra strengthened the existing cross compliance process for overdue TB surveillance and check tests. **This approach has resulted in a big reduction in the number of late TB tests. To reinforce the benefits, further TB test types were added to the list on 1 January 2015.***

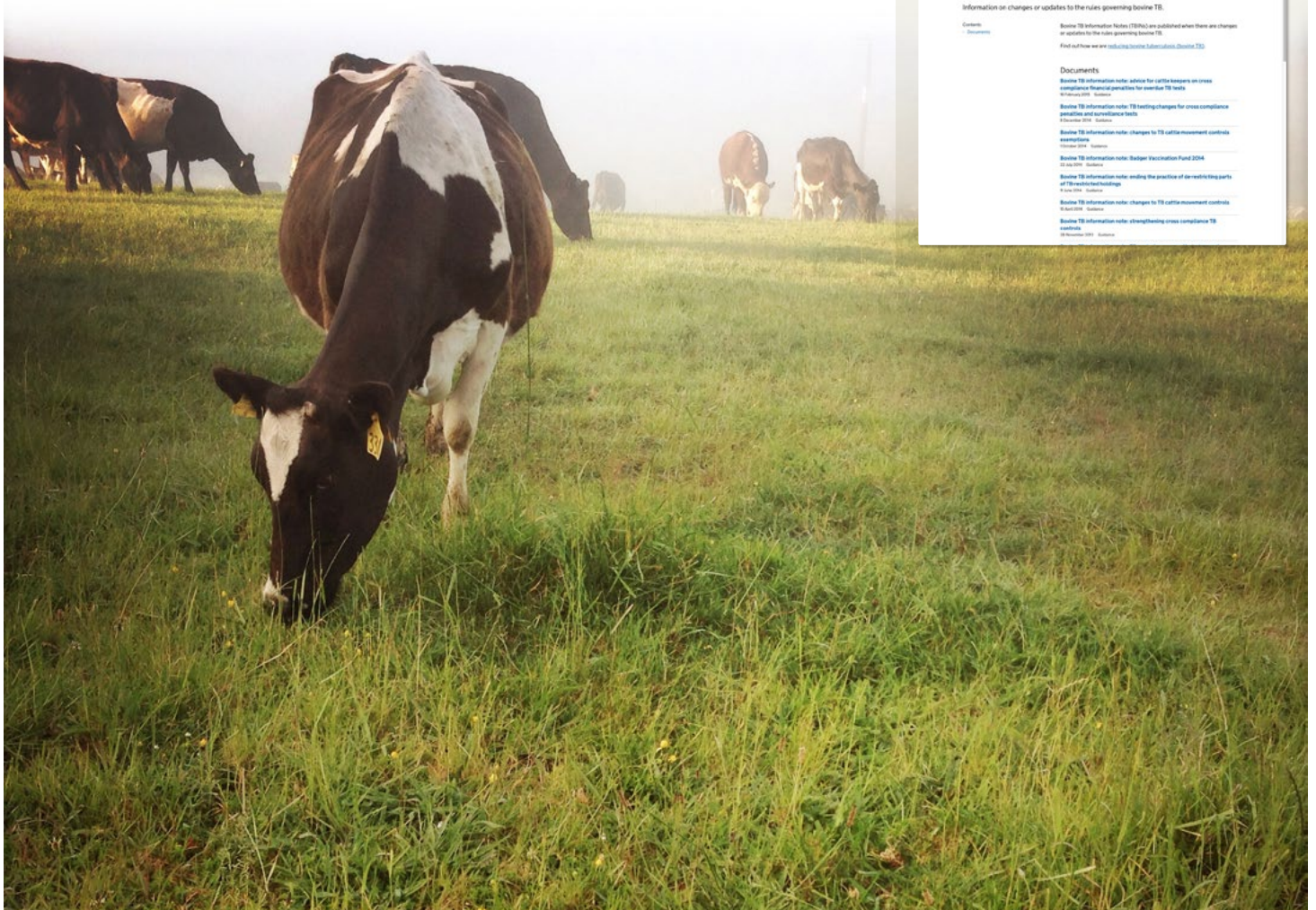
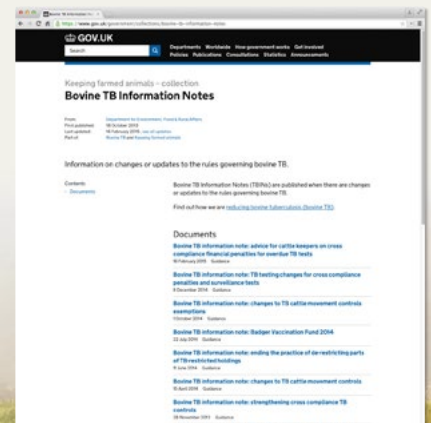
Breaches will be reported to the RPA by APHA and reductions to payments will be applied from the first day of the test going overdue. The level of reduction will depend on the length of time the test was overdue before completion. It is important to note that detection will not be reliant on an inspection taking place.

You must notify APHA as soon as you think you might not meet your TB testing deadline. This information will be taken into account before the referral to the RPA. To make sure that APHA has all of the relevant information and facts get in touch with your local APHA office as soon as you have any issues with your TB testing schedule.

The TB test must be started within the testing window (the 'TT1' injection date) and completed by the 72-hour period set out in EU legislation. The injection must take place within the testing window, although the reading of the test (or 'TT2' date) can be done after the test deadline – as long as it is within the 72-hour period.

For contact details of your local APHA office, use the postcode search tool on the [APHA website](#) or call 02920 768 555.

Further information, plus a full list of TB test types that are subject to the zero-tolerance approach can be found in the **TB Information Notes 01/15 and 05/12**, which you can find here <https://www.gov.uk/government/collections/bovine-tb-information-notes>



Soil management requirements for 2015: important changes

From 1 January 2015, the cross compliance soil management rules have changed significantly. The new rules are applicable to all

BPS claimants and certain Pillar II claimants, so 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 requirements. Click [here](#) to read the full article.



Forthcoming FAS events

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

**Register for free text message updates**

We use text messages to get relevant information to farmers quickly. We 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.

Don't forget 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 April	You must not burn heather, rough grass, bracken, gorse or vaccinium on land, other than in upland areas, from this date. (GAEC 6)
1 April	If you hold a winter or all-year-round water abstraction licence (authorising abstraction outside the period April to October), the Environment Agency will make actual abstraction return forms available to you from 1 April. You then have 28 days to send your readings to the Environment Agency. (GAEC 2)
16 April	You must not burn heather, rough grass, bracken, gorse or vaccinium in upland areas from this date. (GAEC 6)
30 April	You must have recorded the number of 'specified' livestock kept on your farm during the previous calendar year and calculated the amount of nitrogen they produced. You must also record the number and type of livestock in a building or hardstanding during the previous storage period. (SMR 1)
1 May	You must not carry out hedge-laying or coppicing from this date. (GAEC 7A)