

April 2019 – e-news issue 44

Welcome to the Farming Advice Service newsletter

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

If you do not already receive the FAS newsletter straight to your inbox, but would like to, 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 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



**Farming
Advice Service**

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Key dates

Below are details of recent and forthcoming key dates that you should be aware of.

April/May	If you hold a water abstraction licence, expect to receive your annual bill (or first part charge if you hold a two-part tariff agreement) for the forthcoming financial year. (GAEC* 2)
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 inclusive), the Environment Agency will ask you to submit your record of actual abstraction for the previous April to March. You then have 28 days to submit your return 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 or tree coppicing, or hedge laying from this date. (GAEC7a and 7c)
1 May	Crop diversification period and Ecological Focus Area (EFA) period for nitrogen fixing crops begins (until 30 June). (BPS guidance)
15 May	BPS 2019 application deadline to avoid late application penalties. (BPS guidance)
31 May	Deadline to make certain changes to an application received by 15 May without a penalty (for more information, read the 'Basic Payment Scheme: rules for 2019'). (BPS guidance)
10 June	Deadline for late applications or late amendments, with penalties. Any applications or supporting evidence received after this date will not be accepted. (BPS guidance)
30 June	End of crop diversification 'cropping' period and end of EFA fallow period. (BPS guidance)

For more details about the information provided in the key dates table, please visit the '[Cross compliance 2019](#)' and '[Basic Payment Scheme 2019](#)' pages of GOV.UK

How can FAS help you?



Free and confidential advice

Common Agricultural Policy (CAP) regulations require European Union (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 during 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.

The cross compliance rules apply to you if you are a Basic Payment Scheme (BPS), Countryside Stewardship or Environmental Stewardship claimant.

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 08:30 and 17:00.

The Rural Services Helpline provides a single number for all FAS, Rural Payments Agency, Animal and Plant Health Agency, Natural England and forestry 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

Latest FAS resources

In October 2018, FAS released a special edition of the newsletter, which provided signposting to the latest technical articles, webinars and posters. You can view this on our website [here](#).

Basic Payment Scheme applications for 2019

The deadline for submitting a Basic Payment Scheme (BPS) application for 2019 is midnight on 15 May. Applications need to be made annually and you will not be automatically re-enrolled to receive payments for this scheme year (January to December 2019), so it is important to get your application started as early as possible.

Applying online

You can apply online using the Rural Payments service. To apply online, go to www.gov.uk/rural-payments, and click 'start now'. There is a 'Help' link on many of the screens that will take you through each process step by step. You can print or download a copy of all the on-screen help at www.gov.uk/rpa/bps2019. For more information about applying online, read 'How to claim BPS online in 2019', available on GOV.UK.

Applying on paper

It is possible to apply on paper using a BP5 application form. Claimants who submitted a BP5 application form for BPS in 2018 will receive a BPS 2019 application pack, including a BP5 application form. However, it is quicker and easier to apply online. If you require support with setting up your application form, you can call the Rural Payments Agency (RPA) on 03000 200 301.

The RPA will update the [BPS 2019 GOV.UK](#) page with all the latest support, guidance and information about the scheme.



Accessing Basic Payment Scheme and cross compliance guidance

Every year, the Rural Payments Agency (RPA) and Department for Environment, Food and Rural Affairs (Defra) publish updated Basic Payment Scheme (BPS) and cross compliance booklets. These provide detailed guidance on what is expected from claimants during that particular year and supersede earlier versions of the guidance.

If you are receiving payments under the BPS, Countryside Stewardship or Environmental Stewardship, it is important that you have read and understood the requirements of the BPS and cross compliance booklets because they outline what you can (or

cannot) do with your land. Failure to comply with the rules may lead to a reduction in your payments.

There is a BPS collection page on [GOV.UK](https://www.gov.uk) where you can access the guidance for the current and previous years. Each year, new guidance will be linked from this page.

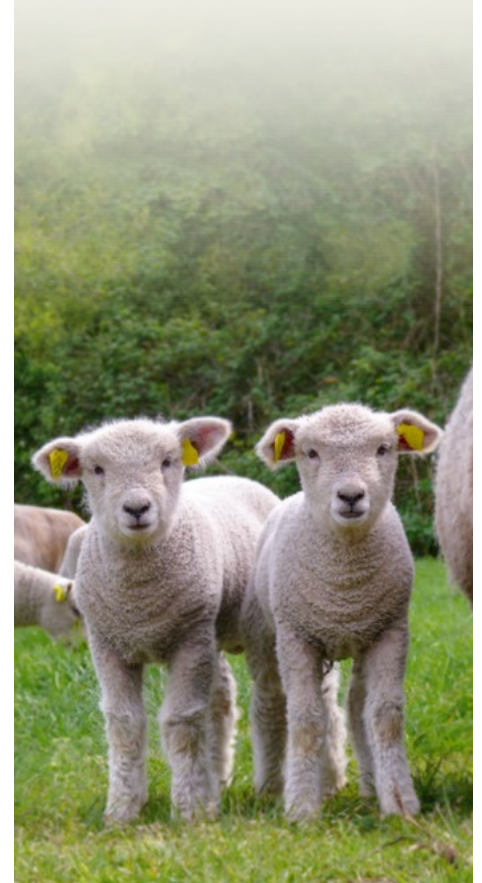
There is also a cross compliance collection page on [GOV.UK](https://www.gov.uk) that works in the same way – each year, when the latest guidance is released, it will be linked from this page.

It is worthwhile bookmarking the links above on your internet browser, so you can easily access the latest guidance.

Complying with the cross compliance rules

In the February 2019 edition of the Farming Advice Service (FAS) newsletter, we included a detailed article on liability for cross compliance. You can view this on our website [here](#).

It is important that all employees, workers, family members and contractors who work on your land are aware of the cross compliance requirements if you are receiving payments under the Basic Payment Scheme (BPS), Countryside Stewardship or Environmental Stewardship schemes.



Don't forget, restrictions on tree and hedge-cutting are in place until September

The closed period that places a ban on cutting and trimming hedges and trees between 1 March and 31 August (inclusive) is a cross compliance requirement under Good Agricultural and Environmental Condition ([GAEC](#)) [7a: Boundaries](#) and [GAEC 7c: Trees](#). If you are a Basic Payment Scheme (BPS), Countryside Stewardship or Environmental Stewardship claimant then you must adhere to these requirements on eligible land being used for agriculture, which may include woodland (e.g. when used for grazing), or you could receive a reduction in your payment.

Please note, fruit and nut trees in orchards, or trees acting as windbreaks in orchards, vineyards, hop yards or hop gardens are not included in the ban.

You can apply to the Rural Payments Agency (RPA) in writing for a derogation under the following circumstances:

- to enhance the environment, improve public or agricultural access, or for reasons relating to livestock or crop production;
- to cut or trim a tree in a hedgerow during the month of August for the purposes of sowing oil seed rape or temporary grassland during the same August.

You should wait for written permission before carrying out any work.

The RPA can be contacted by email (ruralpayments@defra.gsi.gov.uk) or by post (Rural Payments Agency, PO Box 52 Worksop, S80 9FG). All correspondence should be marked with 'cross compliance derogation' to ensure it is directed to the correct team. Please be aware that a derogation to cut a tree within a hedgerow would need to be considered under:

- GAEC 7c: Trees – with respect to the tree itself;
- GAEC 7a: Boundaries – with respect to the hedgerow that the tree is a part of.

This mirrors the situation where, if a felling licence has been issued to fell trees in a hedge, permission will also be required from your local planning authority under the Hedgerows Regulations 1997 if it is proposed to remove part of the hedgerow. It is advisable to apply early if you think you will require a derogation from this requirement.

Full details of the requirements can be found in ['The guide to cross compliance in England 2019'](#).



Need to fell some trees? Branch out and try Felling Licence Online

A new online system makes it easier to apply for and track your tree-felling licence wherever you are.

The Forestry Commission is urging anyone applying for a tree-felling licence to make use of its new Felling Licence Online service. The service enables customers to apply for, track, manage and print their

approved felling licences online. This is a major step forward in a process that previously relied on paper-based application forms being completed and sent back via post.

Tree felling without a licence, when one is required, is an offence. While not every tree-felling project will require a licence, most do, and it's

important to check if you need one and to make your application in good time. This includes tree felling for conservation reasons, even if you have an agri-environment grant agreement in place. It also includes trees in hedges and woodlands, although trees in gardens are exempt. A full list of exemptions can be found on [GOV.UK](#) along with access to the online application service and guidance on how to use it.

To apply for a tree-felling licence online, you can do so at www.gov.uk/guidance/apply-online-for-a-felling-licence

Important greening reminders

There will be no changes to the greening requirements during 2019. Updated 2019 Basic Payment Scheme (BPS) guidance is available in the ['Basic Payment Scheme: rules for 2019'](#).

The Rural Payments Agency (RPA) has also published a key date diagram for the 2019 BPS, Countryside Stewardship and Environmental Stewardship scheme years. This can be accessed from [GOV.UK](#).

For the latest guidance on greening, please go to the BPS collection page and view the BPS scheme guidance on [GOV.UK](#).

Check mapped 'land cover'

Greening supports farmers to adopt and maintain practices that help to meet national environmental and climate goals. Greening payments account for approximately 30% of the total payment farmers receive when claiming under the BPS. Failure to comply with the greening rules could result in the loss of some or all greening payments under the BPS. Please be aware that reductions in greening payments for failure to comply with the rules can also be accompanied by administrative penalties proportionate to the severity and scope of the non-compliance.

Each land parcel shown on your online digital maps has a mapped 'land cover' – arable, permanent grassland, permanent crops or non-

agricultural area. Carefully check the 'land cover' as it needs to match the land-use code you declare on your BPS 2019 application. A land cover/land-use mismatch (e.g. if the 'land cover' is mapped as arable, but the land-use code given is PG01 (permanent grassland)) can lead to the RPA's IT system ignoring that land parcel with the potential consequence of over-declaration penalties and/or greening payment reductions/penalties. If the land cover needs to be updated, submit an RLE1 form and sketch map to the RPA. The RLE1 form and guidance are available on [GOV.UK](#).

Ecological Focus Areas

If your farm has more than 15ha 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.

Detailed guidance on the EFA rules begins on page 41 of ['Basic Payment Scheme: rules for 2019'](#).

Managing EFA fallow land

During the EFA fallow period (1 January 2019 to 30 June 2019), you can do the following on your fallow land:

- carry out drainage work;
- sow wild bird seed mixes, nectar sources and/or pollen sources;
- top green cover or previous crop residues.

You must not:

- sow grass, unless you are required to do so for a rural development agri-environment scheme (such as Countryside Stewardship or Environmental Stewardship);
- plough or cultivate the ground;
- use cultivation to control weeds (e.g. black-grass, ragwort and hemlock);
- carry out any form of production including sowing, harvesting or grazing except where you are sowing grass specifically for a rural development agri-environment agreement, or wild bird seed mixes, pollen sources and/or nectar sources (see above);
- apply any fertiliser or farmyard manure;
- apply any plant protection products (PPPs) including herbicides, fungicides or insecticides.



The restrictions against cultivation and use of PPPs on fallow land (where that land is being used to meet the holding's EFA requirement) are absolute and no exceptions exist, even for the control of injurious weeds. If you need to cultivate or use such PPPs to control weeds during the 'fallow period', you are required to withdraw that parcel from your claim as an EFA feature for this year.

Catch and cover crops

One of the EFA options is to establish catch and cover crops. These are designed to protect the soil and use available nutrients between harvest and sowing.

Catch crops are quick-growing crops that are planted between two regular crops grown in consecutive seasons or between two rows of regular crops in the same season.

Cover crops are planted between main crops to prevent leaching or soil erosion, or to provide green manure.

For land to count as an EFA, farmers must use a sown mix of at least two different cover types (one cereal and one non-cereal). The crops that can be grown in the sown mix are:

Cereal	Non-cereal
Rye	Vetch
Barley	Phacelia
Oats	Mustard
	Lucerne
	Oilseed radish

Using crops from this list will give the soil surface the best chance of protection from erosion. It will also help to make sure that available nutrients are taken up by the plants. Once the catch/cover crop is destroyed, you should take care to ensure that all those benefits are not lost. So, ideally, you should avoid grazing and establish the next crop quickly. You can include other crops in your catch/cover crops, but these areas cannot count as an EFA.

The list is based on the crops that have been used successfully for the Environmental Stewardship scheme in recent years. The greening rules do not allow farmers to include crops that are usually grazed – kale and stubble turnips are not included.

However, grass or leguminous crops (or a mix of both) can be used as a catch or cover crop as long as they are undersown in the previous crop, and are visible and dense enough to cover the ground by the start of the catch or cover crop period.

To count as an EFA in 2019, catch crops must be established by **20 August 2019 and retained until at least 14 October 2019**.

To count as an EFA in 2019, cover crops must be established by **1 October 2019 and retained until at least 15 January 2020**.

Where a catch or cover crop is established through undersowing, the period starts from the time of harvest of the main crop and remains until the next main crop is sown, even if this is less than the retain date above.

There are no restrictions on the management of catch or cover crops outside of these periods. However, EFAs should not be sown with the intention

of being used for harvesting or grazing. Catch and cover crops do not need to be destroyed after these periods and can be grazed outside of them.

The catch or cover crop cannot be destroyed before the end of the relevant period. Any activities that would destroy the catch or cover crop may only take place after the end of the relevant period. Similarly, carrying out drainage work, sowing wild bird seed mixes and/or nectar sources, and topping the cover or previous crop residue may only take place after 14 October 2019 for catch crops or 15 January 2020 for cover crops.

The ban on the use of PPPs applies for the whole of the catch and cover crop period. Alternatively, if the cover has been established by undersowing, it will apply from the time the main crop is harvested until the end of the catch and cover crop period or until the next main crop is sown if this is sooner. The PPP ban applies only where land is declared as an EFA.

For more information on the EFA requirements, please refer to '[Basic Payment Scheme: rules for 2019](#)', contact FAS on 03000 200 301 or email advice@farmingadvice.service.org.uk

Crop diversification

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

The full crop diversification rules are available on page 38 in '[Basic Payment Scheme: rules for 2019](#)'.



Environmental Impact Assessment

The aim of the [Environmental Impact Assessment \(Agriculture\) \(England\) \(No. 2\) \(Amendment\) Regulations 2017 \(EIA Regulations\)](#) is to protect the environmental importance of uncultivated and semi-natural areas from being damaged by agricultural works, such as ploughing and cultivating. Complying with the EIA Regulations is covered by cross compliance rules under Good Agricultural and Environmental Condition (GAEC) 6: [Maintenance of soil organic matter](#).

To comply with the regulations, permission must be obtained from Natural England prior to an 'uncultivated land project' being started or carried out that affects an area of more than 2ha. An 'uncultivated land project' is a project that increases the agricultural productivity of an uncultivated or a semi-natural area. 'Semi-natural areas' include bracken; species-rich hay meadow; fen, marsh and swamp; bog; semi-natural scrub; dwarf shrub heath; wet grassland in coastal and river flood plains; unimproved grassland; and standing water. They also include historic environment features of regional significance, including sub-surface archaeology and landscape features, such as historic

parkland and designed landscapes. Land is judged to be uncultivated if, for the last 15 years, it has not been physically cultivated (such as ploughing and sub-surface harrowing) or chemically cultivated (such as applying fertilisers and soil improvers).

If you are considering undertaking a project that will increase the agricultural productivity of uncultivated or semi-natural land, or to restructure a rural land holding, you will need to submit a screening application to Natural England before beginning work.

When the EIA Regulations were amended in 2017, the main change was that more information is required at the screening stage. Details of the requirements can be viewed on [GOV.UK](#).

To assist land managers and agents to submit applications for a screening decision under the EIA Regulations, Natural England has developed training materials that can be accessed [here](#). The training consists of a handbook and a webinar explaining the information that should be provided. It costs £54.45 (plus VAT) for one week's access to the materials. If you pay the training fee before 3pm on Friday, you will have access to the

materials between Monday to Sunday of the following week. Access to the training materials will be removed after that week. Therefore, when you sign up for the training, you must ensure that you are available the following week. You will be able to download the handbook to keep as a reference, but the webinar is not downloadable after the access week that you have paid for.

When you pay for the training, you also get access to an Environmental Screening Report Template compiled by Natural England. This will guide you through your applications and ensure that you have included the appropriate information. There is also a standardised consultation letter to issue to relevant consultees. The letter has been developed in conjunction with the relevant archaeological consultees and Local Environmental Record Centre. Finally, Natural England also provides a checklist that can be used to ensure that all the required information has been provided.

If you would like to discuss this further, please contact the EIA team at Natural England on 0800 028 2140 or eia.England@naturalengland.org.uk.





Nitrate Vulnerable Zone requirements

Nitrate Vulnerable Zones (NVZ) are used to help protect the environment from inappropriate use of nitrates. If any of your land is in a designated NVZ, you will need to comply with the NVZ rules. You can find detailed guidance on GOV.UK.

If you are a Basic Payment Scheme (BPS), Countryside Stewardship or Environmental Stewardship claimant and your land is in an NVZ, you must comply with the NVZ rules or your payments could be reduced. There is further information available under Statutory Management Requirement (SMR) 1 Nitrate Vulnerable Zones in [‘The guide to cross compliance 2019’](#).

Final 2017-2020 NVZ designations – does this affect your land?

The final [2017-2020 Nitrate Vulnerable Zone \(NVZ\) designations](#) were published in August 2018.

Please check the [maps](#) to see whether the land you are working is within an NVZ. Even if you did not appeal or were not part of a group appeal, results of neighbouring appeals may have altered the NVZ boundaries affecting your land.

For information on how to comply with NVZ, please read our updated guidance pages on GOV.UK.

July 2019 marks the end of the transitional arrangements

Land that was designated to be in an NVZ for the first time in 2017 is excluded from meeting some of the NVZ rules under ‘transitional arrangements’. However, these arrangements will come to an end on 31 July 2019. From this date, all land in an NVZ will have to meet all the NVZ rules. For more information about transitional arrangements, please read the Statutory Management Requirement (SMR) 1 Nitrate Vulnerable Zones pages in [‘The guide to cross compliance 2019’](#) (published in December 2018) or the NVZ sections on GOV.UK.

Do you have your records in place?

Missing or incomplete records account for a high proportion of non-compliances found during NVZ inspections. Following is a reminder of the records that are required for land that is designated to be within an NVZ:

- a risk map if you store or spread organic manure;
 - field records for various activities including sowing a crop (if you intend to use nitrogen fertiliser), spreading organic and manufactured fertilisers, and the yield of arable crops to which you have applied fertilisers;
 - between 1 January and 30 April, you should record how any grassland was managed in the previous calendar year;
 - evidence of the soil nitrogen supply and method of assessment, the crop nitrogen requirement and the source of information you used to calculate it, and any written advice from a FACTS-qualified adviser;
 - between 1 January and 30 April, you should record the number of livestock kept on your holding, and the category and number of days each animal spent on your holding in the previous calendar year;
 - imports and exports of manure.
- Detailed guidance on each of these records can be found on the SMR 1 Nitrate Vulnerable Zones pages in [‘The guide to cross compliance 2019’](#) or the NVZ sections on GOV.UK.
- the size of your holding;

Countryside Stewardship Mid Tier events to support applicants

Countryside Stewardship Mid Tier offers options, supplements and capital items to achieve simple and effective environmental benefits. There are no Mid Tier grants for woodland or educational access.

The Farm Advice Programme is managed by Natural England and provides advice to farmers, land managers and their advisers. It also raises awareness and understanding of environmentally sustainable land management to support Countryside Stewardship Mid Tier applications.

Natural England has set up 56 Mid Tier workshops across the country for farmers, agents and advisers. At the workshops, attendees will hear about:

- the background and key themes for Mid Tier;
- the four farmland conservation packages;



- how to register on Gov.UK/ Countryside Stewardship for application packs;
- how to apply online, key dates and information for applicants;
- how to secure advice visits for options requiring 'recommendations'.

Farmers will also be able to arrange and book on to one-to-one clinics to support them in developing their applications.

If you are thinking of applying for Countryside Stewardship this year, these workshops will prove very useful.

To find details of the workshops and how to book your free place, please visit www.gov.uk/guidance/mid-tier-farm-advice-framework-faf-events

For further information on Countryside Stewardship Mid-Tier, please visit www.gov.uk/government/collections/countryside-stewardship-get-paid-for-environmental-land-management#mid-tier

Livestock registration, identification and movements

If you keep cattle, sheep or goats, you are required to register births, movements and deaths of your animals.

Livestock top tips

FAS has produced top tips to address the most common non-compliances identified during inspections as part of Statutory Management Requirement (SMR) 7 (Cattle identification and registration) and SMR 8 (Sheep and goat identification) inspections. Originally published in December 2016, both top tips documents were updated in August 2018:

- SMR 7: [Top tips for compliance with cattle identification](#);
- SMR 8: [Top tips for compliance with sheep identification](#).

Holding registers

There are holding registers available for cattle, and sheep and goats that will provide a clear template for capturing the information you require for your livestock records. You can use these as evidence at inspection that you have been compliant with the requirements.

For cattle
please click [here](#).

For sheep and goats
please click [here](#).

Bovine TB Advisory Service

If you are registered in the Basic Payment Scheme (BPS), or Environmental Stewardship or Countryside Stewardship schemes, you have a requirement to adhere to the bovine tuberculosis (bTB) testing requirements. If you are late with your bTB testing, you will receive an automatic reduction in your BPS payment.

Visit GOV.UK for more information on bTB requirements.

In October 2017, the TB Advisory Service was launched. Through this service, cattle farmers in high-risk and edge areas of England can benefit from free expert and bespoke advice on practical, cost-effective bio-security measures to reduce their TB (and other animal health) risks. If you would like to register to take up this offer, which could include an on-farm visit or telephone advice, please e-mail info@tbas.org.uk or call 01306 779410. More information is available at www.tbas.org.uk.



Farming rules for water

Do you know that the [new rules for all farmers and land managers to prevent water pollution](#) are in place? These rules came into force in April 2018, but the Environment Agency's approach has been to raise awareness of the new rules with land managers for the first year with a view to taking an advice-led approach to enforcement after the initial settling in period. The Environment Agency will now be taking appropriate enforcement action to ensure compliance with the rules.

The rules standardise good farming practices that many farmers are already demonstrating following on from the Codes of Good Agricultural Practice. The rules are separate from cross-compliance. Full details of the new rules are available on GOV.UK. To comply with the rules, make sure you are testing your soils, spreading materials on land only when there is a crop or soil need, and that you are putting in place precautions to avoid soil erosion and significant risks of water pollution - taking into account the weather and the lie of your land.

Additional help and support

FAS produced an article on the farming rules for water requirements, which can be downloaded [here](#).

FAS also ran a webinar on the new rules in conjunction with Department for Environment, Food and Rural Affairs (Defra) and the Environment Agency – the recording of which can be viewed on our website [here](#).

In addition, Defra and the Environment Agency have produced a Q&A document to answer the most frequently asked questions. This can be viewed on our website [here](#).

If you want to check your compliance with the requirements, the Environment Agency's National Customer Contact Centre is open Monday to Friday, 8am to 6pm.

Email: enquiries@environment-agency.gov.uk

Telephone: 03708 506 506



Water abstraction information

Water abstraction

Under [Good Agricultural and Environmental Condition \(GAEC\) 2: Water Abstraction](#), you must have a licence from the Environment Agency to take (abstract) more than 20 cubic metres (4,400 gallons) of water from an inland surface water (such as rivers, streams, lakes or springs) or underground source for spray irrigation in a 24-hour period. Once you have an abstraction licence, you must comply with its conditions.

You do not need a licence if you abstract 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 multiple points, the exemption only applies if the combined total of all abstractions is 20 cubic metres or less a day.

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'. Most farmers will need to submit an annual return (as shown in Table 1) showing a weekly or monthly record of the actual amount of water they take. Even if you have not abstracted any water, it is important that you submit a 'nil' return to the Environment Agency.

You can submit your return online.

To submit your return you will first need to register with the service on [GOV.UK](#). To register, you will need your email address and licence number(s). For those managing returns on a licence holder's behalf, you will need the licence holder to register, then grant you permissions by adding you as a user on their account. A paper return can be requested if you are unable to access the service and submit your return online. For help with the service or returns, please contact the [Environment Agency general enquiries](#) on 03708 506506 or email enquiries@environment-agency.gov.uk who will be able to direct you to the relevant team.

Table 1: Water abstraction return dates

When can you abstract water?	This means you are referred to as a...	When does the Environment Agency ask you for your return?	You need to submit returns by
1 April to 31 October	Summer abstractor	End of October each year	28 November each year
1 November to 31 March	Winter abstractor	End of March each year	28 April each year
Anytime	All year abstractor	End of March each year	28 April each year



Two-part tariff agreements

Returns are used for two-part tariff billing. If your abstraction licence schedule authorises specific quantities of water to be abstracted for irrigation, you may be able to get a reduction in your annual bill by applying for a two-part tariff agreement. For example, if your application is successful, you will get a 50% reduction in your bill per year if you do not abstract any water and submit a 'nil' return. If you have a two-part tariff agreement and do not submit a return, then you will be billed on the basis of having abstracted the full quantity your licence authorises you to abstract for irrigation.

Compliance, irrigation prospects and flexible abstraction

It is important that abstraction licence holders ensure they know how to comply with their licence conditions and check that their licences meet their needs. Licence holders should apply to change their licence conditions if they don't meet their needs – including for long-term drought and dry-weather resilience. Processing a licence application (variation or a new licence) can take up to 4 months to determine, so prompt action is recommended. More information is available at GOV.UK.

Although March was a wet month, as we moved into April, groundwater levels remained classed as below normal or lower for the time of year at over

two thirds of sites monitored by the Environment Agency. River flows in the East of England have been declining, reflecting lower than average rainfall since the start of the year (around 75% of long-term average). More information on the current water resources situation can be found at GOV.UK.

The Environment Agency will be updating its [initial irrigation prospects](#) by the end of April. Much of the country was assessed as moderate, meaning some controls on surface water abstraction are possible by midsummer if the weather is hot and dry. The expectation is that the update will not show an improvement from this initial forecast.

The Environment Agency has updated its [position](#) on flexible abstraction for managing water during periods of dry weather. Farmers should talk to the Environment Agency at the earliest opportunity about any flexible abstraction options they would like to pursue. This includes extending their licensed period for refilling winter storage reservoirs.

Abstractors should also talk to the Environment Agency about the options to improve their long-term drought and dry-weather resilience. For example, extending the licensed abstraction season through a formal variation and/or a new licence.

Reform to water abstraction

The Government's water abstraction plan sets out reform to water abstraction management over the coming years, and how this will protect the environment and improve access to water. You can view the plan in detail on GOV.UK.

New Authorisations (previously exempt abstraction activities)

Last summer highlighted the importance of water for many businesses. If you abstract water for activities that were exempt, such as trickle irrigation and environmental stewardship, you need to apply for an abstraction licence. The application forms needed to complete this process and supporting guidance notes can be found at GOV.UK.

The 'clock is ticking' on bringing these types of abstraction (New Authorisations) into regulation and it is the responsibility of operators to make a timely application to the Environment Agency for their activities. The application period began on 1 January 2018 and closes on 31 December 2019, leaving less than 8 months to submit a valid application. The Environment Agency strongly recommends that applications are submitted in good time before the application period closes. Applications not validated before 31 December 2019 risk a more restrictive determination process, with no guarantee of an abstraction licence.

Once an application has been received and validated by the Environment Agency, applicants will be able to continue to use their water until a licence has been granted, if deemed acceptable. Should you wish to discuss the process or your proposed application in any more detail, then please contact the Environment Agency's New Authorisations hotline on 03708 506506, where you can speak to somebody there and then, or arrange a call back at a more convenient time. You can also email enquiries@environment-agency.gov.uk.



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