

July 2016 - e-news issue 28

Welcome to the Farming Advice Service newsletter

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

If you would like to sign-up to receive the 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 would like us to cover, please let us know.

FAS technical advice line:

Email: advice@farmingadvice.org.uk

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

**Farming
Advice Service**

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What is FAS?

*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 advice 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 business 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.

For further information, please visit our [website](http://www.farmingadvice.org.uk) or email advice@farmingadvice.org.uk.

Key dates

| | |
|---------------------|--|
| 30 June | End of Ecological Focus Area (EFA) period for EFA fallow land and nitrogen fixing crops. (Basic Payment Scheme: rules for 2016) |
| 30 June | End of cropping and fallow period for crop diversification. (Basic Payment Scheme: rules for 2016) |
| 1 August | If you have been granted a derogation by the Rural Payments Agency (RPA), you may be able to cut or trim hedges throughout August, or to sow oilseed rape or temporary grassland. (GAEC* 7a) |
| 1 August | 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 except where crops will be sown on or before 15 September. (SMR** 1) |
| 31 August | EFA catch crops must be established by this date (and retained until at least 1 October 2016). (Basic Payment Scheme: rules for 2016) |
| 31 August | Deadline for requesting a Mid Tier Countryside Stewardship application pack from Natural England. |
| 1 September | You can cut or trim hedges and trees from this date. (GAEC 7a and GAEC 7c) |
| 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 1) |
| 15 September | Start of closed period for applying manufactured nitrogen fertilisers to grassland. (SMR 1) |
| 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 1) |
| 30 September | Deadline for submitting Countryside Stewardship applications . |

* GAEC = Good Agricultural and Environmental Conditions

** SMR = Statutory Management Requirements

Simplification of livestock movements



Defra will be making changes to the way keepers can register their holdings in England for the purpose of recording and reporting livestock movements. For some farmers, this may simplify how the holdings are registered and reduce the number of livestock movement reports that need to be submitted. The new system will start in June/July 2016 and all changes are expected to be completed by summer 2017.

You may be affected by the changes if you keep cattle, sheep, goats or pigs. Please be aware that you do not need to do anything now. If you are directly affected by any of these changes, you should receive a letter from Defra between June 2016 and July 2017. That letter will detail what the changes mean, the options available to you and any action that you may need to take.

Below is a summary of the changes, further information is available on the GOV.UK website.

New 10-mile rule

Under the new system, farmers will be able to move their animals around their land, within a 10-mile radius, without the need to report, and without standstills (the period during which further animal movements are not allowed off a landholding).

Under the new rule, you will be able to apply to register all the land that you use, within a 10 mile radius, under the same County Parish Holding (CPH) number. This will cover land that you use permanently or on a temporary basis. The 10-mile radius is measured from the 'place of business' point of the CPH (usually the animal gathering point or correspondence address).

When you move livestock between pieces of land included in the same CPH, you will not need to record or report those moves, and they will not trigger the standstill rules.

If you hold more than one CPH and would like to merge them, wait until you receive the letter from Defra. This will give you more details on how to apply to merge them. In the meantime, you do not need to do anything other than plan ahead.

Once the changes have been made, you will still need to record and report livestock movements between different CPHs. These movements will trigger the standstill rules on all the land included in the CPH to which your animals have moved.



Land you use permanently

You will continue to register land that you use on a permanent basis (that is, land that is at your disposal for more than a year) under a permanent CPH number allocated by the Rural Payments Agency (RPA).

Land you use only temporarily

If you use land on a temporary basis for keeping livestock (that is, for less than a year at a time), you can use the CPH number of the landowner.

If the owner will not allow that (or if the land is not yet covered by a CPH number) you will have two options:

- You will be able to get a new temporary CPH (tCPH) number. This will last a maximum of one year (with an option to renew). Livestock movements between a tCPH and land covered by a different CPH (including any that you hold) must be reported and will trigger the standstill rules.
- If you temporarily use land within 10 miles of a permanent CPH that you own, you will be able to associate that land via a Temporary Land Association (TLA). TLAs will also last up to a year (with an option to renew). During that time, the land will be treated as part of your permanent CPH for all livestock recording and reporting purposes. That is, you will not have to report livestock movements or observe standstill following moves of animals between the land that is permanently included in your CPH and the land temporarily associated to it.

All current tCPHs will cease to exist. If you still use land on a temporary basis, you will be able to replace it with a new tCPH or a TLA as described above.

You do not need to do anything now. Before your tCPH is removed, Defra will send you further information on your options and details of how to apply.

Cattle Tracing System links (CTS)

CTS links have allowed keepers to link holdings if they frequently move cattle between them. Movements between holdings linked on CTS do not have to be reported.

Under the new system, all CTS links will be withdrawn by summer 2017.

If you have a CTS link you do not need to do anything now. The British Cattle Movement Service (BCMS) will contact you before your link is due to expire to explain your options.

Sole Occupancy Authorities

Sole Occupancy Authorities (SOAs) are a way of grouping together holdings that are under the management and control of the same livestock keeper. They allow that keeper to move the animals between those holdings without observing standstill.

All SOAs will be withdrawn. If you have an SOA, you do not need to do anything now. Defra will write to you with further information on the options that will be available to you.

Sheep and goat movement reporting exemptions

The batch reporting exemption will be removed. This allows sheep and goat movements between different holdings within the same business (provided the keepership does not change) to be reported at a batch level rather than at an individual level.

Once this exemption has been removed, all breeding sheep movements between different CPHs must be reported at an individual animal level rather than a batch level – this means that an individual animal's tag numbers are included in the movement report (except for movements of batch-tagged slaughter animals – who are identified with just their flock mark).

The adjacent moves reporting exemption will be removed. This currently allows frequent sheep or goat movements to contiguous (adjacent) land on a different holding without the need for movement reporting.

Once this exemption has been removed, all livestock movements between different CPHs must be reported and recorded, whether or not the land is contiguous. However, keepers will have the option of applying for TLAs before this exemption is removed.



Planning your identity tag orders

If you take advantage of the 10-mile rule under the new arrangements and merge your permanent CPH numbers, you will no longer be able to use identity (ID) tags for the CPH numbers that are closed. Therefore, to avoid wastage, you should order the minimum number of tags that are necessary for this year's tagging.

Bovine tuberculosis (bTB) controls

Cattle keepers will want to note the potential impacts the new tCPH and land association arrangements might have in the event of a bTB breakdown on their or the associated holding. In particular, movement restrictions would need to be imposed on all land

within their holding if bTB is disclosed in their herd or if a bTB test becomes overdue. The Animal and Plant Health Agency (APHA) would then assess the situation, including, for example, cases where the temporary land is part of another cattle keeper's holding, and whether restrictions and bTB testing need to also be applied to that landlord's herd/holding and vice versa.

You should consider carefully how your holding may be affected by the bTB risk and default bTB testing interval (that is, 6, 12 or 48 months) in the area where you intend to associate land (for cattle grazing purposes). Information bTB (ibTB) is a good way of looking at the distribution of recent bTB breakdowns in England www.ibtb.co.uk.

Timetable

Defra wrote to all registered livestock keepers in May 2016 to provide an outline of the changes. You do not need to do anything now, but if you are directly affected by any of these changes, you will receive a further letter from Defra that will detail what the changes mean, the options available to you and any action that you may need to take.

Please go to the GOV.UK website for more information. If you have any questions, please contact the Defra helpline on 03459 33 55 77 or defra.helpline@defra.gsi.gov.uk.

Protecting your soils post-harvest

The current cross compliance Good Agricultural and Environmental Condition (GAEC) requirements for soils focus on the condition of the land; this will now be the primary area for inspection.

One of the requirements of [GAEC 5: Minimising soil erosion](#) is 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. GAEC 5 must be complied with if you are in receipt of payments under the Basic Payment Scheme (BPS).

Choosing the correct post-harvest management technique involves taking into account the weather, soil type and topography; and considering the crop that has been harvested and the next crop to be sown. Hot, dry conditions can cause soils to cap during harvest and cultivations, which can exacerbate runoff, especially if rainfall is heavy. Care must be taken when choosing

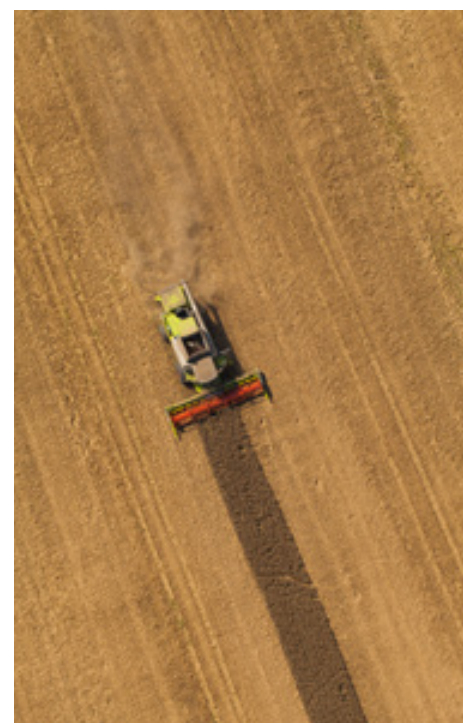
to plant so as to minimise the risk of significant runoff.

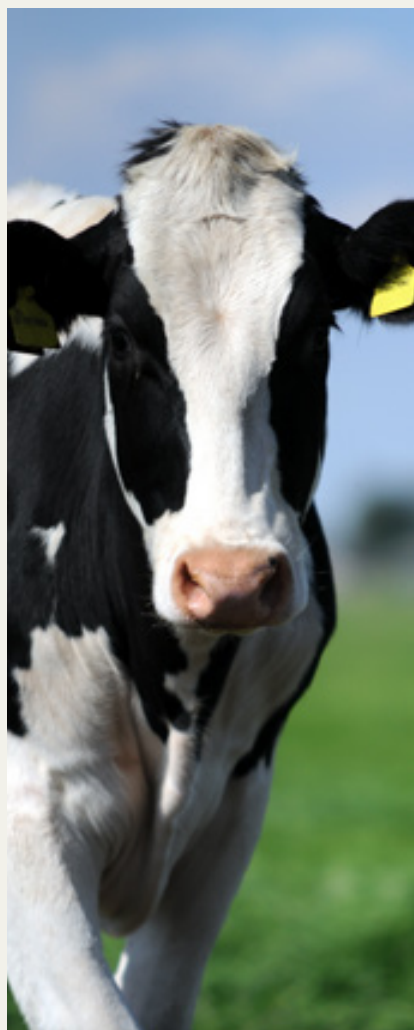
Before cultivating and drilling, make sure that any topsoil and subsoil compaction is removed. Do this by first checking the depth of compaction by digging several soil pits across a field. Then, set up the appropriate machinery (such as a subsoiler) to just below the pan so as to remove the layer of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

Where a spring crop will be sown, consider planting a winter cover crop to help enhance soil organic matter levels. Not only will this ensure compliance with [GAEC 4: Providing minimum soil cover](#), but will also 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.

For more information on the cross compliance soil management requirements, please refer to the ['Guide to cross compliance in England: 2016'](#).





Bovine TB

Following last year's [consultation](#), tighter cattle measures came into effect from April 2016. These measures help support Defra's objective of achieving official bTB-free status for the low risk area (LRA) of England by 2019 and introduce a strengthened approach to dealing with bTB breakdowns in the high risk area (HRA) of England.

If you are claiming BPS, you have a requirement to adhere to the 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.

Cross compliance inspections

The inspection process

If you are claiming the BPS payment, you should be aware that you may be subject to a cross compliance inspection. The RPA is obligated to undertake inspections on a proportion of claimants to ensure that the cross compliance rules are being adhered to.

Please note that you will not always receive advance warning of these visits and it could happen more than once in a year. If the RPA does give you advance warning, it is likely to be less than 48 hours before the inspection. Therefore, preparation is key.

When an inspector arrives, you will be advised about what is involved and what you need to do. Claimants are required to co-operate with the inspector, giving help and equipment to allow checks to be made safely. If an inspection is refused, you could risk losing all of your payment(s) and BPS entitlements. At the end of the inspection, the inspector will explain what has been found. If non-compliances are found, the RPA will send more information to the claimant to explain how it affects their claim(s). This will be in writing and will be sent within 3 months of the date of the inspection.

If non-compliances are noted during the inspection, this may lead to a reduction in BPS payment, or payments under certain Pillar II schemes. The reduction is based on a number of factors, including the severity of the breach and whether it was an intentional non-compliance. Those claimants who have failed an inspection previously are at a higher risk of receiving a repeat inspection. The reduction in payments is also higher for those where there have been recurrences in breaching the same rules.

Depending on which GAECs and Statutory Management Requirements (SMRs) apply to the holding(s), claimants may be inspected by one

or more Competent Control Authority inspector(s) from the RPA or the APHA.

They will use any necessary information from the Environment Agency, the Forestry Commission, Natural England and Veterinary Medicines Directorate.

Please be aware that advice provided by FAS is completely **confidential** and will not be shared with any other organisation, including the organisations listed above.

Improving compliance

The inspection results consistently show the same picture; cross compliance rules that have a record-keeping element are where the highest rates of failure are usually found. Typically, the highest failures tend to be in the following areas:

- [SMR 1: Reduce water pollution in Nitrate Vulnerable Zones \(NVZ\)](#)
- [SMR 4: Food and feed law](#) – specifically the bTB testing element of the rule
- [SMR 7: Cattle identification and registration](#)
- [SMR 8: Sheep and goat identification](#)
- [SMR 13: Animal welfare](#)

To reduce your risk of failing a cross compliance inspection, you should ensure that you are fully conversant with the cross compliance guidance and aware of the rules that are applicable to your holding.

The '[Guide to cross compliance in England: 2016](#)' details the specific requirements for each rule, in addition to providing signposting to further information.

FAS can provide free, confidential advice to those looking for further assistance in understanding the requirements of specific GAECs and SMRs. Please email advice@farmingadvice.service.org.uk.



Hedge and tree cutting and trimming closed period

Do not forget 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 [GAEC 7a: Boundaries](#) and [GAEC 7c: Trees](#). If you are a BPS claimant, or receive funding under certain Pillar II schemes, you must adhere to these requirements or you could receive a reduction in your payment. FAS has recently produced an article to explain the rules and when they apply. [Click here](#) to read the full article.

You can apply to the RPA in writing for a derogation under the following circumstances, but must not act until you have received a response to your request:

- to enhance the environment, improve public or agricultural access, or for reasons relating to livestock or crop production; and

- 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.

The RPA can be contacted by email (ruralpayments@defra.gsi.gov.uk) or by post (Rural Payments Agency, PO Box 52 Worksop, S80 9FG). If you are applying for a derogation, please clearly mark the letter/email with 'cross compliance derogation' and ensure that applications are submitted within plenty of time. Please be aware that a derogation to cut a tree within a hedgerow would need to be considered under:

- GAEC 7c with respect to the tree itself; and
- GAEC 7a (Boundaries) with respect to the hedgerow the tree is a part of.

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

Please note that GAEC 7c only relates to cutting or trimming trees. Felling trees in their entirety can continue, provided the felling has been approved by the Forestry Commission through a felling licence or the trees are exempt from the need for a licence due to one of the exemptions that are identified in the Forestry Act 1967.

What is meant by catch and cover crops?

If you have more than 15 hectares of arable land, it is likely that you are required to have an Ecological Focus Area (EFA). There are some exemptions to rules and details of these can be found on page 45 of the ['Basic Payment Scheme: rules for 2016'](#) guidance.

EFAs are areas and features that are beneficial for the climate and the environment. If your farm does need an EFA, the areas and features used must be equivalent to at least 5% of the total arable land that you have declared on your BPS application. Page 44 of the ['Basic Payment Scheme: rules for 2016'](#) guidance provides a list of the areas and features that can count as an EFA.



One of the options is to establish catch crops and/or 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.

To count as an EFA, you 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.

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

However, grass can be used as a catch crop or a cover crop as long as it was undersown in the previous crop and is visible and dense enough to cover the ground by the start of the catch crop or cover crop period.

To count as an EFA in 2016, catch crops must be established by **31 August 2016 and retained until at least 1 October 2016**.

To count as an EFA in 2016, cover crops must be established by **1 October 2016 and retained until at least 15 January 2017**.

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.

The cover does not need to be destroyed after these periods and it can be grazed outside of them.

Sheep Dip Groundwater Protection Code

The '[Sheep Dip Groundwater Protection Code](#)' was published in February 2016 and replaces the 2001 Groundwater Protection Code 'Use and disposal of sheep dip'.

Sheep dip is a highly toxic substance that can cause groundwater pollution during use, storage and disposal. Polluted groundwater can contaminate drinking water sources such as those from abstraction boreholes, wells and streams. Groundwater contaminated with sheep dip can also have significant impacts on the wider water environment.

By following the [Sheep Dip Groundwater Protection Code](#), you can reduce the risk of causing groundwater pollution. In addition, complying with the good practice provisions of the Sheep Dip Groundwater Protection Code means you can reduce the need for potential environmental permits to protect groundwater when you handle and use sheep dip. However, you must have an environmental permit if you wish to dispose of waste dip to land.

Complying with this code will also help you meet the groundwater requirements for Basic Payment Scheme (BPS). Please go to [GAEC 3: Groundwater](#) for further information.

If you dip sheep without a [certificate of competency](#), you could be imprisoned and fined up to £5,000. You could also be imprisoned and subjected to an unlimited fine if you:

- dispose of by land spreading waste dip without an environmental permit from the Environment Agency;
- allow hazardous substances to enter groundwater; or
- dispose of by land spreading non-hazardous pollutants (e.g. from purl or bloom dips) without an environmental permit from the Environment Agency.



Please go to [GOV.UK](#) for advice on how to get a certificate of competency, how to apply for an environmental permit and for further guidance on dipping sheep.



Environmental Impact Assessment (EIA)

The aim of the [Environmental Impact Assessment \(EIA\) \(Agriculture\) regulations](#) is to protect the environmental importance of uncultivated and semi-natural areas from being damaged by agricultural works. Compliance with the regulations is covered by the new cross compliance rules under [GAEC 6: Maintenance of soil organic matter](#). Failure to adhere to the rules is a breach of BPS requirements. Additionally, if you fail to adhere to the regulations, you risk prosecution – a fine of up to £5,000 and you might be required to restore land to its previous condition.

GAEC 6 states 'The aim of The Environment Impact Assessment (Agriculture)(England)(No 2) Regulations (2006), and The Environmental Impact Assessment (Forestry)(England and Wales) Regulations 1999 is to not plough, cultivate or intensify species-rich and semi-natural habitats so as to keep organic matter and carbon levels in soils'.

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 two or more hectares.

An 'uncultivated land project' is a project that increases the agricultural productivity of an uncultivated or a semi-natural area. 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). '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.

If you are considering a project to 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. The team can be contacted on **0800 028 2140** or eia.England@naturalengland.org.uk.

If Natural England decides that your project is likely to have a significant impact on the environment, you will need to apply for consent to undertake this work.

Following are examples of land changes that may need consent.

Projects to increase agricultural production of uncultivated land or semi-natural areas by physical or chemical means

Examples of this work include:

- increased use of fertiliser or soil improvers;
- sowing seed;
- ploughing, some forms of tine harrowing and rotovating the land;
- draining land; and
- clearing existing vegetation – physically or by using herbicides.

Restructuring features on the land

Examples of this work include:

- adding or removing field boundaries; and
- adding, removing or redistributing earth or other material.

Once an application for a screening decision has been submitted, Natural England will have 35 days to consider whether the proposal can proceed or if it requires consent. Consent is only necessary where the project is likely to have a significant effect on the environment. You may contact Natural England for informal advice prior to submitting a screening application. Please go to GOV.UK for more information on screening applications and consent decisions.

Landowners are reminded that removal of trees and woodland may be a project under the EIA (Forestry) Regulations. Before considering any tree or woodland removal, please contact your local [Forestry Commission office](#).

Spray equipment testing

All pesticide application equipment in use (except knapsack and handheld sprayers) **must pass inspection once by 26 November 2016**, and at regular intervals thereafter, unless it is less than 5 years old on that date. The equipment must pass inspection once before the 5th anniversary of its original purchase

The National Sprayer Testing Scheme (NSTS) is the only body designated to conduct tests. So, having equipment inspected under the NSTS will ensure compliance. A list of approved examiners can be found on the [NSTS website](#).

The following types of equipment must be inspected at least once by 26 November 2016. Subsequent testing will be required every 5 years from 26 November 2016 and every 3 years from 26 November 2020:

- boom sprayers greater than 3 metres;
- sprayers attached to trains or aircraft; and
- air-assisted broadcast sprayers.

Equipment that represents a low scale of use, such as granular applicators and boom sprayers less than 3 metres wide, will be subject to an inspection interval of no more than 6 years.

A complete list of 'low scale use' equipment can be found in the [Pesticides National Action Plan](#) and will be regularly updated.

Nitrate Vulnerable Zone (NVZ) reminders

Slurry spreading

If you are in an NVZ, you must only spread slurry using equipment that has a low spreading trajectory (that is, less than 4 metres from the ground). There is an exception if you use equipment that spreads slurry at a maximum rate of not more than 1 millimetre/hour when operating continuously.

If you are spreading on bare soil or stubble (except if it has been sown with seed), then you must:

- incorporate poultry manure, slurry and liquid digested sludge as soon as practicable and within 24 hours; and
- incorporate any other organic manure (unless it has been spread as a mulch on sandy soil) as soon as practicable and within 24 hours if the land is sloping and within 50 metres of surface water that could receive its run-off.

You do not have to incorporate slurry and liquid digested sludge if it has been applied using a trailing hose, trailing shoe, dribble bar band spreader or an injector.

The closed period does not apply to organic manures with a low readily available nitrogen (N) content, which **may** include:

- farmyard manure (FYM); and

- duck manure produced by birds on straw or wood shavings (but you are expected to demonstrate a low level of readily available N by sampling and analysis).

Applications of manure with a low readily available N content must still comply with the non-spreading conditions and areas.

You must not spread organic manure:

- when the soil is waterlogged, flooded, snow-covered or frozen for more than 12 hours in the previous 24 hours;
- less than 50 metres from a spring, well or borehole; or
- within 10 metres of surface water, except:
 - on land managed for breeding wader birds or as species-rich semi-natural grassland and under certain circumstances (see the guidance on [GOV.UK](#)); or
 - when you are using precision manure spreading equipment to apply slurry, sewage sludge or anaerobic digestate, in which case you may spread manure 6 metres or more from surface water.

For further details about the organic manure closed periods and your requirements, please refer to guidance on the [GOV.UK](#) website.



Closed periods for organic manures with a high readily available N content

The Nitrate Pollution Prevention Regulations establish 'closed periods' for the application of organic manures that contain high readily available 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 following dates shown in the table below.

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 (150 kg 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 40 kg N/ha can be spread on grassland at any one time;

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

| | 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; or
- grassland, between 15 September and 15 January.

There are some exceptions. Manufactured fertiliser may be spread on the crops listed in the following table, so long as the amounts spread do not exceed those shown in the table below.

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 40 kg of nitrogen per hectare may be spread at any one time; and
- brassicas - an additional 50 kg of nitrogen per hectare 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.

| Crop | Maximum nitrogen rate (kg/hectare) |
|---------------------------|------------------------------------|
| Winter oilseed rape | 30 |
| Asparagus | 50 |
| Brassica | 100 |
| Grass | 80 |
| Overwintered salad onions | 40 |
| Parsley | 40 |
| Bulb onions | 40 |



Slurry storage – prepare for winter

Slurry and poultry manure are also subject to a minimum storage capacity as set out in the regulations.

You must have sufficient facilities to store all slurry produced on the holding and all poultry manure produced in a yard or building during the following 'storage periods':

- 1 October to 1 April (six months) in the case of pigs and poultry; and
- 1 October to 1 March (five months) in the case of other livestock (cattle, sheep, goats, deer and horses).

If you have any slurry on your farm, **you must** store it in a tank, lagoon or other suitable facility. These requirements are set out in the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (SSAFO) (England) Regulations 2010. If you are building a new store or substantially altering or enlarging your slurry storage facilities, you must notify the Environment Agency at least 14 days before you start any construction work.

You can contact your local Environment Agency team who will assess and advise you on your proposal by email enquiries@environment-agency.gov.uk or telephone 03708 506 506. Expect to be asked to provide further details about the location, design and capacity of your proposal.

For further details, please refer to guidance on the GOV.UK website.

In addition to slurry, slurry storage **must** have the capacity to store:

- rainfall expected to enter the store during the storage period (rain falling directly into the store and washings from elsewhere, including contaminated yards); and
- any washwater or other liquids that enter the store during that period.

If you have poultry manure or other types of solid manure, **you must** store them:

- in a vessel;
- on an impermeable base, with appropriate collection and containment of runoff;
- in a roofed building; or
- in an appropriately located temporary field heap

You may need a greater storage volume if, in some years, you cannot empty the store before the start of the closed period.

For further details about the storage requirements, please refer to guidance on the GOV.UK website.

Separation of slurry

Slurry is a liquid organic manure that is produced by livestock (other than poultry) while in a yard or building. It includes animal bedding and water that drains from areas where animals are kept.

If you separate slurry into solid and liquid parts, you must do so either using a purpose-built machine or on a waterproof surface where you can collect the liquid that drains from it. If the solid that remains can be stacked in a heap without leaking liquid, it can be treated as farmyard manure. If not, it is still slurry. If there is leakage from a stack, you must collect this and treat it as slurry.

Rules for manure heaps

You may store some types of solid manure in temporary field heaps. This option applies to poultry manures and other organic manures if:

- they are solid enough to be stacked in a free-standing heap; and
- they do not give rise to free drainage from within the stacked material.

If you choose to store manure in temporary field heaps, you must:

- cover any poultry manure without bedding/litter that is stored in a field heap with an impermeable sheet;
- move any field heap at least every 12 months;
- leave a 2-year gap before returning to the same site; and
- keep a record of the sites used for field heaps and the dates of use.

You must ensure that you do not build or maintain a field heap:

- within 10 m of surface water (including ditches) or of a land drain;
- within 30 m of surface water (including ditches) if the land slopes steeply (12 degrees (1 in 5 or 20%) or greater);
- within 50 m of a spring, well or borehole;
- on land likely to become waterlogged; or
- on land likely to flood.

The field heap site must occupy as small a surface area as possible, but be sufficient to support the mass of the heap and prevent it from collapsing.

For further details about the rules for manure heaps, please refer to guidance on the GOV.UK website.





Abstraction licence reminders

Under [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 or underground source for spray irrigation in a single day.

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

You do not need a licence if you abstract 20 cubic metres or less in a period of 24 hours, 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.

Water abstraction and irrigation

It is a condition under cross compliance rule [GAEC 2: Water Abstraction](#) to hold and comply with a water abstraction licence for spray irrigation purposes.

You should regularly review your water needs and apply to vary your licence well in advance if your demand is likely to change. For more information on applying for an abstraction licence, please refer to the [GOV.UK](#) website.

You must check what your licence allows you to do and apply to vary your licence if activities are not covered. This could include:

- extending the abstraction period following a dry summer or taking more water; and
- taking advantage of high river flows in summer to top up a reservoir.

To take high flows in summer to fill a reservoir, you may have to install your own calibrated measuring device so that you know when high flows are available. Calculating the stop and start level may take some time and need extra flow measurement, so apply to the Environment Agency as early as possible.

Time limitations will apply based on the [abstraction licensing strategy \(ALS\)](#). To contact the Environment Agency about the feasibility and details of varying your licence to take high flows in summer, please email enquiries@environment-agency.gov.uk or telephone 03708 506 506.

In times of water scarcity, the Environment Agency will produce water availability reports (called 'prospects') for some parts of England. These provide advance warning of potential seasonal restrictions on water abstraction.

Please refer to [GOV.UK](#) for more information regarding water abstraction for irrigation.

Emergency restrictions on irrigators

In an emergency situation, such as a severe drought, the Environment Agency can change your abstraction licence if it authorises spray irrigation. This is known as a 'section 57 restriction'.

This means it has the power to suspend or vary the conditions of abstraction licences for spray irrigation within a water catchment.

If your licence allows you to spray irrigate and use water for another purpose, such as vegetable washing, any restriction would only apply to your spray irrigation abstraction.

The restrictions would not apply to:

- trickle irrigators;
- irrigation using water collected in winter storage reservoirs;
- water used to supply pot-grown plants that are unable to take moisture from the soil; and
- irrigation of covered crops (in glasshouses or polytunnels).

The Environment Agency uses surface water or groundwater thresholds in its drought plans to decide when to consider section 57 restrictions.

As an irrigator, you may be eligible for a charge reduction of up to 50% because of the uncertainty of potential restrictions. This reduction is known as a 2-part tariff. If you do not already have a 2-part tariff agreement, contact the Environment Agency: enquiries@environment-agency.gov.uk or telephone 03708 506 506.

Please refer to GOV.UK for more information regarding water abstraction restrictions.

Duration of licences

Abstraction licences may have a time limit linked to a common end date. You can find this in the [\(ALS\)](#) for the area you are in. When the Environment Agency grants a licence for the first time, it is likely to be valid for between 6 years and 18 years. Renewal of a licence will normally cover another 12 years. In certain circumstances, licences may be granted for up to 24 years. It is best to check your individual licence. For more information, please go to GOV.UK. The government has consulted on reforms that may affect the duration, quantities and management of licences. You may wish to take account of this in your business decisions.

Licence renewal

If your current abstraction licence is due to expire, and you want to continue to abstract, you need to apply for a new licence at least 3 months before the existing licence expires. The Environment Agency will only renew your licence if:

- your abstraction continues to be environmentally sustainable;
- you can demonstrate that you have a continuing need for the water; and
- that you will use water efficiently.

For more information on applying for a water abstraction licence, please go to GOV.UK.

Regulating trickle irrigation

Trickle irrigation does not require an abstraction licence. However, Defra consulted earlier this year on plans to remove this exemption. You can view the consultation here on GOV.UK and we expect Defra to launch the summary of responses in July, followed by the final Government response in the autumn.

Countryside Stewardship clinics

Natural England are running a series of local events and clinics for anyone who is thinking about applying for Mid Tier agreement. Details of the local events and clinics can be found on GOV.UK.



Forthcoming FAS events

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



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