

May 2020 – e-news issue 51

# 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](mailto:bookings@farmingadvice.org.uk) with 'Register for newsletter' in the subject line. Your details will not be shared with any third parties.*

***We will now be publishing the newsletter on a monthly basis rather than every other month.***

*Please contact us with any feedback or suggestions on topics you would like to see in future editions.*

**FAS technical advice line:**

Telephone: 03000 200 301

Email: [advice@farmingadvice.org.uk](mailto:advice@farmingadvice.org.uk)

Website: [www.gov.uk/government/groups/farming-advice-service](http://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.

<b>16 April</b>	You must not burn heather, rough grass, bracken, gorse or vaccinium outside the burning season. The burning season is from 1 October to 15 April for uplands and from 1 November to 31 March for land not within an upland area. ( <a href="#">GAEC* 6</a> )
<b>30 April</b>	If you held a Nitrate Vulnerable Zone (NVZ) grassland derogation for 2019, you should have submitted your 'fertilisation account' to the Environment Agency by this date. ( <a href="#">SMR** 1</a> )
<b>30 April</b>	If you have land in a Nitrate Vulnerable Zone (NVZ), 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. ( <a href="#">SMR 1</a> )
<b>1 May</b>	In addition to the closed period for cutting or trimming hedges or trees, which started on 1 March, you must not carry out hedge or tree coppicing, or hedge laying from 1 May. ( <a href="#">GAEC 7a</a> and <a href="#">GAEC 7c</a> )
<b>1 May</b>	Ecological Focus Area (EFA) period for nitrogen fixing crops begins (until 30 June). ( <a href="#">BPS*** 2020</a> )
<b>31 May</b>	Deadline to request a paper application for Countryside Stewardship Mid-Tier. ( <a href="#">BPS 2020</a> )
<b>15 June</b>	The deadline for submitting BPS applications, without penalty, has been extended to midnight on 15 June. ( <a href="#">BPS 2020</a> )
<b>15 June</b>	The deadline to make a claim for Countryside Stewardship, Environmental Stewardship and woodland legacy revenue payments has been extended to 15 June. ( <a href="#">BPS 2020</a> )
<b>30 June</b>	Deadline to request an online application pack for Countryside Stewardship Mid-Tier. ( <a href="#">BPS 2020</a> )
<b>30 June</b>	The deadline for making amendments to BPS applications, without penalty, is midnight on 30 June. ( <a href="#">BPS 2020</a> )
<b>10 July</b>	The final deadline to make amendments to the BPS applications, with penalties, is 10 July. ( <a href="#">BPS 2020</a> )

For more details about the information provided in the key dates table, please visit the [Guide to cross compliance in England 2020](#) and [Basic Payment Scheme: rules for 2020](#) pages of GOV.UK.

\* GAEC = Good Agricultural and Environmental Conditions

\*\* SMR = Statutory Management Requirements

\*\*\* BPS = Basic Payment Scheme

# How can FAS help you?



## Free and confidential advice

Common Agricultural Policy (CAP) regulations require 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. In light of the current situation, please be assured that our helpline will be operating as normal and we will continue to support farmers.

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](mailto:advice@farmingadvice.org.uk)

# Coronavirus: information for farmers, landowners and rural businesses

*To find out what to do if you are self-employed, an employer, need to self-isolate, wish to travel or just want to find out more about the Government's response to coronavirus (COVID-19), you should visit [GOV.UK](https://www.gov.uk). This page is updated regularly with the very latest information and guidance as it becomes available.*

If you are worried about your health or the health of others, you can find medical advice on the [NHS website](https://www.nhs.uk).

To find out about social distancing at work and, in particular, in relation to visiting a farm for animal health and welfare reasons, please go to [GOV.UK](https://www.gov.uk).

The Rural Payments Agency (RPA) now has a dedicated page for COVID-19 on [GOV.UK](https://www.gov.uk) where updates will be posted for farmers, landowners and rural businesses. It will be important to check this page regularly.

The RPA is committed to maintaining its service to customers, but has made changes to adapt to the current emergency. In line with Government guidance, the RPA has closed most of its offices and staff are now working from home. To ensure you are following Government guidance on

social distancing, please **do not visit RPA offices** – even if it is to hand in documentation.

## What you need to do

Please use [online or electronic](#) options where you can. This is the safest and quickest way to contact the RPA. When emailing the RPA, make sure the subject line clearly states your Single Business Identifier (SBI) and what your email is about as this will help it get to the correct department. The RPA has produced a document that outlines the submission options for claims, applications and other documents, including email addresses if required. Full details can be found on [GOV.UK](https://www.gov.uk).

Please remember, the RPA can only accept emails from email addresses registered with the [Rural Payments Service](#).

## Updating your details held by the Rural Payments Service

It is important that your details held by the [Rural Payments Service](#) are kept up to date as this is what will be used to contact you about important issues. To check your contact details, sign into your account on the Rural Payments Service website, go to 'Your business' and click 'View and amend business details'. If you would like to [add someone](#) to your account to act on your behalf, the RPA has produced a [short video](#) explaining how to do this.

Text message reminders are also possible. If you would like to receive these, make sure to update your mobile phone number in 'View and amend personal details'.

The RPA has produced a document that outlines the submission options for claims, applications and other documents, including email and postal addresses if required. Full details can be found on [GOV.UK](https://www.gov.uk).

## Important information about farm visits and inspections

On-farm visits and inspections have been paused until further notice, but remote sensing inspections are continuing. The RPA is considering its approach to future visits and physical inspections in line with developing national public health guidance. Please continue to check the RPA guidance on [GOV.UK](https://www.gov.uk) as this information is under constant review.

## Advice for people with livestock: if you have symptoms of COVID-19 and are self-isolating

If you [have livestock](#), you should arrange for someone who is not self-isolating to care for your animals. Where this is not possible, you must ensure the basic needs of your animals are met. If you are too unwell to care for your animals and there is no one to help, you must call your [local authority](#). Further information can be located on [GOV.UK](https://www.gov.uk).

## Financial support for farm businesses

Farm businesses facing difficulties can access the range of support that has been put in place to help business in this challenging period – this includes the Coronavirus Business Interruption Loan Scheme. Please go to [GOV.UK](https://www.gov.uk) for full details on the scheme, including eligibility and how to apply.

## Bridging payments for Countryside Stewardship and Environmental Stewardship agreement holders

Farmers and land managers will be offered bridging payments from the RPA for unpaid 2019 annual revenue claims on their stewardship agreements. The interest-free loans will cover Countryside Stewardship and Environmental Stewardship 2019 revenue claims to ensure farmers

and land managers are paid for the important work they do to protect the environment. Agreement holders who are yet to receive their 2019 revenue claim payment should receive a payment by the end of May for 75% of the current estimated value of their claims to help with farm business cash flow while the remaining processing is completed on their claims. Please go to [GOV.UK](https://www.gov.uk) for more information.

## Spreading or recycling treated sewage sludge (biosolids)

According to the latest advice from the World Health Organization (WHO), (April 2020) there is no evidence that the COVID-19 virus has been transmitted via sewerage systems with or without wastewater treatment.

Spreading or recycling treated sewage sludge (biosolids) is an important source of nutrients and organic carbon for agriculture. The Environment Agency is not requiring additional controls above those best practices that are already used in the supply and use of sludge in agriculture. Further guidance on best practice can be located on [GOV.UK](https://www.gov.uk). Spreading should be done in line with your farm nutrient management plan required under [Farming Rules for Water](#).

## Support for the dairy industry

Funding is available for eligible dairy farmers in England to access up to £10,000 each to help overcome the impact of COVID-19. This funding will help support dairy farmers who have seen a decreased demand for their products since the closure of bars, restaurants and cafes. Dairy farmers who have lost more than 25% of their income during April and May will be eligible for funding for those qualifying months and are entitled to up to £10,000 funding to cover 70% of their income loss during this time. You can read more information on [GOV.UK](https://www.gov.uk).

## Temporary relaxation of dairy competition laws

The Government will temporarily **relax** elements of UK competition law to support the dairy industry through the COVID-19 outbreak. The intention is that businesses in the industry will work together to address current market challenges, so avoiding waste and maintaining productive capacity to meet future demand. This builds on a previous relaxation of competition rules that enables retailers, suppliers and logistic services to work together. You can read more information on [GOV.UK](https://www.gov.uk).

## COVID-19 and spreading slurry or milk on land, or storing slurry: Regulatory Position Statement C12

If you are experiencing supply-chain disruption as result of COVID-19, and you need to spread slurry and milk produced on your farm to land, you must comply with certain regulatory requirements. For full details on eligibility, please refer to [GOV.UK](https://www.gov.uk). You must get **written agreement** from the Environment Agency before using Regulatory Position Statement C12.

Please sign up [here](#) to receive email alerts when information changes on the RPA pages.



# Basic Payment Scheme applications 2020

*The deadline for submitting a Basic Payment Scheme (BPS) application (without penalty) and to make a claim for Countryside Stewardship, Environmental Stewardship and woodland legacy revenue payments for 2020 has been **extended** to midnight on **15 June**.*

This extension is in light of the disruption caused by the coronavirus (COVID-19) outbreak. Farmers and land managers are still encouraged to submit applications and claims sooner rather than later. The deadline to make amendments to your BPS application (submitted by 15 June), without penalty, has been extended to midnight on 30 June. The final deadline to make amendments to your BPS application, with penalties,

is 10 July. Any information received after this date will not be accepted. BPS applications need to be made annually and you will not be re-enrolled automatically to receive payments for this scheme year (January to December 2020).

The RPA has produced a document that outlines the submission deadlines and options for claims, applications and other supporting documents. Full details can be found on [GOV.UK](https://www.gov.uk)



## Applying online

In line with Government guidance, the Rural Payments Agency (RPA) has closed most of its offices and staff are working from home. Therefore, it is important that you submit your BPS application online wherever possible. To apply online, go to [GOV.UK](https://www.gov.uk). There are resources available on [GOV.UK](https://www.gov.uk) to assist you with completing your application. This includes a step-by-step guide on how to complete your online application, a BPS 2020 checklist, and a list of questions and answers.

All BPS payments will be made in pounds sterling starting from the 2020 BPS scheme year and the Government intends to use the same exchange rate as last year (€1 = £0.89092). Payments made under the BPS will now be funded by HM Treasury instead of the EU which, to date, has funded payments under the Common Agricultural Policy (CAP). This change will not affect the timing of BPS 2020 payments, which will start from December 2020.

Please refer to the [BPS 2020](https://www.gov.uk) page on GOV.UK for the latest support, guidance and information about the BPS.

## Be vigilant against fraud

During these challenging times, it is important you remain vigilant as fraudsters will try to take advantage. The RPA will not call, send emails or texts asking you to confirm your personal details or payment information. If you suspect an attempted fraud or feel you have been the subject of fraud, you can contact the RPA's Fraud Referral Team on 0800 347 347 or [FraudInConfidence@rpa.gov.uk](mailto:FraudInConfidence@rpa.gov.uk).

The RPA has published some guidance on [GOV.UK](https://www.gov.uk) to help you to remain vigilant.

If you require any support, you can contact the Rural Services Helpline on 03000 200 301 and follow the options for the RPA.

# Countryside Stewardship Mid-Tier advice for farmers



*In line with Government advice regarding coronavirus (COVID-19), Natural England is suspending the on-farm, Mid-Tier advice sessions. These have been replaced with an online and telephone support service to help with Mid-Tier applications. Details on how to book your advice session can be found on [GOV.UK](https://www.gov.uk)*

For more information on Countryside Stewardship Mid-Tier, please visit [GOV.UK](https://www.gov.uk).

Don't forget the following key dates:

- 31 May - deadline for requesting paper application packs;
- 30 June - deadline for requesting online application packs;
- 31 July - deadline for submitting online application packs.



# Relaxation of crop diversification rules

*The greening requirements for Basic Payment Scheme (BPS) 2020 have **changed** due to the extreme weather events experienced between late 2019 and the early part of 2020. The crop diversification requirement will not apply for BPS 2020. This means you will not be penalised if you are not able to plant the required number or area of arable crops.*

You must still complete your [BPS application](#) declaring all of your arable land using the appropriate land-use codes. As the removal of the crop diversification rule was introduced recently, the greening checker for online BPS applications may still show this rule as not being met. However, once applications are processed, the crop diversification rules will not be applied to determine eligibility for the BPS greening payments.

Please note, you will still need to meet the rest of the greening rules:

- maintaining at least 5% equivalent area of an Ecological Focus Area (EFA) if you have more than 15ha of arable land;
- following the rules for managing permanent grassland;
- observing restrictions to fallow land, for example, you are not able to apply manure during the EFA fallow period (1 January to 30 June).

## **Farming Recovery Fund**

The Government has announced that [£6 million of funding](#) will be added to the existing Farming Recovery Fund (FRF) to help farmers recover from flooding events in early 2020. Support will be available for farmers affected by flooding in parts of East and North Yorkshire, Gloucestershire, Worcestershire, Shropshire, Staffordshire, Nottinghamshire and Herefordshire. This additional funding means the total funding available to farmers has now increased to £10 million.

The FRF allows affected farmers in eligible areas to claim grants between £500 and £25,000 to cover several uninsurable repairs costs (for example, re-cultivating farmland – including reseeded, replanting cover crops and alleviating soil compaction).

Please refer to the [Farming Recovery Fund](#) page on GOV.UK, which has information on how to apply for the grant and eligibility within affected counties.

# Important greening reminders

*Every year, farmers applying for the Basic Payment Scheme (BPS) need to follow the greening rules or risk losing some of their payment. They should do their greening calculations each year.*

While the crop diversification rule is not applicable for 2020 due to the recent extreme weather events, you must still adhere to the other [greening rules](#):

- maintaining at least 5% equivalent area of Ecological Focus Area (EFA) if you have more than 15ha of arable land;
- following the rules for managing permanent grassland.

There is a greening workbook available on [GOV.UK](#) to help you to work out if you are meeting the EFA greening rules for BPS 2020.

## EFAs

If your farm has more than 15ha of arable land, then you must have at least 5% of the total eligible arable area declared as an EFA on your BPS application, unless you are exempt.

Detailed guidance on the EFA rules begins on page 42 of [Basic Payment Scheme: rules for 2020](#).

## Managing EFA fallow land

During the EFA fallow period (1 January 2020 to 30 June 2020 inclusive), you can do the following to 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 Environmental Stewardship or Countryside Stewardship);
- plough or cultivate the ground;
- use cultivation to control weeds (such as 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;
- apply any fertiliser or farmyard manure;
- apply any plant protection products (PPPs) including herbicides, fungicides and insecticides.

The restrictions on 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 PPPs to control weeds during the fallow period, you cannot declare that land as EFA fallow.

For detailed guidance on managing EFA fallow land, please go to page 56 of [Basic Payment Scheme: rules for 2020](#).

Please note, if you have fallow land that is not being used as part of your EFA requirement, there is specific guidance on page 40 of [Basic Payment Scheme: rules for 2020](#).

## Managing permanent grassland

If the percentage of permanent grassland in England – relative to the area of agricultural land – falls by more than 5%, farmers who have ploughed permanent grassland may have to reinstate it.

The Rural Payments Agency (RPA) will monitor the percentage of permanent grassland across England. If the percentage of permanent grassland – relative to the area of agricultural land after restrictions on growing season – falls by more than 5%, the RPA will write to farmers advising them if they need to take any action. It would also mean that there would be restrictions on any further ploughing of permanent grassland.

Under the permanent grassland requirement, farmers with any permanent grassland in areas covered by the Birds Directive and/or Habitats Directive (Natura 2000) must not plough or convert that land. You can check if any of your land falls into this category on [MAGIC](#), which provides authoritative geographic information about the natural environment from across government.

# Hot topics through the FAS helpline

*This is the first of a new quarterly feature that summarises common queries we receive through the FAS helpline.*

## Basic Payment Scheme (BPS) – eligibility

### What land is eligible under the BPS?

For land to be [eligible under the BPS](#), it must be all of the following:

- Agricultural land (arable, permanent grassland or permanent crops).
- Used primarily for an 'agricultural activity' for the whole of the relevant calendar year.
- At your disposal on the BPS application submission deadline. The deadline to submit applications has been extended to 15 June, but the land must still be at your disposal on 15 May.

Please refer to the [Basic Payment Scheme: rules for 2020](#) guidance for detailed information on eligibility and the requirements for this Scheme year (1 January to 31 December 2020).

## Greening



### Reminder about Ecological Focus Areas (EFA) catch and cover crops – area covered, type of cover and time they need to be established?

- Catch crops and cover crops are used to protect the soil between harvesting and sowing. Under EFA rules, catch or cover crops must consist of a mix of at least two different cover types that establish quickly, achieve ground cover and will use available nutrients.
  - The minimum area of EFA catch or cover crops is 0.01 hectares and they must be on arable land.
  - To count as an EFA, farmers can use any percentage of a sown mix, as long as there is a visible mix of at least two different crops from the following lists (minimum of one cereal and one non-cereal):
    - cereal: rye, barley and oats;
    - non-cereal: vetch, phacelia, mustard, Lucerne and oilseed radish.
  - To count as an EFA in 2020, **catch crops** must be established by 20 August 2020 and retained until at least 14 October 2020.
  - To count as an EFA in 2020 **cover crops** must be established by 1 October 2020 and retained until at least 15 January 2021.
- Please refer to [Basic Payment Scheme: rules for 2020](#) for more information on the Greening requirements.

## Cross compliance

### Can I cut a cross compliance protection zone (buffer strip) to control weeds?

You must not cultivate or apply fertilisers or pesticides to cross compliance protection zones (green cover). However, you are permitted to 'top' the green cover or use pesticides for spot application if they are deemed reasonable steps to control the spread of any weeds. If the work is to be undertaken during the bird nesting and rearing season, you must not intentionally or recklessly destroy or damage birds, eggs or nests. For more information please refer to the cross compliance rule [GAEC 1: Establishment of buffer strips along watercourses](#)



### What is the Nitrate Vulnerable Zone (NVZ) closed periods for organic manures?

During the [NVZ closed periods](#), you cannot spread organic manure with high, readily

available nitrogen during the following periods

	On grassland	On tillage land
Sandy or shallow soils	1 September to 31 December (inclusive)	1 August to 31 December (inclusive)
All other soils	15 October to 31 January (inclusive)	1 October to 31 January (inclusive)

There are exceptions to the dates provided above:

If you sow a crop on sandy or shallow tillage land on or before 15 September, there are exemptions to this closed period rule and you can apply manures with high, readily available nitrogen between 1 August and 15 September inclusive.

Organic farmers, can spread manures during the closed period to the crops listed in the table below or other crops if supported by written advice from a FACTS qualified advisor. Spreading is limited to 150kg of total nitrogen per hectare.

Please refer to the [SMR 1: Nitrate Vulnerable Zones](#) for more information.

	When you can spread nitrogen	Additional limits on spreading
Asparagus, overwintered salad onions, parsley and bulb onions	From the start of the closed period to the end of February	No more than 50kg of nitrogen per hectare every 4 weeks
Brassica	From the start of the closed period until harvest	
Winter oilseed rape	From the start of the closed period to the end of October	
Grass	From the start of the closed period to the end of October	No more than 40kg at any one time

# Farming rules for water: Rules 3, 4 and 5 – application of manures and fertilisers

*Since 2 April 2018, all farmers in England have had to comply with rules aimed at protecting water quality. The rules introduce an approach to regulating farm practices that, in time, might be rolled out to reduce other environmental impacts beyond water quality.*

There are eight rules in total (five about managing fertilisers and manures, and three on managing soils). In future FAS newsletters, we will be featuring an article on these rules. This is the second article in the series and will cover rules 3, 4 and 5 which are related to the application of manures or fertilisers. You can find

information on rule 1, which covered requirements for nutrient applications in the [April FAS newsletter](#).

If you are not located in a Nitrate Vulnerable Zone (NVZ), rules about when and where you can apply manure and fertiliser may be new to you.

## Rule 3:

### Applying manures or fertiliser

You should not spread manufactured fertilisers or organic manure if:

- the ground is waterlogged, flooded or covered in snow;
- the soil has been frozen for more than 12 hours in the past 24 hours;
- risk factors mean there is a significant risk of pollution.

## Rule 4:

### Where not to apply organic manures

In addition to the guidelines in Rule 3, organic manures must not be applied:

- within 50 metres of a spring, well or borehole;
- within 10 metres of inland freshwaters or coastal waters, unless you are using [precision equipment](#) or you are managing land for specific [environmental benefits](#).

## Rule 5:

### Where not to apply manufactured fertilisers

In addition to the guidelines in Rule 3, manufactured fertilisers must not be applied within 2 metres of inland freshwaters, coastal waters, a spring, a well or a borehole.

For detailed guidance on the Farming rules for water, please visit [GOV.UK](#).



# Water abstraction updates

## 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.

## Dry weather impacts and irrigation advice

Following a wet winter, predominantly dry conditions have returned to much of England since mid-March with the following impacts:

- Soils are now drier than average for the time of year across all of England.
- Just over three-quarters of the indicator sites reported falling groundwater levels during April. Despite this, groundwater levels for the end of April were classed as normal or higher at nearly all of the sites, with a third of sites classed as notably high or higher for the time of year.
- The latest river flows for the vast majority of sites across England are classed as normal or lower for the time of year. However, those sites experiencing lower flows account for just over half the number, with nine across the north and southwest now being classed as exceptionally low for the time of year.

More information on the current water resources situation can be found at [GOV.UK](#).

The Environment Agency [updated its initial irrigation prospects](#) at the end of April. While a few areas are still classified as good, it is generally a deteriorating situation compared to February with more of England now being good to moderate or moderate. This reflects the generally dry conditions that have been prevalent from mid-March up to the present time, with the forecast looking to be generally dry going into June. Because of the dry soils, the Environment Agency reports that some farmers are already struggling to establish crops.

Please read the Environment Agency's irrigation advice on 'Making your business resilient to drought' and 'What can Irrigators do' sections in the [Prospects Report](#).

A quick reminder that for information on water abstraction and coronavirus (COVID-19) please read [April's Newsletter](#).

## New authorisations (previously exempt abstraction activities) – final call for applications

Please submit your new authorisations applications for previously exempt abstractions before the application window closes on the **30 June 2020**. For more information, please visit [citizen space](#).





# Nitrate Vulnerable Zone reminders

*Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution. They account for approximately 55% of agricultural land in England. 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.*

You can check the interactive map on [GOV.UK](https://www.gov.uk) to see whether your land falls within an NVZ.

## Do you have all your records in place?

Missing or incomplete records account for a high proportion of non-compliances found during NVZ inspections. The following is a reminder of the records that are required if you land is in an NVZ:

- the size of your holding;
- a risk map if you store or spread manure (and dates of temporary storage);
- 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 assessment, the crop nitrogen requirement and the source of information you used to calculate it, and any written advice from a FACTS-qualified adviser;

- a record of the number and type of livestock kept on your holding, and the number of days each animal spent on your holding in the previous calendar year;
- imports and exports of manure;
- storage calculation;
- livestock manure nitrogen (N) farm limit calculation.

Detailed guidance on each of these records can be found under cross compliance rule [SMR 1: Nitrate Vulnerable Zone](#) and on the NVZ pages on [GOV.UK](https://www.gov.uk).

# Don't forget, the restrictions on tree and hedge-cutting are in place until 31 August

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) applicant, have a Countryside Stewardship or Environmental Stewardship agreement (starting 1 January 2007 or later) or claim the Woodland Management Grant and Farm Woodland Premium elements of English Woodland Grant Scheme, then you must adhere to these requirements across your whole holding, which may include woodland, or you could receive a reduction in your payments.

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. FAS have produced a technical article to explain the requirements in more detail, which can be downloaded for free from our [website](#).

Other exemptions to the hedge and tree-cutting closed period include:

- if a tree or hedge overhangs a highway, road or footpath, which is a risk to vehicles, pedestrians or horse-riders;
- if a tree or hedge is dead, diseased or insecurely rooted, which may result in it falling onto a highway, road or footpath;
- carrying out hedge-laying or coppicing during 1 March to 30 April (inclusive).

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 hedgerow or 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. If you are applying for this derogation you are encouraged to submit this as early as possible.

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

The RPA can be contacted by email ([ruralpayments@defra.gov.uk](mailto:ruralpayments@defra.gov.uk)). Please ensure the subject line includes your Single Business Identifier (SBI) and states 'Cross compliance 2020

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 2020](#).



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