



Farming
Advice Service

Welcome to the Farming Advice Service newsletter

If you do not already receive the Farming Advice Service (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.

Contact us

FAS technical advice line: 03000 200 301

advice@farmingadvice.org.uk

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

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

We would be grateful if you could spare a few moments to complete this **short survey** about the new layout of the FAS newsletter

October 2020 – Issue 56

Key dates

How can FAS help you?

Water abstraction returns (summer 2020)

Farming Rules for Water: Rule 1 – requirements for nutrient applications

Burning crop residue, heather or grass and maintaining the level of soil organic matter

Animal welfare reminders

Nitrate Vulnerable Zone reminders – closed periods and winter storage

£25 million available to farmers in the Government's Countryside Productivity Small Grants (CPSG) scheme

Sign up to FAS services

How can FAS help you?

Free and confidential advice

England's domestic farming legislation and EU Common Agricultural Policy (CAP) regulations require an advisory system that covers 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 activities.

FAS updates the farming sector on relevant EU policies, and policies for England from the Department for Environment, Food and Rural Affairs (Defra). It explains the requirements and objectives of domestic national legislation and policy, CAP and EU directives; 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





Water abstraction returns (summer 2020)

Water abstraction returns

If you hold a summer water abstraction licence (authorising abstractions wholly within the months of April to October), the Environment Agency will ask you at the end of October to submit your water abstraction return by 28 November 2020.

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.

Most farmers will need to submit an annual return (at the dates shown in the table) showing a weekly or monthly

record of the actual amount of water they take. Even if no water is abstracted, it is important that a 'nil' return is submitted to the Environment Agency.

Water abstraction return dates

You can submit your return online. To do this, you will first need to register with the Environment Agency's online service – [Manage your water abstraction or impoundment licence](#).

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

When can you abstract water?	This means you are referred to as ...	When does the Environment Agency ask you for your return?	You need to submit returns by
1 April to 31 October	A summer abstractor	End of October each year	28 November each year
1 November to 31 March	A winter abstractor	End of March each year	28 April each year
Anytime	An all-year abstractor	End of March each year	28 April each year

you permission to submit returns online by adding you as a user on their account. For help with the service or returns, please contact the

[Environment Agency general enquiries](#) team on 03708 506506 or email enquiries@environment-agency.gov.uk and you will be directed to the relevant team.

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 apply 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, you will be billed on the basis of having abstracted the full quantity your licence authorises you to abstract for irrigation.

Water abstraction –dry weather management advice

The [current hydrological situation](#) in England is typically returning to normal. The [Met Office 3-month forecast](#), which is updated towards the end of each month, indicates a slightly higher probability of above average rainfall until the end of December. Abstractors should be able to refill their storage reservoirs over the winter based on this forecast. By mid-October, rainfall was already above average in Central, East and South East England. Therefore, the Environment Agency will not be

allowing the early refill of storage reservoirs outside the normal winter abstraction season (1 November – 31 March) during the 2020/21 winter. However, the situation will continue to be monitored and this position will be reviewed early in the spring. More information is available at [GOV.UK](#)

For more information on how to make longer term changes to your licence to meet your business needs, including for drought and dry weather resilience, please visit [GOV.UK](#)



Farming Rules for Water:

Rule 1 – requirements for nutrient applications

Since 2 April 2018, all farmers in England have had to comply with rules aimed at protecting water quality. These 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 soil). This article expands on the information contained in the [April 2020 FAS newsletter](#) about Rule 1 – requirements for nutrient applications.

Rule 1 details how the application of organic manures or manufactured fertilisers must be planned, and match the needs of the crop and soil. In addition, farmers must ensure that each application does not risk water being polluted through runoff and leaching. It is recommended that 'no-spreading zones' are recorded on a map next to all surface waters (e.g. within 10 metres), boreholes, springs and wells (e.g. within 50 metres) on land and adjacent land if it is also at risk. At the time of spreading, consideration must be given to the risks associated with the condition of the land (e.g. how wet the soil is and if it is compacted) and the weather (before, during and after spreading).

Planning must also consider the results of soil testing for nitrogen, phosphorus, potassium and magnesium, which must be carried out at least every 5 years on land that is cultivated by physical or chemical means. Nitrogen levels may also be determined by assessing the soil nitrogen supply (SNS) using, for example, the [Agriculture and Horticulture Development Board's \(AHDB's\) Nutrient Management Guide \(RB209\)](#). It is recommended that an accredited laboratory for soil sample testing is used, please see [Tried and Tested](#) for a list of providers.



Nutrient management planning

Nutrient management planning is essential to make the most of organic materials and manufactured fertilisers. It will make farming businesses more efficient by:

- minimising the waste of expensive resources;
- reducing the risk of a cross compliance breach;
- avoiding penalties associated with agricultural diffuse pollution.

[AHDB's Nutrient Management Guide \(RB209\)](#) will help in calculating the crop nutrient requirement for each land parcel, or a professional plan could be produced by an agronomist or FACTS adviser. Alternatively, farm software, such as [MANNER-NPK](#), or nutrient management tools, such as those provided by [Tried and Tested](#), can also be used.

AHDB recently hosted a [webinar](#) on developments to RB209, which will be helpful when planning. This webinar clearly highlighted times when there is no soil or crop need, or is unlikely to be, and the risk of causing pollution from autumn applications.

Specifically, RB209 suggests that applying organic material in autumn or early winter should be avoided. Instead, it should be delayed until late winter or spring to reduce nitrate losses and increase how efficiently the crop uses nitrogen. RB209 also sets out reasonable precautions to prevent pollution such as incorporating organic materials immediately after application, growing winter cover crops, and matching nitrogen supply with crop demand during spring and summer.

Manure applications to grassland should be carefully considered to ensure only enough is grown to meet the needs of livestock. This is particularly the case in autumn when manure applications have a higher risk of leaching and any benefits may be outweighed by the risks to the environment.

For further help with the farming rules for water requirements, please contact the FAS helpline on 03000 200 301 or email advice@farmingadvice.org.uk.



Burning crop residue, heather or grass and maintaining the level of soil organic matter

If undertaking heather and grass burning and/or controlled burning of crop residues (for plant health reasons only) on your holding, it is important that you are aware of the rules under [Good Agricultural and Environmental Condition \(GAEC\) 6: Maintaining the level of organic matter in soil](#).

Burning crop residues

To maintain the level of organic matter in soil, you must not burn cereal straw, cereal stubble or certain crop residues (such as oilseed rape, field beans harvested dry and peas harvested dry). However, you can burn these for plant health reasons if a notice has been served under the Plant Health (England) Order 2005. You can also burn broken bales, but you must ensure that arable stubble is not burned as well.

If straw, stubble or crop residue is burned for plant health reasons, there are restrictions on where and when you can do it. These restrictions include distances from other areas of burning, motorways and railway lines; and time of burning (not at weekends, on bank holidays or one hour before sunset). You must also be aware of who you need to warn at least one hour before burning crop residues, including district council environmental health departments, nearby occupiers and air traffic control (within 800 metres). For more information, please visit [GOV.UK](#).

When burning crop residues, you must make sure you have at least 1,000 litres of water available, five fire beaters and any vehicles used must be equipped with a fire extinguisher. The ash from cereal straw or cereal stubble must be

incorporated within 24 hours of starting burning.

Everyone involved with the burning must be familiar with the rules. Each area to be burned must be supervised by two people (except where an emergency makes this impractical), one of whom should have experience in burning crop residues.

Burning heather or grass

Burning heather or grass removes the older material, allowing the plants to regenerate. Under GAEC 6 and the [Heather and Grass Burning Regulations \(2007\)](#), burning heather or grass is only allowed within the burning season:

- 1 October to 15 April for uplands;
- 1 November to 31 March for land not in an upland area.

Burning heather or grass must not take place on any land between sunset and sunrise. Additionally, you must ensure there are enough people and equipment to control the burning, and you take all reasonable precautions not to injure any person or thing on that land or cause damage to any neighbouring land. For more information on the rules for burning heather and grass, please read the [Heather and Grass Burning Regulations \(2007\)](#).



Animal welfare reminders



If you keep animals for agricultural purposes, you have a legal obligation to protect their welfare by ensuring a minimum standard of care and husbandry. It is against the law to neglect farm animals and fail to provide for their basic needs. The Animal and Plant Health Agency (APHA) carries out animal welfare inspections under the cross compliance rules. If unnecessary suffering is caused to any animal under your care, the breach will carry a high severity rating and will affect your payments under the Basic Payment Scheme (BPS). Breaches can also affect your payments under Countryside Stewardship, Entry Level Stewardship, Higher Level Stewardship, woodland management grant and farm woodland premium. This article provides an overview of some of the requirements under Statutory Management Requirement (SMR) 13: Animal welfare.

These requirements apply to any species kept for farming purposes, the full list can be found on [GOV.UK](https://www.gov.uk).

Regularly check your animals

Unlike other SMRs, if a breach of the animal welfare rules is found during an inspection by the APHA, there is no scaling of the breach relative to the number of animals affected. Even if one animal has not received appropriate care, this will be recorded as a breach. The breach is not related to an inspector finding a sick or injured animal, but instead how you have managed and treated them.

You must make sure that:

- Your animals are looked after by enough staff with the right skills and knowledge.
- Your animals are inspected thoroughly once a day if they require frequent human attention. In other systems, they must be inspected as often as is necessary to avoid suffering.
- Sick or injured animals are cared for immediately and appropriately (isolated if necessary). If they do not respond to care, then you must seek veterinary advice.

On-farm records

Having incomplete farm records is a breach commonly found by APHA inspectors.

This is the only breach under the animal welfare rules that carries a minimum severity rating because failing to keep complete records will not directly affect the welfare of the animals under your care.

You must make a record of the following, keeping the records for at least 3 years from the date of treatment/inspection and make them available to any authorised person at inspection:

- Any medicinal treatment given to your animals (including wormers).
- The number of deaths found when the animals are inspected.

Appropriate accommodation must be provided

The basic requirements are set out below. However, different species have different requirements, so please refer to the relevant guidance in the [Guide to cross compliance in England 2020](#).

- You must give your animals enough space so they can move freely in an environment that is clean and free from materials that can injure or cause harm.
- You must ensure buildings are correctly ventilated and lit with artificial light if there is insufficient daylight.
- If any of your animals rely on automated/mechanical equipment (e.g. for food, water, heating or ventilation

purposes), it is essential this equipment is checked at least once a day and any faults rectified immediately.

Suitable feed and water

You must:

- Feed animals a wholesome diet that is free from substances that can cause harm and they must have access to a suitable water supply.
- Minimise any contamination of food and water, and the harmful effects of competition between animals for food and water through the design and location of feeding and watering equipment.

Mutilations and breeding procedures

You must not:

- Carry out any mutilation or intervention on your animals, unless the action is classed as a ‘permitted procedure’ – more information on species-specific permitted procedures can be found in the SMR 13 appendix on [GOV.UK](#).
- Carry out breeding procedures that are likely to cause harm (for example, breeding females when they are too young).
- Keep animals for farming purposes if their normal breed characteristics (genetic and physical) mean this will cause damage to their health and welfare.

For more information on animal welfare, please visit [GOV.UK](#) where you can access welfare codes for all livestock types.

If you would like to read about welfare of calves, please read the [July FAS newsletter](#).



If you would like to read about the welfare of pigs, please read the [September FAS newsletter](#).



Nitrate Vulnerable Zone reminders – closed periods and winter storage

Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate. If any of your land is in a designated NVZ, you will need to comply with the NVZ rules. Check the interactive map on [GOV.UK](https://www.gov.uk) to see whether your land falls within an NVZ.

Closed periods for applying manures

Some organic manures have more than 30% of their total nitrogen content immediately available to crops. These are called 'high, readily available nitrogen manures' and include:

- poultry manure (layer manure and litter);
- liquid organic manures (such as sludge, cattle and pig slurries, and anaerobic digestate).

You must not spread high, readily available nitrogen manures on or between the closed period dates as stated in the table (all dates are inclusive).

	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 applying manufactured fertilisers

The NVZ rules also establish closed periods for the use of manufactured fertiliser. You must not apply manufactured fertiliser on the dates stated (all dates are inclusive):

- grassland between 15 September and 15 January;
- tillage land between 1 September and 15 January.

There are exceptions to the closed periods for manure and manufactured fertilisers.

To find out more about these, please read our [‘Nitrate Vulnerable Zone: Back to basics’](#) article that you can access for free from our website.

There are also restrictions that apply outside of the closed period. For example, you must not spread more than 30m³ per ha of slurry or 8 tonnes per ha of poultry manure in a single application from the end of the closed period to the end of February. You must allow at least 3 weeks between each application.

Do you have enough winter manure storage?

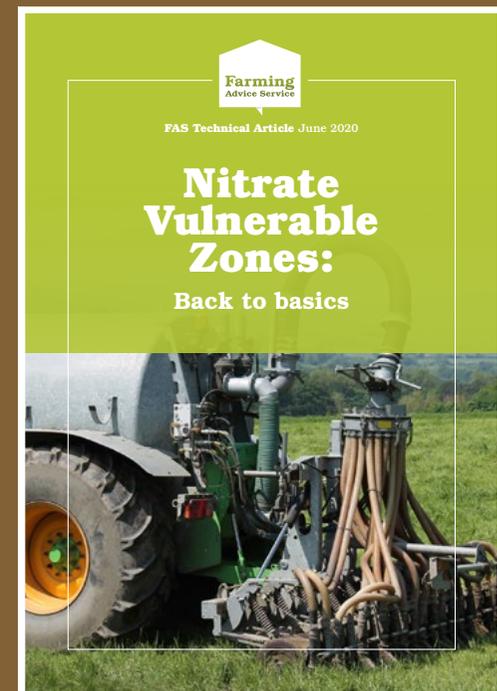
If you produce and/or store organic manure on your holding, it is important to read the [‘Storing organic manures in nitrate vulnerable zones’](#) page on GOV.UK. Here, you will find guidance on complying with the NVZ rules for storing slurry, poultry manure and solid manures (including how to find a suitable location for temporary field heaps); constructing or enlarging storage facilities; and record keeping requirements.

You must have sufficient storage facilities for all slurry produced on your holding and all poultry manure produced in a yard or building during the following ‘storage periods’:

- 1 October to 1 April (6 months) in the case of pigs and poultry;
- 1 October to 1 March (5 months) in the case of other livestock (cattle, sheep, goats, deer and horses).

You may need a greater storage volume if, in some years, you cannot empty the store before the start of the closed period. Using average rainfall data may, in some years, underestimate the amount of storage required. Therefore, you have to allow for wetter than average rainfall years (1 in 5 years) when calculating requirements. You can use the [Agriculture and Horticulture Development Board \(AHDB\) slurry wizard](#), which converts your average rainfall into wetter than average for you.

For more information on NVZ rules, you can read our [‘Nitrate Vulnerable Zone: Back to basics’](#) article or you can visit the NVZ page in the [Guide to cross compliance in England 2020](#).



More information on the CPSG scheme and the handbook for this round of the scheme can be found [here](#).

£25 million available to farmers in the Government's Countryside Productivity Small Grants (CPSG) scheme

On 7 October 2020, the Government revealed that, in the third and final round of the CPSG scheme, there will be £25 million available in grant funding to help farmers purchase productivity-boosting farming equipment. Farmers can apply for grants of between £3,000 and £12,000 to buy new and innovative equipment – from livestock monitoring cameras to precision farming technology – that will help them save time and money, and improve productivity.

Last year, new items were added to the list of equipment that is available to help farmers benefit the environment (for example, equipment designed to help minimise soil compaction in fields, monitor ammonia levels in farm buildings and increase machinery precision when applying slurry).

A farmer who has been successful in applying for grants in previous rounds of

the scheme will also be able to apply for a grant in this final round for different pieces of equipment up to the CPSG limit of £12,000. This means farmers can streamline other elements of their business or start the move towards farming more sustainably.

Farmers will have until midday on 4 November to submit an application to the [Rural Payments Agency](#).

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In line with the General Data Protection Regulation (GDPR), FAS has updated its privacy policy to explain how your data is kept safe.

To view the policy, please visit

www.farmingadvice.org.uk/events/privacy/