



**Farming**  
Advice Service

## Welcome to the Farming Advice Service newsletter

*Thank you for continuing to subscribe to our monthly newsletter. We hope you find the content useful and welcome any feedback or suggestions on topics you would like to see covered in future editions.*

### Contact us

**FAS technical advice line: 03000 200 301**

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

[farmingadvice.org.uk](http://farmingadvice.org.uk)



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## May 2022 - Issue 75

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### Stay up to date with us

## Key dates to be aware of

<b>10 June</b>	The deadline for late Basic Payment Scheme (BPS) 2022 applications (with penalty) and for making certain changes (without penalty) to a BPS application that was submitted before midnight on 16 May ( <a href="#">GOV.UK</a> )
<b>10 June</b>	The deadline for submitting late Countryside Stewardship and Environmental Stewardship revenue claims (with a penalty) ( <a href="#">GOV.UK</a> )

## In case you missed them...

<b>30 April</b>	For any land located 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 by this date. You must also record the number and type of livestock kept in a building or hardstanding during the previous storage period ( <a href="#">SMR* 1</a> )
<b>1 May</b>	You must not carry out hedge or tree coppicing or hedge laying from this date ( <a href="#">GAEC** 7a</a> and <a href="#">GAEC 7c</a> )

\* SMR = Statutory Management Requirement

\*\* GAEC = Good Agricultural and Environmental Condition

*For more details about the information provided in the key dates table, visit [Guide to cross compliance in England 2022](#) and [Rural Payments Agency \(RPA\) key dates 2022](#) on GOV.UK.*

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## Watch our webinar recordings and listen to our podcasts

In case you missed our webinar sessions in January and February, you can watch the recordings by clicking on the links below:

- [Cross compliance update for 2022](#)
- [Future support schemes](#)
- [Steps to reduce ammonia emissions on farms](#)
- [Livestock movements and identification](#)

We have also interviewed expert speakers on a range of topics. You can listen to these podcasts on Audioboom or Spotify by clicking on the links below:

- [Cross compliance with Andrew Wells](#)
- [Supporting farmers through resilience with Suzy Deeley](#)
- [Reducing ammonia emissions on farms with John Morgan](#)
- [Livestock movements and identification with Ian Cairns](#)

# How can we help you?

## Free and confidential advice

The Farming Advice Service (FAS) is funded by Defra. We provide **free, confidential** advice to help farmers in England understand and meet the requirements of cross compliance. These requirements apply to you if you are a BPS, Countryside Stewardship or Environmental Stewardship claimant.

We update the farming sector on relevant government farming policy that is applicable in England and on the actions that can be taken to help farmers comply with regulations. Our newsletter also provides articles on topics that are complementary to cross compliance, such as practices to benefit the wider environment and wellbeing support.

[Our website](#) hosts our previous newsletters, technical articles and webinars that cover topics in more detail.

## Contacting the advice line

Farmers requiring telephone advice can contact the **Rural Services Helpline** on **03000 200 301**, Monday to Friday, between **08:30** and **17:00**. The Rural Services Helpline provides a single number for all **FAS, RPA, Animal and Plant Health Agency, Natural England** and forestry enquiries.

You can also email enquiries to [advice@farmingadvice.org.uk](mailto:advice@farmingadvice.org.uk). Our helpline team aims to respond to all telephone and email enquiries within one working day.

The advice given to individual farmers is **confidential** – we do not disclose any personal or individual information, or data obtained during advisory activities.



## Need extra support?

We understand it can be difficult to keep up with all the changes affecting the farming industry at the moment, and that the amount of information available can be daunting. **FAS** is here to help and you can also find the most up-to-date information on grants and payments on [GOV.UK](#).

If you are feeling overwhelmed and are not sure where to turn, the Royal Agricultural Benevolent Institution ([RABI](#)) and the Farming Community Network ([FCN](#)) offer support services by email and phone. A range of other organisations also offer complementary forms of support for the farming community; [click here](#) to view support organisations by topic.

## Countryside Stewardship Mid-Tier 2022 advice

Through the Countryside Stewardship Mid-Tier 2022 advice programme, you can book for a free 90-minute online clinic session for your area to help consider the options that are suitable for your holding. Booking is essential as places will be limited. Find out more [here](#).



# Don't forget, the restrictions on tree and hedge-cutting are in place until September and you may need a felling licence all year round



*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](#). This article includes reminders of the rules and when you can apply for a derogation. You may need a felling licence all year round.*

If you are a 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 the English Woodland Grant Scheme, you must adhere to the requirements in GAECs 7a & 7c across your entire holding, which may include woodland, or you could receive a reduction in your payments.

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

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

- If a tree or hedge overhangs a highway, road or footpath and 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 between 1 March and 30 April (inclusive)

You can apply to the RPA in writing for a derogation under the following circumstances:

- To enhance the environment or to 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 throughout that month (if you are applying for this derogation you are encouraged to submit this application 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 the words 'Cross compliance 2022 derogation' to ensure it is directed to the correct team. Please also indicate in your email the fields for which you wish to obtain the derogation. Please be aware that a derogation to cut a tree within a hedgerow will need to be considered under:

- [GAEC 7c: Trees](#) – with respect to the tree itself
- [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 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 2022](#).

You can [apply for a felling licence from the Forestry Commission online](#).

# Applying the Farming Rules for Water

*On 30 March 2022, Defra issued statutory guidance to the Environment Agency on the enforcement of certain aspects of the Farming Rules for Water. This guidance does not amend the regulations, but it provides information on the criteria the Environment Agency should consider when assessing whether they should take enforcement action under the regulations. It only affects the enforcement of Regulations 4(1)(a)(i) and (ii), which relate to planning and spreading organic manures and manufactured fertilisers. This article provides a summary of the criteria (you can [read the full guidance on GOV.UK](#)).*

The Environment Agency should consider the criteria set out below when carrying out an inspection under the Farming Rules for Water. Enforcement action should not normally be taken where land managers have met the criteria. The Environment Agency will generally prioritise giving advice and guidance over taking enforcement action.

## **Planning applications of organic manures and inorganic fertilisers**

Land managers should be able to demonstrate that they have planned applications of organic manure or inorganic fertiliser in accordance with the Farming Rules for Water. This includes, for example, drawing up a nutrient management plan or other written plan. Plans should include an assessment of crop nutrient requirements and take account of soil sampling results and nutrient content of organic manure.

[More information is available on GOV.UK.](#)

## **Assessment of crop and soil needs when planning**

The nitrogen requirement for soil and crops should be considered on an annual crop cycle. Land managers should plan to avoid applying organic manures that raise the Soil Phosphorus Index (soil P index) above index level 3 or target levels for soil and crop on land (whichever is higher) over a crop rotation, unless they can demonstrate that:

- It is not reasonably practicable to do so
- They have taken all appropriate and reasonable precautions to help mitigate the risk of diffuse agricultural pollution



### Assessment of significant risk of agricultural diffuse pollution when planning

Plans should consider the different approaches that can avoid nitrate leaching, run-off and resulting agricultural diffuse pollution. This will depend on the readily available nitrogen (RAN) content of organic manures.

If applications of an organic manure with low RAN (such as farmyard manure) takes all reasonable precautions into account, an application limit is not required. This is providing the amount of nitrogen applied matches the need of the soil and of the crop. Good agricultural practice of using a maximum field application rate of 250kg total nitrogen per hectare per year still applies. If you are in an NVZ, you still have to comply with spreading rates and restrictions.

Applications of organic manures with a high RAN will not be considered a nitrate risk if one of the following criteria is met:

- The application is made outside the periods set out in Table 1
- The application is made during the periods set out in Table 1, with a single application rate limit of 30m<sup>3</sup>/ha for high RAN organic manures in general, and 8t/ha for high RAN poultry organic manures (there must also be no repeat applications for at least 21 days during the restricted periods)
- The application is made during the periods set out in Table 1 at an application rate to meet the soil and crop needs of an autumn/winter commercial crop, not including conventional cover crops or green manure

In all cases, land managers must take all appropriate reasonable precautions to help mitigate the risk of diffuse agricultural pollution.

**Table 1: Periods when application rate limits apply for high RAN organic manure**

Soil type	Grassland	Tillage land
Sandy or shallow soil	1 September to the end of February	1 August to the end of February
All other soils	15 October to the end of February	1 October to the end of February

### Assessment of reasonable precautions

Green cover helps prevent agricultural diffuse pollution from applications to land and includes any commercial crop, green manure or cover crop. Land managers should plan to have established green cover by 15 October.

Land managers must provide appropriate justifications if they are not planning to establish green cover by 15 October, or if they are planning to leave the land bare over winter.

Appropriate justifications can be considered for agronomic or environmental reasons, such as when land managers must:

- Delay drilling to enable activities to control persistent weeds, such as blackgrass
- Leave medium and heavy soils to weather before a spring root crop



# Water abstraction charges/ dry weather management abstraction



## Abstraction charges

Due to ongoing work to move licences into the new charging scheme, customers will receive their annual abstraction charges bill later than usual. The Environment Agency will be notifying key external stakeholders and trade bodies of this delay. In the meantime, customers can use our online [water resources charge indicator tool](#) to calculate their charges ahead of receiving their bill.

## Dry weather management abstraction

The Environment Agency has updated its irrigation prospects across England. Following the dry weather in March and April, no areas have received a 'good' status and only five are classified as 'good to moderate', showing a decline when compared to the February prospects (see the [FAS Technical Articles page](#)). The latest information on river flows and groundwater levels is available on [GOV.UK](#). The Environment Agency's guidance on water abstraction during prolonged dry weather and drought is also available at [GOV.UK](#). This includes more detail on how abstractors can get help during these conditions.

Check your abstraction licence details and adhere to licence conditions at all times, ensuring that abstractions are only taken from authorised locations, volumes are not exceeded and accurate records are kept of meter readings. In particular, where third parties undertake irrigation, licence holders should ensure contractors fully understand the abstraction licence conditions. Those who have licences with compensation discharges and re-abstraction conditions should ensure that water is released at the same time as abstraction is taking place.

From April 2022, the Environment Agency has started emailing water abstraction e-alerts to some abstractors to help them manage their hands-off conditions. These more timely alerts will help abstractors make better use of water when it is available and improve the protection of water rights and of the environment when it is not. Not all abstractors will currently receive email alerts, but they are an important step in helping abstractors adapt to river and groundwater levels as the climate changes. We will contact abstractors to ensure a smooth transition to e-alerts (see [Manage your water abstraction or impoundment licence online – GOV.UK](#))).



# Updates from the Future Farming blog and industry announcements

Defra regularly updates the [Future Farming blog](#). Please [subscribe to the blog](#) to ensure you see all the latest news.

- Defra has [announced further steps to support farmers with cost pressures](#) caused by the demand and instability seen across the globe. Under the latest plans, Direct Payments in England will be paid in two instalments each year for the remainder of the agricultural transition period to help farmers with their cashflow. Under these plans, farmers with eligible applications will receive the first payment of 50% from the end of July and the second payment from December
- Defra have launched the second round of Research Starter Projects, part of the industry-led R&D Partnership Fund, in partnership with UK Research and Innovation (UKRI). As part of this competition, Defra will make £1 million available for a range of small farmer-led research and development projects. These projects are for farmers and growers based in England who have big, game-changing ideas for innovating the farming sector and who need help kick-starting their innovation journey
- Defra has recently published guidance for the third theme of the Farming Transformation Fund (part of the Farming Investment Fund), called 'Adding Value'. This £30 million fund will offer grants supporting farmers and growers to process, diversify and add value to their products
- Businesses and other organisations that use professional plant protection products (PPPs) and any adjuvants in Great Britain are now legally required to register the basic details of their activities with the authorities under the [Official Controls \(Plant Protection Products\) Regulations 2020](#). To register, businesses should complete the simple form available on GOV.UK ([click here for link](#)). There is detailed guidance on who should register and how they can do this. **The deadline for notification is 22 June 2022.** Defra is collecting information from businesses in Scotland and Wales on behalf of the Scottish and Welsh Governments. Businesses in Northern Ireland should not register with Defra, as Northern Ireland has created its own [regulations](#)



- Prompted by the rise in fertiliser prices, Defra has announced updates regarding fertiliser use and support:
  - New [guidance on applying farming rules for water](#) has been developed to help farmers limit their use of slurry and other farmyard manure at certain times of year
  - The Fertiliser Taskforce (made up of representatives from the fertiliser industry, including the Minister for Farming), which was set up in March as a response to the price increases in fertiliser, has released findings from its first roundtable meeting. One of the discussions from the meeting was an analysis on fertiliser application strategies. You may find it helpful to read the Agriculture and Horticulture Development Board (AHDB)'s [analysis of fertiliser buying and application strategies](#), which was published on their blog
  - Defra has also decided to delay changes to the use of urea fertiliser. Originally planned to start in 2022, this will now be delayed by at least a year. This delay will help farmers manage their costs and give them more time to adapt. Read about [updates to fertiliser and further support](#)
- As a further response to the rise in fertiliser prices later this year, farmers will be able to apply for slurry storage grants, helping them meet the Farming Rules for Water and reducing their dependence on artificial fertilisers by storing organic nutrients until needed or for onward processing. These grants will be available as part of the [Farming Transformation Fund](#)
- Guidance on the [Lump Sum Exit Scheme was published](#) on 12 April. Farmers will be able to apply up to 30 September 2022, and have until 31 May 2024 to transfer out of their agricultural land where required. This scheme provides support to farmers in England who wish to leave the industry in a managed way through the Lump Sum Exit Scheme. In return, farmers will be expected to either rent or sell their land or to surrender their tenancy to create opportunities for new entrants and farmers wishing to expand their businesses
- Defra and the Forestry Commission have provided an update on what has been learned in the eight months since the [Tree Health Pilot](#) began. Sweet chestnut, spruce, ash, larch and oak tree owners can participate in the study
- A new £8.8 million fund to support domestic tree production in England has been opened by the Forestry Commission in partnership with Defra. Up to £8.8 million is available through the Tree Production Capital Grant, subject to sufficient high-quality bids being received. The fund will enable suppliers to bolster production at pace and has been designed to complement the [Tree Production Innovation Fund](#), which provides support for research projects that enhance tree production methods. Funding will help to increase the quantity, quality, diversity and biosecurity of tree seed and sapling supply. The Tree Production Capital Grant is now open for applications until Thursday 30 June. For more information and to apply, go to: [www.gov.uk/guidance/tree-production-capital-grant](http://www.gov.uk/guidance/tree-production-capital-grant)
- The [Forestry Commission also has a blog page on GOV.UK](#) where information and advice is posted about trees and woodlands. [Sign up to the Forestry Commission's e-alerts](#) to stay up to date
- Last month, Defra published [Sustainable Farming Incentive](#) information on standards, levels and payments. Do read this information if you are considering applying for the scheme when it opens in the summer
- Defra recently updated its '[Farming is Changing](#)' leaflet which provides information on the farming policies and schemes.
- The [second episode of the RPA podcast](#) is now available. The podcast offers support and guidance to farmers, landowners and rural communities navigating the agricultural transition. Listen on [Apple](#) and [Spotify](#) or through [Buzzsprout](#). If you would like RPA to cover a particular topic with their subject experts, please email [External.Affairs@rpa.gov.uk](mailto:External.Affairs@rpa.gov.uk)

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In line with data protection regulations, such as the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018, FAS has updated its privacy policy to explain how your data is kept safe.

To view the policy, please visit [www.farmingadvice.service.org.uk/events/privacy/](https://www.farmingadvice.service.org.uk/events/privacy/).