



# The Guide to Cross Compliance in England

Other existing publications on Cross Compliance:

**Defra**

**publication no.    Title**

PB 12903            *Management of Habitats and Landscape Features: Guidance for Cross Compliance in England*

PB 11162            *Cross Compliance Guidance for Soil Management*

PB 11160            *Cross Compliance Soil Protection Review*

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# Introduction

*The Guide to Cross Compliance in England* is effective from the 2008 scheme year onwards. It has removable pages, which can be used as fact sheets, and farmers will no longer be issued with a full version on a yearly basis. Instead, they will be issued with new updated individual pages when they are required to be changed.

The format reflects what farmers said they wanted and the text has been developed in close consultation with stakeholders. There are also colour coded sections, with banners indicating the purposes behind the legal requirements on which the cross compliance regime is based. These banners and the Key farming activities page should assist you with finding the standards that are relevant to your business and activities. The key aspects have been summarised and directions given to where you can find further explanations and details.

A copy of this Guide can be found on the RPA website at [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) and on the Whole Farm Approach website at [www.defra.gov.uk/farm/wholefarm/index.htm](http://www.defra.gov.uk/farm/wholefarm/index.htm). This version will be kept up to date and any changes will be flagged up on these websites.

## Legal notice

This Guide is intended to provide a general, user-friendly, summary of the cross compliance requirements and outlines why you need to be compliant. ***It is not a statement of the law.*** The specific cross compliance requirements are set out in European and UK legislation. You should refer to this legislation to find out exactly what you must do. This legislation and further information are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance).

Information can also be obtained by contacting the cross compliance advice line on 0845 345 1302.



# What's new?

There have been a number of changes to certain requirements and standards for the 2010 scheme year which are reflected in this Guide. These include:

## **General Information**

Updated to reflect changes to the rules on liability for cross compliance; to clarify the rules on reductions and exclusions; and also minor changes to the section on the Farm Advisory System.

## **Key Farming Activities**

Now includes GAEC 18 Water abstraction (see below).

## **Key Dates**

Includes GAEC 18 Water abstraction and changes to GAEC 1 Soil Protection Review dates.

## **The Whole Farm Approach (WFA) and the Cross Compliance Self Assessment Tool**

Minor updating to reflect changes to the Cross Compliance Self Assessment Tool for 2010.

## **Soil Protection Review (GAEC 1)**

Defra's GAEC consultation following the CAP Health Check resulted in the simplification and consolidation of the four GAEC standards (GAEC 1, 2, 3 and 4) on soil. The standards have been brought together into the Soil Protection Review (SPR) and will help farmers consider the risks and management of their soils. The need for derogations for certain activities on waterlogged land has also been removed, but you are now required to record access to waterlogged land and any remedial action necessary.

Please note that you should remove the pages in your Guide covering GAECs 1 to 4 and replace them with the new GAEC 1 SPR pages. There will no longer be any pages for GAECs 2 to 4.

## **Agricultural land which is not in agricultural production (GAEC 12)**

Defra's GAEC consultation also resulted in changes to GAEC 12. The main changes are as follows. The rules on when land becomes subject to the GAEC 12 conditions have been simplified and the requirement to establish and maintain a green cover has been removed. Soil protection on GAEC 12 land will be managed through the SPR. The prohibition of non-farm vehicle use has also been removed and such land will now simply be subject to the non-agricultural use and storage requirements of the Single Payment Scheme.

## **Protection of hedgerows and watercourses (GAEC 14)**

GAEC 14 has been updated to clarify that maintenance of traditional hedgebanks is permitted under this standard.

## **Water abstraction (GAEC 18)**

A new cross compliance standard has been introduced which brings England's domestic abstraction licensing scheme into cross compliance.

The Guide to Cross Compliance in England – **Version 3** (applicable from 01/01/2010)

### **Nitrate Vulnerable Zones (SMR 4)**

Minor updating of pages following last year's changes resulting from the introduction of the Nitrate Pollution Regulations 2008 and the subsequent derogation obtained by Defra.

### **Cattle identification and registration (SMR 7)**

The requirements under SMR 7 have been updated to reflect changes to the Transmissible Spongiform Encephalopathies Regulation regarding the notification of on-farm deaths.

### **Sheep and goats identification (SMR 8)**

SMR 8 has been updated to reflect the new requirements for individual recording and Electronic Identification (EID) of sheep.

### **Restrictions on the use of substances having hormonal or thyrostatic action and beta-agonist in farm animals (SMR 10)**

SMR 10 has been updated to reflect changes to the Animal and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations which ban Member States from authorising oestradiol for any purposes.

### **Food and feed law (SMR 11)**

Two new requirements have been brought into SMR 11. The first brings in the need to take account of the results of any analyses carried out on samples from food-producing animals, plants, animal feed or other samples taken for diagnostic purposes that have importance for human and animal health.

The second introduces the need for food and feed business operators to ensure their produce does not contain traces of pesticides or veterinary medicines that exceed the stated Maximum Residue Level for the pesticide or medicine concerned.

### **Control of foot and mouth disease, bluetongue, swine vesicular disease and certain animal diseases (SMRs 13, 14 and 15)**

Minor changes to the list and order of the certain animal diseases have been made.

### **Inspection criteria**

Now includes GAEC 18 Water abstraction.

### **Appendices** (available on the RPA website only)

Updates and amendments have been made to the following appendices of *The Guide to Cross Compliance in England* and are available on the RPA website at [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance):

- list of Statutory Management Requirements;
- appendix for Welfare of calves (SMR 16); and
- appendix for Animal welfare (SMR 18).

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# General information

## Introduction

Cross compliance requirements apply to you if you receive direct payments under Common Agricultural Policy (CAP) support schemes or if you receive payments under certain Rural Development schemes. **Your payments may be reduced if you do not comply with these requirements.**

There are three aspects to cross compliance requirements:

- specific European legal requirements, known as Statutory Management Requirements (SMRs);
- domestic legal requirements requiring you to keep your land in Good Agricultural and Environmental Condition (GAEC); and
- requirements to maintain a level of permanent pasture not included in the crop rotation for 5 years or more. **This is not currently a cross compliance requirement for individual farmers, but may become one in future years.**

Cross compliance requirements apply **in addition to** your underlying obligations under European and UK legislation. Remember, you may face penalties if you do not carry out those obligations, as well as reductions to and loss of CAP payments.

All agricultural activities are covered by cross compliance and you must comply with the standards across the whole agricultural area of your holding, regardless of the amount of land you entered into the Single Payment Scheme (SPS). This includes common land over which you exercise or hold rights of common, including rights in gross. The only exception is that you do not need to produce a Soil Protection Review (SPR) 2010 for common land (unless you are the sole occupier of the common).

## Reductions and exclusions

If a breach of cross compliance is directly attributable to you, your direct payments may be reduced for claims submitted in the calendar year the breach was found.

If you negligently fail to comply with a cross compliance requirement, your overall payments will generally be reduced by 3% for each non-compliance. This may be reduced to 1% or increased to 5% depending on the extent, severity and permanence of the breach. In certain, very limited, circumstances it may not be appropriate to make a reduction to the overall payments due.

If you fail to comply with the same requirement or standard more than once during a period of three consecutive calendar years, the reduction applicable to the repeated non-compliance will be three times that for a first-time breach. Reductions for subsequent repetitions will continue to be multiplied by three, up to a maximum of 15% of the overall payments due.

Once the reduction has reached 15%, further non-compliances will be treated as intentional. The previous reduction, calculated before the 15% cap was applied, will be multiplied by three, and the rules on intentional non-compliance will be applied.

If you negligently fail to comply with more than one requirement within the same broad area (for example, animal welfare) these failures will be treated as a single non-compliance. If you fail to comply in different areas (for example, animal welfare and the environment), separate reductions will be made for each non-compliance. The percentage reductions will be added together, but the maximum reduction will be capped at 5% of the overall payments due.

If you intentionally fail to comply with a cross compliance requirement, your overall payments will generally be reduced by 20%. This may be reduced to 15% or increased up to 100% depending on the extent, severity and permanence of the breach.

If you intentionally fail to comply with more than one requirement within the same broad area, these failures will be treated as a single non-compliance. If you fail to comply in different areas, separate reductions will be made for each non-compliance. The percentage reductions will be added together and could lead to a 100% reduction of the overall payments due.

If you refuse to allow an inspection to take place, intentionally obstruct an inspector or fail to give reasonable assistance, you may lose all your direct payment.

Further details on reductions and exclusions can be found on the RPA website ([www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance)).

### Liability

Although land used to activate entitlements need only be at a claimant's disposal on 17 May, cross compliance requirements will still need to be met for the whole calendar year.

The claimant is responsible for making sure cross compliance requirements are met for the whole calendar year. This applies even if the claimant is not in occupation of the land for the entire year. For example, if you were to take on some agricultural land on 10 April and it forms part of your holding on 17 May, you would be liable for any cross compliance breaches that occurred since the start of the year, including any period between 1 January and the date you took on the land. There is one exception to this rule. If the transferor in this case submits a claim in that calendar year, they will be liable for cross compliance breaches during the period that the land was at their disposal. Similarly, if you claimed on some land which you then transferred out after 17 May, you would remain responsible for ensuring that the cross compliance requirements relating to that land were met until the end of the calendar year. Again, however, if the transferee submits a claim in that calendar year, they will be liable for cross compliance breaches during the period that the land was at their disposal.

Therefore, if you are transferring land (either in or out) during the year, you should carefully consider the terms of any contractual arrangements between you and the transferor or transferee. This is so you can make sure that your interests are protected if a cross compliance breach occurred, or access to inspectors was prevented, before or after the land transfer. Similarly, you should bear in mind the risks of not having contractual arrangements agreed and in place.

Responsibility for ensuring compliance in relation to the identification and traceability of sheep, goats and pigs lies with the keeper – the person with day-to-day responsibility for the animals. This applies regardless of who owns the animals and whose land they are grazing. Responsibility for ensuring compliance in relation to identification and traceability of cattle also lies with the keeper – in this case the person registered on the Cattle Tracing System (CTS). Responsibility for ensuring the welfare of all farmed animals lies with both the keeper – again, the person who has day-to-day responsibility for the animals **and** the owner of the animals.

## Relationship between GAEC and other environmental schemes

The GAEC measures provide a baseline of environmental protection for soils, habitats and landscape features, and protection and management of water. If your requirements under certain land-based Rural Development schemes conflict with GAEC measures, the Rural Development scheme requirements will generally take precedence. If you are unsure you should contact RPA.

Guidance on GAEC requirements for habitats and landscape features has been provided as a separate publication, *Management of Habitats and Landscape Features: Guidance for Cross Compliance in England*. This should help you identify habitats and landscape features on your land and provide recommendations on best practice, additional information and advice.

## Exemptions

In exceptional circumstances, you may be able to apply to RPA for an exemption from certain cross compliance standards. These might include instances when there are issues of human or animal health or safety, or when you need to control pest or weed infestations. You should not proceed with the activity until you have received written permission.

You may also be exempted from a cross compliance standard where, for example, the laying, construction or maintenance of a pipeline, cable or pylon under statutory authority is incompatible with meeting a standard. If you think such work might be incompatible with meeting a standard, you should request an exemption from RPA in advance of the work being carried out. This should safeguard your position. In emergency situations, where advance requests may not be possible, RPA would not expect advance requests to be made. If, however, you find the work is incompatible with a standard, you would be advised to write to RPA as soon as practicable to safeguard your position.

RPA would not expect statutory bodies to have to undertake the process of using their statutory powers to obtain the required permission for access or to carry out work, where voluntary consent exists and where statutory consent would be granted if required.

Information regarding exemptions can be sought by contacting RPA's Customer Service Centre. Please ensure that any application is supported by adequate evidence, such as advice from an agronomist. Photographic evidence or explanatory diagrams could also support your application. All letters and e-mails requesting exemptions should be clearly headed 'Cross Compliance Derogation'. E-mails regarding exemptions should be sent directly to [csc@rpa.gsi.gov.uk](mailto:csc@rpa.gsi.gov.uk)

## Force majeure and exceptional circumstances

In limited circumstances, RPA may accept that you are prevented from meeting the cross compliance requirements and standards due to force majeure or exceptional circumstances. In such cases, reductions and exclusions may not have to be applied. Force majeure is defined as 'unusual circumstances, outside your control, the consequences of which, in spite of all due care, could not be avoided except at the cost of excessive sacrifice on your part.' All cases will be judged on their own merit.

For further information on force majeure and exceptional circumstances and how to apply, please refer to the SPS Handbook and Guidance.

## Farm Advisory System

EU Member States are required to set up a Farm Advisory System to advise farmers on cross compliance requirements. In England, a Cross Compliance Technical Helpline is available to provide technical advice and support to farmers, other land managers, their advisers and agricultural contractors. Details can be found at [www.crosscompliance.org.uk](http://www.crosscompliance.org.uk) or by calling **0845 345 1302**.






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# Key farming activities

The main cross compliance requirements to consider when doing selected key farming activities are listed below.

In order to assist you in using this Guide, we have included a series of colour coded picture boxes relating to each of these key farming activities throughout the Guide. To use the guide quickly follow the coloured boxes in the right hand margin of each page to find the main requirements relating to each farming activity.

<b>Key Activities</b>	<b>Main Guide sections</b>	
<b>Record keeping</b>	Soil Protection Review (GAEC 1) Water abstraction (GAEC 18) Sewage sludge (SMR 3) Nitrate Vulnerable Zones (SMR 4) Animal identification (SMRs 6, 7, 8) Food and feed law (SMR 11) Animal welfare (SMRs 16, 17, 18)	
<b>Soil management, cultivation and ploughing</b>	Soil Protection Review (GAEC 1) Environmental Impact Assessment (GAEC 5) Public rights of way (GAEC 8) Hedgerows and watercourses (GAECs 14, 15) Groundwater (SMR 2) Sewage sludge (SMR 3) Nitrate Vulnerable Zones (SMR 4)	
<b>Spraying and spreading</b>	Environmental Impact Assessment (GAEC 5) Control of weeds (GAEC 11) Hedgerows and watercourses (GAECs 14, 15) Groundwater (SMR 2) Sewage sludge (SMR 3) Nitrate Vulnerable Zones (SMR 4) Plant protection products (SMR 9) Food and feed law (SMR 11)	
<b>Harvesting and post-harvest activities</b>	Soil Protection Review (GAEC 1) Land not in production (GAEC 12) Hedgerows and watercourses (GAECs 14, 15) Food and feed law (SMR 11)	
<b>Keeping livestock</b>	Overgrazing (GAEC 9) Animal identification (SMRs 6, 7, 8) Food and feed safety (SMRs 10, 11, 12) Animal disease control (SMRs 12, 13, 14, 15) Animal welfare (SMRs 16, 17, 18)	

### **Maintenance of landscapes and protection of habitats**

Environmental Impact Assessment (GAEC 5)  
Sites of Special Scientific Interest (GAEC 6)  
Scheduled monuments (GAEC 7)  
Public rights of way (GAEC 8)  
Overgrazing (GAEC 9)  
Heather and grass burning (GAEC 10)  
Control of weeds (GAEC 11)  
Land not in production (GAEC 12)  
Stone walls (GAEC 13)  
Hedgerows and watercourses (GAECs 14, 15)  
Trees (GAECs 16, 17)  
Water abstraction (GAEC 18)  
Habitats and species protection (SMRs 1, 5)



# Key dates

January	1	You must start implementing your Soil Protection Review (SPR) if you completed one for the first time in the previous year, or start to implement any changes that you identified previously. (GAEC 1)
	1	You may apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land on shallow or sandy soils from this date, but you must then adhere to the quantity restrictions for application of these manures. (SMR 4)
	1	Beginning of the year for calculating the annual amount of livestock manure applied to your land. (SMR 4)
	1	You must have completed a risk map if you spread organic manure on your holding <sup>1</sup> . (SMR 4)
	15	End of closed period when you cannot apply manufactured nitrogen fertilisers to grassland and tillage land. (SMR 4)
	15	End of closed period when you cannot apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land with soils which are not shallow or sandy. (SMR 4)
	16	You may apply manufactured nitrogen fertilisers to grassland and tillage land from this date. (SMR 4)
	16	You may apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land on all soil types from this date, but you must then adhere to the quantity restrictions for application of these manures. (SMR 4)
February	28/ 29	End of all requirements of the GAEC standard on post-harvest management of land. (GAEC 1)
	28/ 29	End of the quantity restrictions for application of organic manures with a high readily available nitrogen content. (SMR 4)
March	1	You must not cut or plough vegetation on agricultural land which is not in agricultural production from this date (except in a limited number of circumstances). (GAEC 12)
	1	You must not cut hedgerows from this date, but you may carry out hedge-laying and coppicing. (GAEC 15)
	31	If you hold a water abstraction licence, expect to receive your annual bill (or first part charge if you hold a two-part tariff agreement) for the forthcoming financial year from 31 March. (GAEC 18)
April	1	You must not burn heather or grass on land, other than that in upland areas, from this date. (GAEC 10)
	1	If you hold a winter or all-year-round water abstraction licence (authorising abstraction outside the period April to October), the Environment Agency will make actual abstraction return forms available to you from 1 April. You then have 28 days to send your readings in to the Environment Agency. (GAEC 18)
	16	You must not burn heather or grass in upland areas from this date. (GAEC 10)
	30	You must have recorded the total size of your holding and calculated and recorded your existing organic manure storage capacity and whether you need to provide extra storage capacity <sup>2</sup> . (SMR 4)

<b>May</b>	<b>1</b>	You must not carry out hedge-laying or coppicing of hedgerows from this date. (GAEC 15)
<b>August</b>	<b>1</b>	You may cut or plough vegetation on agricultural land which is not in agricultural production from this date. (GAEC 12)
	<b>1</b>	You may cut hedgerows from this date. (GAEC 15)
<b>September</b>	<b>1</b>	Start of closed period when you cannot apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to grassland with shallow or sandy soils. (SMR 4)
	<b>1</b>	Start of closed period when you cannot apply manufactured nitrogen fertilisers to tillage land. (SMR 4)
	<b>15</b>	Start of closed period when you cannot apply manufactured nitrogen fertilisers to grassland. (SMR 4)
	<b>16</b>	Start of closed period when you cannot apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to tillage land with shallow or sandy soils and sown with crops on or before 15 September. (SMR 4)
<b>October</b>	<b>1</b>	You may burn heather, rough grass, gorse or Vaccinium on land in upland areas from this date. (GAEC 10)
	<b>1</b>	Start of closed period when you cannot apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to tillage land with soils which are not shallow or sandy. (SMR 4)
	<b>15</b>	Start of closed period when you cannot apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to grassland with soils which are not shallow or sandy. (SMR 4)
	<b>31</b>	If you hold a summer water abstraction licence (authorising abstraction wholly within the months of April to October), the Environment Agency will make actual abstraction return forms available to you from 31 October. You then have 28 days to send your readings in to the Environment Agency. (GAEC 18)
<b>November</b>	<b>1</b>	You may burn heather, rough grass, gorse or Vaccinium on land, other than in upland areas, from this date. (GAEC 10)
	<b>30</b>	If you have a two-part tariff agreement for your water abstraction licence, expect to receive your second part charge after 30 November. (GAEC 18)
<b>December</b>	<b>1</b>	You need to carry out your annual inventory of sheep. (SMR 8)
	<b>31</b>	All new SPRs/annual updates to be completed. (GAEC 1)
	<b>31</b>	End of closed period when you cannot apply organic manure with a high readily available nitrogen content (eg slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land with shallow or sandy soils. (SMR 4)

1 This applies only for farms in pre-existing or newly designated NVZs (see SMR 4).

2 This applied by 30 April 2009 for farms in a pre-existing NVZ, and additionally applies by 30 April 2010 for farms in a newly designated NVZ.

# The Whole Farm Approach (WFA) and the online Cross Compliance Self Assessment Tool

## Introduction to Whole Farm Approach

The Whole Farm Approach (WFA) is an internet based service to help English farmers and growers deal more efficiently with Defra and related Government bodies. It provides transactional services and includes electronic survey forms and self-assessment questionnaires covering your working practices and farm management. It also offers comprehensive best practice advice and guidance to support you in decision making.

The WFA is a key part of the Government's response to Lord Haskins' review of rural delivery. It supports Government policies on e-services, 'joined-up government' and greater customer focus by:

- sharing data with its partners, WFA aims to reduce regulatory and bureaucratic burdens, both for farmers and for government;
- providing self-assessment and guidance tools to help support farmers in achieving environmental improvements;
- sharing data with inspection bodies that may be taken into account in determining risk assessment for inspection purposes.

The WFA is a progressive service which has been developed with the help of the industry to evolve over time in response to users' needs.

## What does the Whole Farm Approach offer you?

The service was launched in March 2006 and allows you to:

- have ready access to a single view of data relating to your farm, which can be maintained and validated on an ongoing basis, for use in managing your business;
- use a range of tools to self assess your farming practice against regulatory and best practice standards;
- register for Waste Licence exemptions;
- carry out a Soil Protection Review of your farm;
- complete the June or December Agricultural Survey (if selected);
- access an interactive advice and guidance Advisory Tool on Catchment Sensitive Farming;
- sign-up to receive important farming news and information direct to your e-mail account;
- receive Defra reminders and a calendar for key events and deadlines;
- undertake a cross compliance self-assessment of your farming activities, review regulatory requirements and access best practice advice and guidance;

- access the Nitrate Vulnerable Zones (NVZ) Self Assessment Tool to ensure full understanding of the NVZ regulations and to aid compliance;
- apply for an NVZ Derogation Application – a service for certain farmers who wish to apply for an online derogation against the 170 kg livestock manure N farm limit;
- access the Food Standards Agency (FSA) Guidance Tool, which allows you to quickly and easily assess your current farming practices against the requirements of the legislation for on-farm food and feed safety;
- access the Animal Feed Registration tool, which allows you to quickly and easily register your animal feed activities with your Local Authority and the Veterinary Medicines Directorate's (VMD) Animal Medicines Inspectorate;
- access the Cattle Tracing System (CTS) online;
- access the Environmental Stewardship Entry Level Scheme (ELS) online.

The WFA is a long-term programme of work, and the range of online services available to farmers will continue to increase. These will include:

- full open access SPS online applications;
- WFA maps - a read-only electronic mapping tool for farmers.

**WFA is accessed through the Government Gateway to ensure that it is secure and your information is protected.**

Information concerning the Whole Farm Approach and becoming a registered user can be found at: [www.wholefarm.defra.gov.uk](http://www.wholefarm.defra.gov.uk) or by contacting the WFA team on 08459 33 55 77, email: [wholefarmhelp@defra.gsi.gov.uk](mailto:wholefarmhelp@defra.gsi.gov.uk)

## The new and improved Cross Compliance Self Assessment Tool

The new electronic Cross Compliance Self Assessment Tool (CCSAT), available through WFA, enables you to quickly and easily assess your current farming practices against both the Good Agricultural and Environmental Conditions (GAECs) and the Statutory Management Requirements (SMRs) that constitute cross compliance.

Additionally, the CCSAT provides you with an Action Plan, a Checklist, tailored Advice and Guidance and additional information to help you meet the requirements. By completing the CCSAT you will be providing Defra and our partners with valuable information which helps produce better policy decisions for the farming sector.

## Using the Self Assessment Tool

To access and begin using the CCSAT you simply enter your WFA account and click the tab marked "Farm Assessment". This will point you to the 'Cross Compliance Self Assessment Tool' to get started. Upon entering, you will be required to answer a short set of Shaping Questions, a process which will tailor the Cross Compliance standards specifically to your farm. This means that you will only respond to the areas that directly concern you. Additionally, if you are a regular WFA customer, information you have previously supplied through other areas of WFA that cross over into cross compliance will be brought forward into your Shaping Questions meaning you will not need to provide the same information twice.

As you progress with your CCSAT, an Action Plan and Checklist will be created along the way. Both provide you with useful hints and tips, documents, licences, notifications and other information to retain. The Action Plan will also highlight any areas you may need to think about in order to improve your farming practice.

Each standard also contains further in-depth information sections to assist you. These come in the form of related websites, articles, documents and detailed advice and guidance.

You do not have to fill in the whole Self Assessment in one go. You can save it, returning to it later for completion at another time. Additionally, you can update and re-submit your answers as often as you wish.



## Soil Protection Review – SPR

The aim of these requirements is to maintain soil structure and organic matter, and to prevent erosion, compaction and damage to landscape features. They apply to you if you have 1 hectare or more, excluding land subject to rights of common (unless you are the sole occupier of that common land).

### If you were required to complete a Soil Protection Review (SPR)<sup>1</sup> in any previous year:

#### A. You must

1. be implementing the measures you have previously identified in your SPR<sup>1</sup>;
2. keep your SPR<sup>1</sup> available for inspection.

### If you are required to prepare an SPR 2010<sup>2</sup> in 2010 or a later year:

#### B. You must

1. complete your SPR 2010 by 31 December 2010 (or by 31 December of the first year you are claiming), with the exception of Part 4, Access to Waterlogged Land, which you must start completing from 1 January 2010 (or 1 January of the first year you are claiming);
2. implement the measures that you have identified in your SPR 2010 from 1 January of the year after it is produced;
3. keep your SPR 2010 available for inspection.

### Updating your SPR 2010:

#### C. You must update your SPR 2010

1. at least once in each year (including the year in which you began implementing it) by completing the annual review;
2. as soon as is practicable if it becomes clear that the measures you chose are not working or if you change or adopt new measures;
3. as soon as is practicable if you transfer land in or out, or when soil conditions change on your land which would result in a change in risk or where your management systems or cropping practices change.

### When completing, updating and implementing your SPR 2010:

#### D. You must

1. do so in accordance with the instructions given in the SPR 2010 and the *Cross Compliance Guidance for Soil Management 2010 edition* (or any future replacement). Use either the SPR 2010 provided with this Guidance or give the same information in a similar format;
2. have regard to any specific guidance that the Secretary of State may give you;
3. comply with any written directions that the Secretary of State may give you concerning the management of your soils.

<sup>1</sup> PB 11160 Cross Compliance Soil Protection Review including your 2009 continuation sheet.

<sup>2</sup> PB 13311 Soil Protection Review 2010.

## Post-harvest management of land

If your land has carried a crop of oil-seeds, grain legumes or cereals (other than maize) which has been harvested by either combine harvester or mower, then:

### E. You must

1. meet one of the following conditions on that land from the first day after harvest until the last day of February in the following year (dates inclusive):
  - the stubble of the harvested crop remains in the land;
  - the land is left with a rough surface following operations such as ploughing, discing or tine cultivation;
  - the land is under cultivation sequences used to create stale seedbeds;
  - the land is sown with a temporary cover crop. If this becomes grazed out or cultivated out during the post-harvest period, a rough surface must be left as soon as conditions permit;
  - the land is sown with a crop within 10 days of having been prepared as a seedbed.

You will not be in breach of the post-harvest management of land requirement if you have prepared the land as a seedbed but are unable to sow the crop within 10 days because the land is too waterlogged to access or because severe weather conditions make this impractical. In either case, the land must be sown as soon as practicable.

## Waterlogged<sup>3</sup> land

### F. You must

1. record any activity on waterlogged land in order to carry out any mechanical field operations such as harvesting crops, or using motorised vehicles,
 

except:

  - where the area of waterlogged land is within 20 metres of a gateway or other access point; or
  - access is required to an area of land that is not waterlogged; or
  - the area is an established track to land that is not waterlogged;
2. take action to remediate any damage caused by accessing waterlogged land, where action is appropriate, as soon as possible within 12 months of the first month of access to the waterlogged land. You must also record access as soon as possible after the event in the Access to Waterlogged Land section of the SPR 2010 and record what action you have taken to remediate damage from the access.

## Crop residue burning restrictions

### G. You must not

1. burn any of these crop residues:
  - cereal straw;
3. Normal common sense definitions of "waterlogged" apply. For example, soil will be considered to be waterlogged where the whole of the plough layer is saturated/filled with water by virtue of a high water table or water collected (perched) above a compacted soil.

- cereal stubble;
- residues of oilseed rape;
- residues of field beans harvested dry;
- residues of peas harvested dry.

**You will not be in breach of this requirement if the burning is for:**

- education or research;
- disease control or the elimination of plant pests where a notice has been served<sup>4</sup>;
- the disposal of straw stack remains or broken bales.

**H. You must**

1. comply with certain restrictions<sup>5</sup> if you are burning linseed residues;
2. comply with certain restrictions<sup>6</sup> if you are burning residues under the exemption for education or research, disease control or the elimination of plant pests.



**Further information**

- You are not required to prepare an SPR 2010 for any agricultural land which is common land unless you own or occupy the land and rights of common are not exercised by anyone else.
- You are not required to complete an SPR 2010 if your holding, excluding land subject to rights of common (unless you are the sole occupier of that common land), is less than 1 hectare.
- Your requirement to complete an SPR 2010 for the first time could be because you are a new entrant to the SPS for that year, you enter into a relevant commitment under the Rural Development Regulation (such as an agri-environment scheme), or your holding becomes 1 hectare or more.



**Further advice and guidance**

*Cross Compliance Guidance for Soil Management 2010 edition* (PB 13315) is available from Defra Publications.

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

Natural England – **0845 600 3078**

RPA helpline – **0845 603 7777**

4 Under the Plant Health (England) Order 2005.

5 These restrictions are set out in Schedule 2 to the Crop Residues (Burning) Regulations 1993.

6 These restrictions are set out in Schedule 2 to the Crop Residues (Burning) Regulations 1993.



# Environmental Impact Assessment - EIA

The aim of these requirements is to take into account the environmental importance of uncultivated land and semi-natural areas. They apply to you if you intend to increase the productivity of land that either has not been cultivated within the last 15 years or that is semi-natural.

## Agriculture

### A. You must not

1. begin or carry out any uncultivated land project<sup>1</sup> (on uncultivated land<sup>2</sup> or semi-natural areas<sup>3</sup>) which affects an area of 2 or more hectares, unless you have obtained permission from Natural England;
2. begin or carry out any uncultivated land project if a screening notice applies to that land, unless you have obtained permission from Natural England;
3. breach a stop notice that has been served on you<sup>4</sup>.

### B. You must

1. comply with any requirement of a remediation notice served on you<sup>5</sup>, unless you have a reasonable excuse.

## Forestry

### C. You must not

1. begin or carry out a project<sup>6</sup> unless you have obtained permission from the Forestry Commission;
2. continue any work on a project if you have received an enforcement notice<sup>7</sup> that requires you to discontinue work.

### D. You must

1. carry out any work as set out in the consent given by the Forestry Commission;
2. carry out any work required by an enforcement notice<sup>8</sup> within the given time period.



### Further information

- Although in general the requirements of this GAEC standard (GAEC 5) apply to land of 2 or more hectares, Natural England has the power to serve screening notices on areas of land smaller than 2 hectares.

- 1 This is a project to increase the productivity for agriculture of uncultivated land or a semi-natural area, and includes those to increase the productivity for agriculture of such land to below the norm.
- 2 'Uncultivated land': land which has not been cultivated in the last 15 years, involving either physical cultivation such as ploughing and sub-surface harrowing or chemical cultivation such as application of fertilisers.
- 3 These include bracken; species-rich hay meadow; fen, marsh and swamp; bog; semi-natural scrub; dwarf shrub heath; wet grassland in coastal and river floodplains; unimproved grassland; and standing water.
- 4 Under the Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006.
- 5 Under the Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006.
- 6 This applies to projects for afforestation and deforestation on agricultural land.
- 7 Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999.
- 8 Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999.



### Further advice and guidance

Details of your local Forestry Commission office can be obtained from the Forestry Commission helpline or website – [www.forestry.gov.uk](http://www.forestry.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Environmental Impact Assessment Unit – **0800 028 2140**

Forestry Commission helpline – **01223 346004**

Natural England – **0845 600 3078**

RPA helpline – **0845 603 7777**

## Sites of Special Scientific Interest – SSSIs

The aim of these requirements is to help protect, manage and maintain Sites of Special Scientific Interest (SSSIs) because they are important habitats or landscape features. They apply to you if you have land which is notified as an SSSI.

### A. You must

1. notify Natural England in writing of any proposal to carry out, cause or permit any specified operation<sup>1</sup> (unless covered by the terms of a management agreement, scheme or notice) **and** obtain consent before starting that operation;
2. comply with all management notices served by Natural England or the terms of any restoration orders served by a court.

### B. You must not

1. intentionally or recklessly destroy or damage any of the special interest features<sup>2</sup> of the area or disturb any fauna that are a special interest feature. (This requirement can apply to actions that take place other than on the SSSI itself but which have the same consequences.)

You will not be in breach of **any** of the requirements for SSSIs (GAEC 6) if you have reasonable excuse<sup>3</sup>.



#### Further information

- You can find out if your land is in an SSSI by contacting Natural England, or you can search online through the Nature on the Map website at [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk) or [www.natureonthemap.co.uk](http://www.natureonthemap.co.uk)
- These rules apply to all SSSIs. Where the land is also classified as a European site (Special Protection Area or Special Area of Conservation) and there is a breach we will consider the non-compliance under the relevant standard – (SMR 1) or (SMR 5).



#### Further advice and guidance

Cross compliance advice line – **0845 345 1302**  
 Defra helpline – **08459 33 55 77**  
 Natural England – **0845 600 3078**  
 RPA helpline – **0845 603 7777**

- 1 A 'specified operation' means one which has been identified as likely to damage the special interest features of the area. This information forms part of the notification package for SSSIs.
- 2 'Special interest features' of an area are interpreted as the notified interest features of an SSSI.
- 3 A 'reasonable excuse' may include: you have planning permission to carry out the work; you have consent from a public body or statutory authority that has complied with its duty to consult Natural England before giving the consent; it was an emergency operation (provided that Natural England is notified as soon as possible after the emergency).



## Scheduled monuments

The aim of these requirements is to help preserve scheduled monuments because they are important landscape features. They apply to you if you have a scheduled monument located on your land.

### A. You must not

1. carry out any of the following works without the written consent of English Heritage:
  - those resulting in the demolition or destruction of, or damage to, a scheduled monument;
  - those for the purpose of removal or repair of a scheduled monument (or any part of one);
  - those for the purpose of making alterations or additions to a scheduled monument (or part of one);
  - any flooding or tipping operations on land in, on or under which there is a scheduled monument.

#### You will not be in breach of these requirements if any of the points below apply:

- *you took all reasonable precautions, and exercised all due diligence, to prevent any damage to the monument (applies to first bullet point, above);*
- *you did not know, and you had no reason to believe, that the monument was in an area affected by the works, or that the monument was scheduled (applies to first and third bullet points, above);*
- *the works were urgently necessary in the interests of health or safety and you gave written notice to English Heritage of the need for the works as soon as reasonably practicable.*

### B. You must

1. comply with the conditions attached to any consent you have received from English Heritage.



#### Further information

- You can get information on the location of scheduled monuments from the Historic Environment Record held by your local authority (Local Government Archaeological Officers), English Heritage or the Multi-Agency Geographic Information for the Countryside (MAGIC) website - [www.magic.gov.uk](http://www.magic.gov.uk)



#### Further advice and guidance

Cross compliance advice line – **0845 345 1302**  
 Defra helpline – **08459 33 55 77**  
 English Heritage – **01793 414 600**  
 RPA helpline – **0845 603 7777**  
 The Association of Local Government Archaeological Officers – **01975 564 071**



## Public rights of way

The aim of these requirements is to keep open and accessible public rights of way because they are important landscape features. They apply to you if you have any visible public rights of way located on your land.

### A. You must not

1. disturb the surface of a public right of way<sup>1</sup> so that it becomes inconvenient to pass over it;
2. wilfully obstruct the free passage along a public right of way.

*You will not be in breach of these requirements if you have lawful authority or excuse. This includes times when you need to disturb the surface of a footpath or bridleway **across** a field in order to plough the land or to bring it into agricultural use and it would be inconvenient and difficult to avoid disturbing the surface of the path. In this case there are requirements for making good, detailed below.*

### B. You must

1. maintain any stile, gate or similar structure across a footpath or bridleway in a condition that makes it safe and reasonably easy to use. (This applies where maintenance is your responsibility.);
2. make good the surface of a disturbed cross-field footpath or bridleway to not less than the minimum width<sup>2</sup> within 14 days of the first disturbance if you are sowing a crop, or within 24 hours in all other circumstances;
3. indicate the route of a reinstated cross-field footpath or bridleway to members of the public.



#### Further information

- These cross compliance requirements apply only to **visible**<sup>3</sup> public rights of way. This includes any rights of way which **would** be visible if the farmer had not breached the Highways Act 1980.
- Public rights of way are regulated by local highway authorities who can advise you about maintenance of stiles and gates, ploughing restrictions and unlawful obstructions.
- Public rights of way may form part of the 1-metre or 2-metre 'protection zone' margins along hedges and watercourses. If so, the requirements of that GAEC standard ([GAEC 14](#)) will apply as far as practical.

1 'Public right of way' is a term that includes: footpaths; bridleways; restricted byways; and byways open to all traffic.

2 The minimum width is 1 metre for a footpath and 2 metres for a bridleway.

3 'Visible' means visible as a route to a person with normal eyesight walking or riding along it.



**Further advice and guidance**

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

RPA helpline – **0845 603 7777**

## Overgrazing and unsuitable supplementary feeding

The aim of these requirements is to protect important habitats that contain natural or semi-natural vegetation by preventing overgrazing and unsuitable supplementary feeding. They apply to you if you keep livestock on natural or semi-natural vegetation.

### A. You must not

1. overgraze<sup>1</sup>, or allow to be overgrazed, the natural and semi-natural vegetation<sup>2</sup> on your holding;
2. carry out unsuitable supplementary feeding<sup>3</sup>, except where it is necessary for the purpose of animal welfare during periods of extreme weather conditions.

### B. You must

1. have regard to any notification, of appropriate measures to prevent overgrazing and/or unsuitable supplementary feeding, sent to you on behalf of the Secretary of State;
2. comply with any written directions, in relation to land subject to overgrazing and/or unsuitable supplementary feeding, sent to you on behalf of the Secretary of State.



#### Further information

- Where damage has been caused by trampling or supplementary feeding in the winter, it should be minimal enough to allow for recovery to its original condition through natural regeneration by the end of the subsequent growing season.



#### Further advice and guidance

Cross compliance advice line – **0845 345 1302**  
 Defra helpline – **08459 33 55 77**  
 Natural England – **0845 600 3078**  
 RPA helpline – **0845 603 7777**



- 1 'Overgraze' means grazing land with so many livestock that the growth, quality or diversity of natural or semi-natural vegetation is adversely affected.
- 2 'Natural and semi-natural vegetation' is defined as self-seeded or self-propagated vegetation characteristic of the area. This land includes but is not restricted to: moorland; unimproved grassland; grazed woodland or forest; heathland; and sand dunes.
- 3 'Unsuitable supplementary feeding' means providing supplementary feed for livestock in a way that adversely affects the quality or diversity of natural and semi-natural vegetation through trampling or poaching of land by livestock, or by ruts caused by vehicles used to transport feed.



# Heather and grass burning

The aim of these requirements is to maintain moorland and heathland landscapes and habitats. They apply to you if you intend to carry out heather or grass burning practices on your holding.

## A. You must not

1. burn heather, rough grass, bracken, gorse or *Vaccinium* (a range of shrub species including bilberry/blueberry) outside the burning season<sup>1</sup> except under, and in accordance with, a licence to do so, issued by Natural England.

## B. You must

1. take all reasonable precautions to prevent human injury or damage to adjacent land or anything on it before you start burning and during the entire period of the burn;
2. ensure you have sufficient people and equipment in place to control and regulate the burning during the entire period of the burn.



### Further information

- To find out if your land is in an 'upland area' (severely disadvantaged area, within the less-favoured areas) you can consult the Multi-Agency Geographic Information for the Countryside (MAGIC) website – [www.magic.gov.uk](http://www.magic.gov.uk) – or the three volumes of maps, each marked 'Volume of maps of less-favoured farming areas in England', dated 20 May 1991, signed and sealed by the Minister of Agriculture, Fisheries and Food and deposited at the offices of the Department of Environment, Food and Rural Affairs at Ergon House, 2 Horseferry Road, London SW1P 2AL.



### Further advice and guidance

*The Heather and Grass Burning Code: 2007 version* (PB12650) available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

Natural England – **0845 600 3078**

RPA helpline – **0845 603 7777**

<sup>1</sup> November 1 to March 31 (inclusive) for all land other than that in upland areas; 1 October to 15 April (inclusive) for land in upland areas.



# Control of weeds

The aim of these requirements is to control the spread of injurious and invasive weeds that can damage habitats and agricultural land. They apply to you if you have invasive or injurious weeds.

## A. You must

1. take all reasonable steps to prevent the spread of injurious weeds<sup>1</sup> and invasive weeds<sup>2</sup> on your land and onto adjoining land.

## B. You must not

1. unreasonably fail to comply with a notice<sup>3</sup> served on you.



### Further advice and guidance

*Code of Practice on How to Prevent the Spread of Ragwort* (PB9840)

*Identification of Injurious Weeds* (PB4192)

*Guidance note on the methods that can be used to control harmful weeds* (PB7190)

*Guidance on the disposal options for common ragwort* (PB11050)

These publications are available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

Natural England – **0845 600 3078**

RPA helpline – **0845 603 7777**



- 1 'Injurious weeds': common ragwort (*Senecio jacobaea*); spear thistle (*Cirsium vulgare*); creeping or field thistle (*Cirsium arvense*); broad-leaved dock (*Rumex obtusifolius*); curled dock (*Rumex crispus*).
- 2 'Invasive weeds': rhododendron (*Rhododendron ponticum*); Japanese knotweed (*Reynoutria japonica*); giant hogweed (*Heraclium mantegazzianum*); Himalayan balsam (*Impatiens glandulifera*).
- 3 Under the Weeds Act 1959.



# Agricultural land which is not in agricultural production

The aim of these requirements is to avoid encroachment of unwanted vegetation, to protect habitats and to maintain land not in production in good agricultural and environmental condition. They apply to all land that is no longer in production.

If the land is, or will be, in production on 17 May then GAEC 12 will not apply in that calendar year.

If land is not, or will not be, in production on 17 May then GAEC 12 will apply either from 1 January or from the day after the land comes out of production until the day it is returned to production.

For the purpose of GAEC 12, land is considered as being used for agricultural production when:

- a) a crop has been planted in the ground;
- b) preparatory work for a following crop has commenced on the land, eg ploughing, spraying off;
- c) animals are grazing;
- d) land is used for growing of grass to be cut as silage, hay or other feed, or to be grazed in the future on the basis that these operations are undertaken.

## A. You must

1. cut scrub and cut or graze rank vegetation on the whole area of your agricultural land that you do not use for agricultural production at least once every 5 years, in order to prevent encroachment of scrub.

## B. You must not

1. cut down or plough vegetation on the land between 1 March and 31 July (inclusive);
2. in any 12 month period cut or graze rank vegetation, on more than 50% of the agricultural land not in agricultural production.

These apply unless:

- you need to cut to meet the GAEC requirement on the control of weeds (GAEC 11);
- you are managing the land to control an infestation of blackgrass (*Alopecurus myosuroides*), couch (*Agropyron repens*), creeping thistle (*Cirsium arvense*) or dock (*Rumex* species) for the first 15 months from the date of harvest;
- cutting is required for you to establish grassy areas to prevent erosion and run-off, or to cut pollen and nectar mixtures sown to provide food resources for wildlife, such as required by certain voluntary environmental management options under the Campaign for the Farmed Environment (CFE) or to establish a buffer strip alongside a watercourse for water resource protection;<sup>1</sup>
- you are creating a bare surface to establish plots of up to approximately 2 hectares to accommodate ground nesting birds such as stone-curlews or lapwings;
- you are actively bringing the land back into production;



3. apply inorganic fertiliser to the land, unless the land is known to be used as, and is managed as, a geese feeding area in winter;
4. apply manure or slurry to the land, unless the land is known to be used as, and is managed as, a geese feeding area in winter.



#### Further information

- Under GAEC 1 you must record the land as being not in agricultural production in your Soil Protection Review with appropriate soil protection measures identified and then taken.
- The requirements of this GAEC standard (GAEC 12) do not apply in any of the following circumstances:
  - land is a Site of Special Scientific Interest (SSSI) and your obligations under your SSSI designation conflict with the requirements of this GAEC;
  - an exemption has been granted for reasons relating to livestock or crop production or the enhancement of the environment. You must apply to RPA in writing for this exemption and wait for written permission before carrying out any work.
- The individual requirement of this GAEC standard (GAEC 12) relating to cutting or grazing of scrub and vegetation (requirement A1) does not apply if it conflicts with those of the GAEC standard to protect scheduled monuments (GAEC 7).
- Agricultural land not in agricultural production may be used for storage and non-agricultural activities in line with the conditions for all SPS eligible land set out in the SPS handbook. You must record any resulting risk to soils and remedial action in your Soil Protection Review.

- 1 Certain CFE options (including C1, C2, C12a/b in the current list) and newly established buffer strips may require cutting between 1 March and 31 July, the cutting restriction for GAEC 12 does not apply to the land being used for these measures when you are cutting for the purpose of implementing one of these measures. You do not need to be part of the CFE to use these exemptions. You should avoid disturbing ground nesting birds if they are known to be present.

## Stone walls

The aim of these requirements is to encourage the retention of stone walls because they are an important landscape feature. They apply to you if you have stone walls.

### A. You must not

1. remove a stone wall<sup>1</sup> or remove stone from a stone wall.

*You will not be in breach of these requirements if you have removed a stone wall or stone for one of the following reasons:*

- *to widen an existing gateway in a wall to enable machinery or livestock access. In this case the gateway should be no wider than 10 metres and the newly created wall-ends finished to a vertical face;*
- *to repair another stone wall on your land which is in a better condition than the one from which stone is removed;*
- *to make minor repairs to a public footpath on your land.*



#### Further information

- The requirements of this GAEC standard (**GAEC 13**) do **not** apply if an exemption has been granted for reasons relating to livestock or crop production, enhancement of the environment or to improve agricultural or livestock access. You must apply to the RPA in writing for this exemption and wait for written permission before carrying out any work.



#### Further advice and guidance

*Defining stone walls of historic and landscape importance*, final report, available from the cross compliance section of the RPA website – [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

RPA helpline – **0845 603 7777**

1 'Stone wall' means a stone wall that is or was used as a field boundary, which has: a continuous length of at least 10 metres, or a continuous length of less than 10 metres where it meets (at an intersection or junction) another field boundary at each end, or a continuous length of less than 10 metres and forms an enclosure.



## Protection of hedgerows and watercourses

The aim of these requirements is to protect sensitive field boundaries and their associated habitats. They apply to you if you have hedgerows or watercourses on, or adjoining, your land.

### A. You must not

1. cultivate or apply fertilisers<sup>1</sup> or pesticides<sup>2</sup> to land within 2 metres of the centre of a hedgerow,<sup>3</sup> watercourse<sup>4</sup> or field ditch;
2. cultivate or apply fertilisers or pesticides to land within 1 metre of the top of the bank of a watercourse or field ditch.

*You will not be in breach of these requirements if you have used pesticides for spot application only so that you can meet the GAEC requirement on the control of weeds (GAEC 11), or you have cultivated land for one of the following reasons:*

- *to establish a green cover where one does not exist and the land is part of a field which is being newly created (whether by merger or division);*
- *to establish a green cover where one does not exist and the land was previously outside the scope of cross compliance.*

### B. You must

1. take all reasonable steps to maintain a green cover on land within 2 metres of the centre of a hedgerow, watercourse or field ditch;
2. take all reasonable steps to maintain a green cover on land within 1 metre of the top of the bank of a watercourse or field ditch.



- 1 'Fertilisers' includes: inorganic fertiliser; organic fertiliser; organic manures; lime; slurry; sewage sludge; slag; trace elements; calcified seaweed; and human waste. (This is not an exhaustive list.)
- 2 'Pesticides' means anything used for destroying pests and includes herbicides, fungicides, insecticides and other biocides.
- 3 For the purposes of this requirement, 'hedgerow' means any hedgerow growing in, or adjacent to, any land that forms part of your holding and that has: a continuous length of at least 20 metres, or a continuous length of less than 20 metres where it meets (at an intersection or junction) another hedgerow at each end. Any gap resulting from a breach of the Hedgerows Regulations 1997, and any gap of 20 metres or less, will be treated as part of the hedgerow. Traditional hedgebanks (earth banks faced with turf or stone) fall within the scope of GAEC 14 if topped with a hedgerow.
- 4 'Watercourses' are defined within the Code of Good Agricultural Practice as all surface waters, including coastal water, estuaries, lakes, ponds, rivers, streams, canals and field ditches. Temporarily dry watercourses are included.



### Further information

- The requirements of this GAEC standard (GAEC 14) do **not** apply in any of the following circumstances:
  - to land either side of a hedgerow which was planted on or after 1 January 2005 and which is less than 5 years old (you will need to keep documentary evidence to prove this);
  - to land forming part of a parcel of 2 hectares or less;
  - to hedgerows within the curtilage of a dwelling-house;
  - to the side of any hedgerow facing a dwelling-house when the hedgerow marks the boundary of the curtilage of the dwelling-house;
  - to casting up a traditional hedgebank between 1st August and the last day of February;
  - when an exemption has been granted for reasons relating to livestock or crop production or the enhancement of the environment. You must apply to the RPA in writing for this exemption and wait for written permission before carrying out any work.
- Public rights of way may form part of the 1-metre or 2-metre 'protection zone' margins along hedges and watercourses. When they do, the requirements of this GAEC standard (GAEC 14) will apply as far as practical but should not restrict public access.



### Further advice and guidance

Cross compliance advice line – **0845 345 1302**  
 Defra helpline – **08459 33 55 77**  
 Natural England – **0845 600 3078**  
 RPA helpline – **0845 603 7777**

# Hedgerows

The aim of these requirements is to protect the habitat, particularly for nesting birds, as well as the landscape feature provided by hedgerows.<sup>1</sup> They apply to hedgerows growing in, or adjacent to, any of your land.

## Hedgerow removal

### A. You must not

1. remove<sup>2</sup> part of a hedgerow unless you have met **both** of the following conditions:<sup>3</sup>
  - notified your local authority in writing (or National Park Authority if your land is in a National Park) of your proposal;
  - received written permission to carry out the removal or have received no reply from the authority within 42 days of your notification (this counts as permission).

### B. You must

1. carry out any hedgerow removal in accordance with the written permission granted by the authority, or in accordance with the proposal in your notification where the authority has not responded within 42 days.

## Hedgerow cutting or trimming

### C. You must not

1. cut or trim any hedgerow on your farm between 1 March and 31 July (inclusive) – the main breeding season for birds – each year unless such work is necessary because any of the following apply:
  - the hedgerow overhangs a highway, road or footpath over which there is a public or private right of way and the overhanging hedgerow obstructs the passage of, or is a danger to, vehicles, pedestrians or horse riders;
  - the hedgerow is dead, diseased, damaged or insecurely rooted and is likely to cause danger by falling on to a highway, road or footpath; or obstructs the view of drivers or the light from a public lamp;
  - to carry out hedge-laying or coppicing during the period 1 March to 30 April (inclusive);
  - to trim a newly laid hedgerow by hand, within 6 months of it being laid.

1 For the purposes of this requirement “hedgerow” means any hedgerow growing in, or adjacent to, any land which forms part of your holding and which has: a continuous length of at least 20 metres, or a continuous length of less than 20 metres where it meets (at an intersection or junction) another hedgerow at each end. Any gap resulting from a breach of the Hedgerows Regulations 1997, and any gap of 20-metres or less, will be treated as part of the hedgerow.

2 ‘Remove’ includes any operation which uproots or otherwise destroys a hedgerow, either directly or indirectly.

3 The full obligations with which you must comply are contained in regulation 5(1) and (9) of the Hedgerows Regulations 1997.





### Further information

- In some very limited circumstances you do not have to seek permission to remove a hedgerow.
- Permission to carry out hedgerow removal lasts for 2 years. Therefore, if you wish to carry out the hedgerow removal for which you have sought permission, you need to do so within 2 years of the date of the written permission granted by the authority, or the date of your notification where the authority has not responded within 42 days.
- The requirements of this GAEC standard (**GAEC 15**) do **not** apply to hedgerows within, or marking the boundary of, the curtilage of a dwelling-house.
- The cutting/trimming requirements of this GAEC standard (**GAEC 15**) do not apply when an exemption has been granted for reasons relating to enhancement of the environment, improvement of public or agricultural access or for livestock or crop production. You must apply to the RPA in writing for this exemption and wait for written permission before carrying out any work.



### Further advice and guidance

*Hedgerow Regulations: Your Questions Answered* is published by Defra and can be obtained, free of charge, by emailing: [farmland.conservaion@defra.gsi.gov.uk](mailto:farmland.conservaion@defra.gsi.gov.uk)

*The Hedgerows Regulations 1997: A Guide to the Law and Good Practice* is published by Defra and can be obtained, free of charge, by emailing: [farmland.conservaion@defra.gsi.gov.uk](mailto:farmland.conservaion@defra.gsi.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Natural England – **0845 600 3078**

RPA helpline – **0845 603 7777**

# Felling of trees

The aim of these requirements is to protect trees because they are important habitat and landscape features. They apply to you if you need a licence to fell trees on your land.

## A. You must not

1. fell a tree without a felling licence, where a licence is required<sup>1</sup>;
2. fail to comply with licence conditions, a restocking notice, enforcement notice or directions served on you<sup>2</sup>.



### Further information

- Felling licences and further guidance, including when licences are needed, can be obtained from your local Forestry Commission office.



### Further advice and guidance

Details of your local Forestry Commission office can be obtained from the Forestry Commission helpline or website – [www.forestry.gov.uk](http://www.forestry.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

Forestry Commission helpline – **01223 346 004**

RPA helpline – **0845 603 7777**



1 Under section 9(1) of the Forestry Act 1967.

2 Under section 24 of the Forestry Act 1967.



## Tree Preservation Orders – TPOs

The aim of these requirements is to protect trees because they are important landscape features. They apply to you if you have any trees on your holding that are covered by a Tree Preservation Order (TPO).

### A. You must not

1. cut down, wilfully damage or destroy, uproot, top or lop any tree protected by a TPO without the written consent of your local planning authority;
2. cut down, wilfully damage or destroy, uproot, top or lop any tree located in a conservation area without giving 42 days written notice to your local planning authority.



#### Further information

- Tree Preservation Orders are made by local planning authorities to protect trees, groups of trees and woodlands in the interest of amenity under the Town and Country Planning Act 1990.



#### Further advice and guidance

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Department for Communities and Local Government (CLG) – **020 7944 5623**

RPA helpline – **0845 603 7777**





## Water abstraction

The aim of this standard is to protect water resources by licensing abstraction of water for irrigation. This standard applies to you if you abstract more than 20 m<sup>3</sup> of water each day from inland water (such as a river or stream) or an underground source (such as a well or borehole) for irrigation.

### If you hold a water abstraction licence for irrigation purposes:

#### A. You must

1. comply with the conditions within any water abstraction licence you hold for irrigation purposes.

### If you do not hold a water abstraction licence for irrigation purposes:

#### B. You must

1. contact the Environment Agency at the earliest opportunity if you wish to start abstracting more than 20 m<sup>3</sup> of water each day (4,400 gallons) for irrigation, or change your existing abstraction licence to authorise irrigation.



#### Further information

- If you abstract 20 m<sup>3</sup> or less each day (4,400 gallons) you do not need an abstraction licence.
- Defra are developing new legislation which will bring trickle irrigation, and other currently exempt abstractions, into licensing control. If you trickle irrigate you may need to get a licence, so keep up to date with legislative changes published on the Environment Agency website.
- If you irrigate and have a water meter, you can apply to the Environment Agency for a two-part tariff agreement on your licence, which is a reduced charge based on a combination of what you actually abstract and your licensed quantity. Contact the Environment Agency for more information.
- You can view and make representations on abstraction licence applications in your area through the Environment Agency website.



#### Further advice and guidance

'A guide to getting your licence' is produced by the Environment Agency and is available from [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Environment Agency - **08708 506 506**



## Wild birds

The aim of these requirements is to protect wild birds, their eggs and nests. They apply to all wild birds. Extra rules apply if you have land designated as a Special Protection Area (SPA).

### A. You must not

1. intentionally kill, injure or take any wild bird<sup>1</sup>;
2. intentionally damage, destroy or take the nest of any wild bird while it is in use or being built (nests of golden eagle, white tailed eagle and osprey are protected all year round);
3. intentionally destroy an egg of any wild bird;
4. intentionally or recklessly disturb certain wild birds<sup>2</sup> or their dependent young while they are nesting (including disturbance of nesting young);
5. kill or take huntable birds during the close season for that species<sup>3</sup>;

*You will not be in breach of these requirements if you are operating under a licence issued by Natural England to undertake authorised action, or can rely on one of the legal defences or exceptions<sup>4</sup>.*

### For land classed as a Special Protection Area (SPA):

### B. You must

1. notify Natural England in writing of any proposal to carry out, cause or permit any specified operation<sup>5</sup> or where a special nature conservation order applies (unless covered by the terms of a management agreement, scheme or notice) **and** obtain consent before starting that operation;
2. comply with all management notices served by Natural England or the terms of any restoration order served by a court<sup>6</sup>.



- 1 Any bird shown to have been bred in captivity is not classed as a 'wild bird' unless it has been lawfully released into the wild as part of a repopulation or reintroduction programme.
- 2 The list of wild birds that you must not disturb while nesting is available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance); contained in Schedule 1 to the Wildlife and Countryside Act 1981.
- 3 The list of huntable birds and their close season is available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance); contained in Part I Schedule 2 to the Wildlife and Countryside Act 1981 and section 3 of the Game Act 1831.
- 4 These are contained in sections 1, 2, 4 and 16 of the Wildlife and Countryside Act 1981.
- 5 A specified operation means one which has been identified as likely to damage the special interest features of the area. This information forms part of the notification package for Sites of Special Scientific Interest.
- 6 Where the purpose of the notice or restoration order is the protection or restoration of the special interest features of the area or otherwise restore the land to its former condition as may be so specified.

### C. You must not

- intentionally or recklessly destroy or damage the special interest features of the area<sup>7</sup> or disturb any fauna that are a special interest feature. (This requirement can apply to actions that take place other than on the SPA itself but which have the same consequences.)

*You will not be in breach of the rules for a Special Protection Area (B1, B2 and C1) if you have reasonable excuse<sup>8</sup>.*



#### Further information

- You can find out if your land is in an SPA by contacting Natural England, or by searching the Nature on the Map website at [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk) or [www.natureonthemap.co.uk](http://www.natureonthemap.co.uk)



#### Further advice and guidance

Cross compliance advice line – **0845 345 1302**  
 Defra helpline – **08459 33 55 77**  
 Defra Publications – **08459 556 000**  
 Natural England – **0845 600 3078**  
 RPA helpline – **0845 603 7777**  
 RSPB UK HQ – **01767 680 541**

- 'Special interest features' of an area are interpreted as the notified interest features of the Site of Special Scientific Interest that are also relevant to the Special Protection Area.
- Reasonable excuse may include the following: you have planning permission to carry out the work; you have consent from a public body or statutory authority that has complied with its duty to consult Natural England before giving the consent; it was an emergency operation (provided that Natural England is notified as soon as possible after the emergency).

# Groundwater

The aim of these requirements is to protect groundwater by controlling the discharge of potentially harmful and polluting materials. They apply to you if you handle, store or dispose of hazardous substances such as sheep dip, pesticides or non-hazardous pollutants such as ammonia or biocides.

## A. You must

1 comply with the conditions of any permit or notice issued by the Environment Agency for the protection of groundwater.

## B. You must not

1. cause or knowingly permit a 'groundwater activity'<sup>2</sup> unless you have obtained and are complying with a permit<sup>3</sup> from the Environment Agency.



### Further information

- Pollutants include both hazardous substances and non-hazardous pollutants<sup>4</sup>. Take particular care with hazardous substances such as sheep dip and pesticides. They are highly toxic and polluting, and even very small quantities cause serious damage to groundwater and other receptors.
- Some non-hazardous pollutants, such as ammonia, can be applied to land to realise fertiliser value. This is a legitimate use, not a disposal operation, and does not require permit. You should contact the Environment Agency if you are unsure.



### Further advice and guidance

The '*How to comply with your environmental permit*' (EIR 1.00) guidance produced by the Environment Agency which contains both technical guidance, guidance on complying with permit conditions and describes the basic standards and measures that standard permit holders will need to know. Section 5 deals with groundwater activities.

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Environment Agency – **08708 506 506**

- <sup>1</sup> 'Groundwater' means all water below the surface of the ground in the saturation zone i.e. that is below the water table, and in direct contact with the ground or subsoil.
- <sup>2</sup> 'Groundwater activity' means the discharge directly or indirectly of a pollutant to groundwater, any other discharge that might lead to the direct or indirect input of a pollutant to groundwater, an activity in respect of which a notice for an environmental permit has been served or an activity that might lead to a discharge where that activity is carried on as part of an operation of a regulated facility of another class. Paragraph 3 of Schedule 22 to the Environmental Permitting Regulations 2010 refers. A groundwater activity includes the discharge via land spreading of waste sheep dip or pesticide washings. More information is available in Section 5 of the '*How to comply with your environmental permit*' guidance.
- <sup>3</sup> A permit is an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010.
- <sup>4</sup> Further information on 'hazardous substances' and 'non-hazardous pollutants' is available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance), or on the Environment Agency website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk).



# Sewage sludge

The aim of these requirements is to ensure that when sewage sludge is used in agriculture there is no risk to human, animal or plant health and no harmful effects on soil. They apply to you if you use sewage sludge on your land.

## A. You must not

1. use sewage sludge unless it has been properly sampled and analysed;
2. use sewage sludge on soil which has not been properly sampled and analysed;
3. exceed the limits for the average annual rate of addition to land through sewage sludge of the specified elements;<sup>1</sup>
4. use sewage sludge on land where the limits for specified elements<sup>2</sup> are exceeded, or where using sewage sludge would cause them to be exceeded;
5. use sewage sludge on soil which has a pH value of less than 5;
6. use sewage sludge on land where fruit or vegetable crops, other than fruit trees, are being grown or harvested at the time of use of the sludge;
7. harvest fruit and vegetable crops that are grown in direct contact with the soil and normally eaten raw, for 10 months from the date the sewage sludge is used;
8. graze animals or harvest forage crops for 3 weeks from the date the sewage sludge is used.

## B. You must

1. take account of the nutrient needs of plants when applying sewage sludge;
2. ensure soil quality is not impaired when applying sewage sludge;
3. ensure that the quality of surface water and groundwater is not impaired when applying sewage sludge;
4. work into the soil, as soon as possible, any untreated sludge<sup>3</sup> that has been used on land without being injected into the soil;
5. give the sludge producer the following information (if the sewage sludge is spread other than by or on behalf of the sludge producer):
  - the address and area of the agricultural unit concerned;
  - the date on which the sludge was used;
  - the quantity of sludge used;
  - the name and address of the supplier and the quantity supplied (when you have used sludge supplied by another sludge producer).

1 As detailed in the sludge table in Schedule 1 of the Sludge (Use in Agriculture) Regulations 1989 and available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance)

2 As detailed in the soil table in Schedule 2 of the Sludge (Use in Agriculture) Regulations 1989 and available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance)

3 'Untreated sludge' has not undergone biological, chemical or heat treatment, long-term storage or any appropriate process to reduce its fermentability and health hazards.





#### Further information

- The requirements not to exceed limits of elements (as listed in the sludge and soil tables) do not apply if you farm a dedicated site<sup>4</sup>.



#### Further advice and guidance

*Code of Practice for Agricultural Use of Sewage Sludge* produced by the Department of Environment in 1996, now available from Defra.

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Environment Agency – **08708 506 506**

<sup>4</sup> A 'dedicated site' is one that was dedicated to the disposal of sludge in 1986, and has been notified to the Environment Agency.

## Nitrate Vulnerable Zones – NVZs

The aim of these requirements is to reduce the pollution of waters caused by nitrates from agricultural sources and to prevent such pollution occurring in the future. They apply to you if your land is within a Nitrate Vulnerable Zone (NVZ).

### If your farm is in an NVZ:

#### A. You must

1. limit the livestock manure (including manure deposited by grazing animals and any imported livestock manures) to 170 kg/ha in each calendar year averaged over the area of your holding<sup>1</sup>;
2. limit the rate of application of organic manure (excluding manure deposited by grazing animals) in any 12-month period to any individual field to an amount that contains no more than 250 kg of N per hectare;
3. apply nitrogen fertiliser<sup>2</sup> in as accurate a manner as possible;
4. by 30 April 2010 (newly designated NVZs<sup>3</sup> only<sup>4</sup>), complete a calculation showing your existing manure storage capacity and whether you need to provide extra storage capacity;
5. follow a four step process to plan, before any nitrogen is applied, the spreading of nitrogen fertiliser to each crop in each field;
6. for each of the main crop types, make sure that the farm average nitrogen application rate (manufactured nitrogen fertiliser plus crop available nitrogen from livestock manure) does not exceed the N max limit for that crop type;
7. undertake a field inspection to assess the risk of runoff to surface water<sup>5</sup> before spreading nitrogen fertiliser;
8. when applying organic manure to bare soil or stubble, incorporate into the soil as soon as practicable, and within 24 hours at the latest:
  - poultry manure;
  - slurry and liquid digested sludge, unless it is applied by a band spreader or injected under the soil surface;
  - any other organic manure (other than organic manure spread as a mulch on sandy soil), if it is sloping and within 50 metres of surface water that could receive runoff from that land;



- 1 Defra's request for a derogation from the 170 kg N/ha limit was agreed by the EU Nitrates Committee. Farms with grazing livestock and more than 80% of their area under grass (or 70% in 2009) will be able to apply on an annual basis for a higher limit up to 250 kg N/ha, where certain conditions are met. Account of this will be taken in any enforcement checks on farms which have been awarded the derogation.
- 2 Nitrogen (N) fertiliser means any substance containing a nitrogen compound utilised on land to enhance growth of vegetation. This includes manufactured nitrogen fertilisers and organic manures.
- 3 Those designated for the first time in 2008.
- 4 The deadline for pre-existing NVZs was 30 April 2009.
- 5 Surface waters include lakes, rivers, streams and ditches which contain free water and also temporarily dry ditches and blind ditches.

9. keep the following records for at least 5 years and produce them for inspection when requested:
  - area of your farm;
  - your calculation showing existing storage capacity and whether you need to provide extra storage capacity;
  - before 30 April 2010, number and type of livestock kept on your farm and the amount of time the livestock spent on the holding during the previous calendar year. Or before 30 April 2011 for newly designated NVZs<sup>4</sup>;
  - before 30 April 2010, calculation of total amount of nitrogen produced by all animals kept on your farm. Or before 30 April 2011 for newly designated NVZs<sup>4 6</sup>;
  - livestock manure moved onto or off the farm including quantities, dates or details of recipients;
  - dates when field sites are used for the temporary storage of poultry and solid manure;
  - your nitrogen fertiliser plan showing the crop type and date sown, soil nitrogen supply (SNS), crop nitrogen requirement and details of each planned application of organic manure and manufactured nitrogen fertiliser;
  - actual applications of manufactured nitrogen fertiliser and organic manure including dates of application, quantities applied and type;
10. have a risk map to identify suitable field locations for manure applications showing, where relevant, sites suitable for temporary field heaps of solid manures;
11. before 30 April 2010 (for holdings with livestock) record, for the previous storage period, the number and type of livestock in a building or hardstanding during the storage period.

## B. You must not

1. apply organic manures with a high readily available nitrogen content (eg slurry, poultry manure and liquid digested sewage sludge) to land during the following closed periods:<sup>7</sup>
  - 1 September to 31 December for grassland with sandy or shallow soils;
  - 15 October to 15 January for grassland on all other soils;
  - 1 August to 31 December for tillage land with sandy or shallow soils;<sup>8</sup>
  - 1 October to 15 January for tillage land on all other soils;
2. apply more than 50 m<sup>3</sup>/ha of slurry or 8 tonnes/ha of poultry manure to land at any one time, from the end of the above closed periods until the last day in February, and you must allow at least 3 weeks between each individual application;
3. apply manufactured nitrogen fertilisers to any soil type during the following closed periods:<sup>9</sup>
  - 15 September to 15 January for grassland;
  - 1 September to 15 January for tillage land;

<sup>6</sup> In the case of permanently housed pigs and poultry where ENCASH or solid manure sampling and analysis has been used to calculate the amount of nitrogen produced by the livestock kept on your farm, a printout of the results must be kept.

<sup>7</sup> You may apply organic manure with a high readily available nitrogen content during the closed period if you are either a registered organic producer (the applications are subject to certain conditions) or you have to install additional slurry or manure storage to meet the storage requirements.

<sup>8</sup> Application is permitted between 1 August and 15 September provided a crop is sown on or before 15 September.

<sup>9</sup> Application is permitted during closed period to specified crops or if written advice is obtained from a FACTS qualified adviser.

4. apply nitrogen fertiliser if there is a significant risk of nitrogen getting into surface water, taking into account:
  - the slope of the land, particularly if the slope is more than 12 degrees (1 in 5);
  - any land drains (other than a sealed impermeable pipe); and
  - ground cover, proximity to surface water, weather conditions and soil type;
5. apply nitrogen fertiliser when the land is waterlogged, flooded, has been frozen for 12 hours or more in the previous 24 hours or is snow covered;
6. apply organic manure within 10 metres of surface water, except on land managed for breeding wader birds or as species rich semi-natural grassland and under certain other restrictions;
7. apply organic manure within 50 metres of a spring, well or borehole;
8. apply manufactured nitrogen fertiliser within 2 metres of surface water.



#### Further information

- Additional requirements for the storage of organic manure and for the use of low trajectory slurry spreading equipment come into force from 1 January 2012.
- Detailed 'field boundary' maps of the existing and new NVZs (designated in 2008) show all fields as either wholly within or wholly outside the existing NVZ areas. These can be viewed on the MAGIC website [www.magic.gov.uk](http://www.magic.gov.uk)
- The application of organic manures or manufactured nitrogen fertilisers on uncultivated land or semi-natural areas may constitute a project under the Environmental Impact Assessment (Agriculture) (England) (No. 2) Regulations 2006 and you may need to obtain a screening decision. If this is the case the requirements of the cross compliance standard on Environmental Impact Assessment (GAEC 5) will apply.



#### Further advice and guidance

*Guidelines for Farmers in Nitrate Vulnerable Zones – England* (PB 12736) – Defra have produced a series of nine leaflets and a record keeping checklist which are available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

Cross compliance advice line – **0845 345 1302**

Nitrates Regulations Helpline – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

Environment Agency – **08708 506 506**



## Habitats and species

The aim of these requirements is to protect species of flora and fauna. They apply to all claimants. Extra rules apply if you have land designated as a Special Area of Conservation (SAC).

### A. You must not

1. deliberately pick, collect, cut, uproot or destroy a wild plant of a 'European protected species'<sup>1</sup>.

*You will not be in breach of this requirement if you are operating under a licence issued by Natural England to undertake authorised action, or can rely on a legal defence provided in the legislation.*

### On land designated as a Special Area of Conservation (SAC):

### B. You must

1. notify Natural England in writing of any proposal to carry out, cause or permit any specified operation<sup>2</sup> or where a special nature conservation order applies (unless covered by the terms of a management agreement, scheme or notice) **and** obtain consent before starting that operation;
2. comply with all management notices served by Natural England and the terms of any restoration orders served by a court<sup>3</sup>.

### C. You must not

1. intentionally or recklessly destroy or damage the special interest features<sup>4</sup> of the area or disturb any protected fauna that are a special interest feature. (This requirement can apply to actions that take place other than on the SAC itself but which have the same consequences.)

*You will not be in breach of the rules for a Special Area of Conservation (B1, B2 and C1) if you have reasonable excuse<sup>5</sup>.*



- 1 The list of European protected species is available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance); contained in Schedule 5 to the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').
- 2 A 'specified operation' is one which has been identified as likely to damage the special interest features of the area. This information forms part of the notification package for Sites of Special Scientific Interest.
- 3 This applies where the purpose of the notice or restoration order is to protect or restore the special interest features of the area or otherwise restore the land to its former condition as may be so specified.
- 4 'Special interest features' of an area are interpreted as the notified interest features of the Site of Special Scientific Interest that are also relevant to the SAC.
- 5 Reasonable excuse may include the following: you have planning permission to carry out the work; you have consent from a public body or statutory authority that has complied with its duty to consult Natural England before giving the consent; it was an emergency operation (provided that Natural England is notified as soon as possible after the emergency).



### Further information

- You can find out if your land is in an SAC by contacting Natural England, or you can search online through the Nature on the Map website at [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk) or [www.natureonthemap.co.uk](http://www.natureonthemap.co.uk)



### Further advice and guidance

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Natural England – **0845 600 3078**

RPA helpline – **0845 603 7777**

# Pig identification and registration

The aim of these requirements is to reduce the risk of pig diseases spreading, through controlling movements and improving traceability. They apply to you if you keep pigs.

## A. You must

### Registration and identification

1. register your details with Defra, through your Local Animal Health Divisional Office, within 1 month of establishing your holding and notify them of any change of your details within 1 month of the change;
2. correctly identify your pigs before they leave your holding in one of the following ways, depending on their age and destination:
  - pigs aged 1 year or over moving to any type of market, to slaughter and between holdings – approved eartag, tattoo or double slapmarks bearing your Defra herdmark;
  - pigs aged under 1 year moving to any type of market or to slaughter – approved eartag, tattoo or double slapmarks bearing your Defra herdmark;
  - pigs aged under 1 year moving between holdings – approved eartag, tattoo or double slapmarks bearing your Defra herdmark or a temporary mark (paintmark);



### On-farm records

3. make a record of the maximum number of pigs you normally keep, at least once annually;
4. make a record of all movements of pigs on and off your holding within 36 hours of the movement. These should specify:
  - name and address of the person keeping the record;
  - date of the movement;
  - identification number or temporary mark;
  - number of pigs;
  - holding from which the pigs moved;
  - holding to which the pigs moved;
5. ensure that these on-farm records are up to date, kept for at least 6 years and are shown to an inspector on demand;



6. ensure that movement documents, signed by the keeper, accompany pigs during movements. These should specify:
  - full addresses, including postcode and CPH number, of both the origin and destination of the pigs;
  - date of the movement;
  - number of pigs moved;
  - identification mark of the pigs;
  - lot numbers of the pigs (if the movement is from market);
7. send a copy of the movement documents to your local authority within three days of the arrival of the pigs onto your holding;
8. retain a copy of movement documents for 6 months after the arrival of pigs on your holding.

#### **B. You must not**

##### **Registration and identification**

1. remove or replace identification without permission unless it is lost, illegible or removed for welfare reasons. The appropriate replacement identification must be applied as required.



##### **Further advice and guidance**

*Guidance for New Pig Keepers* available from the Defra helpline or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Livestock Identification Helpline – **0845 050 9876**

RPA helpline – **0845 603 7777**

# Cattle identification and registration

The aim of these requirements is to maintain a system for the identification and registration of cattle to facilitate their traceability, in particular in the event of a disease outbreak. They apply to you if you keep cattle.

## A. You must

### Tagging

1. tag all calves born on your holding, or cattle imported from outside the EU<sup>1</sup>, with Defra-approved eartags<sup>2</sup> within the following timescales:
  - dairy calves – with one eartag within 36 hours of birth and with the second eartag within 20 days of birth;
  - bison calves – within 9 months of birth or when they are separated from their mother if this is earlier;
  - other calves – within 20 days of birth;
  - all animals leaving your holding – with both tags before they leave;
  - cattle imported from outside the EU – within 20 days of release from import checks;
2. replace illegible or lost eartags within 28 days of noticing the loss<sup>3</sup>;

### Passports and registration

3. register cattle born on your holding no later than 27 days after birth by making an application for a passport from the British Cattle Movement Service (BCMS);
4. register cattle imported from within the EU, but outside Great Britain, within 15 days of its arrival on your holding by sending the foreign passport/movement document to BCMS and making an application for a passport;
5. register cattle imported from outside the EU within 15 days of tagging the animal and no later than 35 days from its release from import checks by making an application for a passport to BCMS;
6. produce a signed and valid passport for every animal in your care on request;
7. ensure that when cattle are moved off your holding<sup>4</sup> they are accompanied with their valid passport, properly completed and signed;

### Notification of movements and deaths

8. notify BCMS of any movements of cattle on to and off your holding within three days of the movement;

1 Cattle imported from within the EU must keep their original identification.

2 Eartags should be applied one in each ear and bear the same unique identification code. They can be obtained from manufacturers listed on the Defra website.

3 Replacement eartags should bear the same number if cattle were born after 1 January 1998. For older cattle a new tag number may be used and a new passport requested.

4 This includes (but not exclusively) moving to another farm, market, collection centre, export assembly centre, abattoir or showground.

9. notify BCMS of any cattle deaths on your holding within 7 days by completing the death details in the passport or certificate of registration and returning them and any other official identification document;

### On-farm records (herd register)

10. keep an up-to-date herd register for your holding, which includes the following appropriate details for each animal:
  - official eartag number;
  - dam's official eartag number;
  - date of birth;
  - sex;
  - date of movements on and off your holding;
  - details of where the animal has moved to or from;
  - breed;
  - date of death;
11. complete the herd register within the following timescales:
  - movements – 36 hours of it taking place;
  - birth of a dairy calf – 7 days;
  - birth of any other calf – 30 days;
  - a death – 7 days;
  - eartag replacement where the eartag number is changed – 36 hours of the replacement;
12. keep the herd register for 10 years from the date of the last entry and make it available on request.

### B. You must not

#### Tagging

1. remove or replace eartags without permission from Defra (obtained through BCMS), except when replacing lost or illegible tags;
2. alter, obliterate or deface an eartag;

#### Passports and registration

3. alter or deface a cattle passport.



#### Further advice and guidance

The *Cattle Keeper's Handbook* published by BCMS gives full guidance on how to comply with the cattle identification rules.

BCMS Helpline – **0845 050 1234** – or email [enquiries@bcms.rpa.gsi.gov.uk](mailto:enquiries@bcms.rpa.gsi.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Livestock Identification Helpline – **0845 050 9876**

# Sheep and goats identification

The aim of these requirements is to maintain a system for the identification and registration of sheep and goats to facilitate their traceability, in particular in the event of a disease outbreak. They apply to you if you keep sheep and goats.

## A. You must

### Identification

1. identify all sheep and goats with the correct means of identification within 6 months of birth for intensively farmed animals and 9 months for extensively farmed animals, or before they leave the holding of birth, whichever is sooner;
2. for intra-community trade sheep and goats must be double identified with two identically numbered eartags; and if identified on or after 31 December 2009 one of these identifiers must be electronic;
3. replace any lost or illegible means of identification within 28 days of noticing their loss or illegibility or before the animal leaves the holding – whichever is the earlier;
4. you can only keep sheep or goats identified with a single slaughter tag beyond the age of 12 months if the animals are completely traceable and you must replace the single means of identification with two new identifiers, for sheep one of the identifiers must be electronic;

### Record keeping

5. for animals born and identified before 31 December 2009 keep up-to-date on-farm records with the required information, including:
  - details of the movement of sheep and goats on and off your holding, including:
    - the date of the movement;
    - the number of animals moved;
    - the destination or origin of the animals moved;
    - the transportation details for animals leaving your holding;

*and additionally*, for animals born or identified on/after 31 December 2009 these details must include:

  - the individual identification numbers of individually identified animals and in the case of batches of animals identified with a single slaughter tag which originate from different holdings of birth, the number of animals with each different flock/herd mark;
  - in the holding of birth the year of birth and date of identification;
  - the month and year of death of the animal on the holding;
  - the breed and, if known, the genotype;

for all animals:

  - an annual inventory of the animals kept at 1 December;
6. ensure that your farm records are available for inspection on demand.

**B. You must not****Identification**

1. alter, obliterate or deface any means of identification attached to an animal. However you may apply additional management information provided the legibility of the UK flock mark or UK individual ID number is not affected.

**Further information**

- The *Guidance for Keepers in England – Rules for identifying sheep and goats* gives full guidance on how to comply with the sheep and goat identification rules.

**Further advice and guidance**

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Livestock Identification helpline – **0845 050 9876**

Defra website: – **<http://www.defra.gov.uk/foodfarm/farmanimal/sheepgoats/idmovement.htm>**

# Restrictions on the use of plant protection products – PPPs

The aim of these requirements is to ensure that plant protection products (PPPs) are used correctly and to minimise their risk to humans, animals and the environment. They apply to you if these products are used on your land.

## A. You must not

1. use any PPP unless it has been approved under relevant legislation.

## B. You must

1. use approved PPPs in accordance with any requirement or condition which is:
  - specified in the approval or in any extension of use;
  - on the label of the product as required by the approval or extension of use;
2. use PPPs in accordance with the principles of good plant protection practice and, whenever possible, in accordance with the principles of integrated control, as explained in the *Code of Practice for Using Plant Protection Products*.



### Further information

- There are record-keeping requirements for PPPs; these fall within the cross compliance requirements for Food and Feed Law (SMR 11).



### Further advice and guidance

*The Code of Practice for Using Plant Protection Products* (PB 11090 for a printed copy; PB11090CD for CD format) available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

A list of approved products can be obtained from the Pesticides Safety Directorate – [www.pesticides.gov.uk](http://www.pesticides.gov.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

Pesticides Safety Directorate (PSD) – **01904 455775**

RPA helpline – **0845 603 7777**





# Restrictions on the use of substances having hormonal or thyrostatic action and beta-agonist in farm animals

The aim of these requirements is to prohibit the illegal use in stock farming of substances that have a hormonal or thyrostatic action and beta-agonists, and to prevent the residues that these substances leave in meat and other foodstuffs from entering the human or animal food chain. They apply to you if you keep farmed animals.

## A. You must not

1. give food-producing animals restricted substances<sup>1</sup> (unless in line with any permitted exceptions);
2. have substances on your farm that contain beta-agonists to induce tocolysis in cows when calving;
3. have food-producing animals on your farm to which have been administered any restricted substance (unless given in line with any permitted exceptions);
4. send animals for slaughter to which have been administered any restricted substance (unless given in line with any permitted exceptions);
5. sell meat, or any other animal product, derived from an animal to which any restricted substance has been administered (unless given in line with any permitted exceptions).

## B. You must

1. observe the relevant withdrawal period if your food-producing animals have been given any of the restricted substances in line with the permitted exceptions;
2. make veterinary medicinal records relating to restricted substances available to the competent authority on request.



<sup>1</sup> 'Restricted substances' means thyrostatic substances, stilbenes, stilbene derivatives, their salts and esters, oestradiol 17 $\beta$  and its ester-like derivatives and substances having oestrogenic, androgenic or gestogenic action and beta-agonists.



### Further information

- For most of the restricted substances there are no authorised veterinary medicinal products and their use is always prohibited. If you are in doubt, you should consult your vet.



### Further advice and guidance

*The Compendium of Data Sheets for Animal Medicines* is updated annually and available from the National Office of Animal Health (NOAH) in either book version or online – [www.noahcompendium.co.uk](http://www.noahcompendium.co.uk)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Veterinary Medicines Directorate – **01932 336911**

# Food and feed law

The aim of these requirements is to ensure the safe production of food for human consumption and food or feed that is fed to food-producing animals. They apply to you if you are a food or feed producer or keep food-producing animals.

## Food and feed safety, withdrawal and recall:

### A. You must not

1. place unsafe food<sup>1</sup> or unsafe feed<sup>2</sup> on the market;
2. feed unsafe feed to food-producing animals.

### B. You must

1. arrange for unsafe food or unsafe feed to be withdrawn from the market if you believe you have supplied it and inform both your local authority and the Food Standards Agency (FSA);
2. destroy unsafe feed unless the competent authority tells you to do otherwise;
3. tell consumers of food, or the users of the feed, of the reason for any withdrawal if it may have reached them;
4. arrange for unsafe food or unsafe feed to be recalled if there is no other way of achieving a sufficiently high level of health protection;
5. immediately tell both your local authority and the FSA if food which you have supplied, or is in your possession and you intend to sell, could be injurious to health and of the actions you have taken to prevent risks to the final consumer.

## Traceability:

### C. You must

1. put in place systems and procedures for the traceability of inputs<sup>3</sup> to your farm, which identify:
  - the name and address of your supplier;
  - the type and quantity of inputs that were supplied to you;
  - the date of the delivery of these inputs to your farm;

1 'Unsafe food' is food which is injurious to human health or unfit for human consumption.

2 'Unsafe feed' is feed deemed to have an adverse effect on human or animal health or it makes the food derived from food-producing animals unsafe for human consumption.

3 'Inputs' are: food, feed, food-producing animals and any other substance intended or expected to be incorporated into a feed.

2. put in place systems and procedures for the traceability of products when they leave your farm, which identify:
  - the name and address of the businesses you supplied;
  - the nature and quantity of the products that were supplied to those businesses;
  - the date on which the products left your farm;
3. store this information in a format which is readily available and produce it when requested.

### **Hygiene of foodstuffs and feed hygiene:**

#### **D. You must**

1. store and handle waste and hazardous substances<sup>4</sup> in order to prevent contamination of your food products or feed products;
2. store feed away from chemicals or any other products prohibited for use as animal feed;
3. store and handle medicated and non-medicated feeds separately to ensure feeding to the correct animals and prevent cross-contamination;
4. use feed additives, veterinary medicinal products and biocides correctly (if you use them on your farm) with dosage, application and storage as stated on the label or as prescribed. This includes ensuring that food you produce does not contain residues of pesticides or veterinary medicinal products that are higher than the permitted maximum residue level (MRL) for the pesticide or medicine used<sup>5</sup>;
5. take adequate measures<sup>6</sup> to prevent the introduction and spread of contagious diseases transmissible to humans through food;
6. source and use feed, for food-producing animals, from establishments that are registered and/or approved by your local authority;
7. keep records on all of the following, if they are relevant to your business:
  - veterinary medicinal products, or other treatments, given to your animals (including the dates of the treatment and the withdrawal period);
  - the use of plant protection products and biocides;
  - the results of any analyses carried out on samples taken from food-producing animals, plants, animal feed or other samples taken for diagnostic purposes that have importance for human and animal health and to take account of these accordingly;
  - any relevant reports on checks carried out on animals or products of animal origin;
  - any use of genetically modified seeds in feed production.

4 There is no definitive list of 'hazardous substances'; they are any that have the potential to cause an adverse effect on human health or animal health.

5 For pesticides, food you produce must not exceed the MRL at the time it is placed on the market as food. For veterinary medicinal products, residues within food-producing animals must not exceed the MRL at the time the animal is sold or supplied for slaughter.

6 'Adequate measures' include: abiding by the statutory herd testing for bovine tuberculosis (Tb) and pre-movement Tb testing of animals; taking precautionary measures when introducing new animals; reporting suspected disease outbreaks to the competent authority.

**If you are a producer of raw milk (from any species) the following additional rules apply:**

**E. You must**

1. ensure that raw milk comes from animals that:
  - are in a good general state of health;
  - present no sign of disease that might result in the contamination of milk;
  - do not have any udder wound likely to affect the milk;
  - are not within the prescribed withdrawal period following the administration of authorised products or substances;
  - have not been given any unauthorised substances or products;
2. ensure that raw milk comes from animals belonging to herds/holdings which have disease-free status for tuberculosis and brucellosis;
3. effectively isolate animals that are infected, or suspected of being infected, with brucellosis or tuberculosis so that there is no adverse effect on other animals' milk;
4. ensure that milking equipment and the premises where milk is stored, handled or cooled are located and constructed to limit the risk of contamination of milk;
5. ensure that premises used for the storage of milk:
  - are protected against vermin – including birds and birds' nests and adequately separated from premises where animals are housed;
  - have suitable refrigeration equipment, in order to meet the post-milking cooling requirements;
6. ensure the surfaces of equipment that come into contact with milk are easy to clean and disinfect (where this is necessary);
7. clean (and disinfect where necessary) the surfaces of equipment that come into contact with milk after use, and maintain in a sound condition;
8. carry out milking hygienically, in particular ensure that:
  - before milking starts the teats, udder and adjacent parts are clean;
  - you satisfactorily identify animals undergoing any medical treatment which is likely to transfer residues to the milk;
  - milk from any animals that are still within the withdrawal period after receiving medication is not used for human consumption;
9. hold milk in a clean place, designed and equipped to avoid contamination, immediately after milking. The milk must be cooled immediately to:
  - not more than 8°C if it is collected daily;
  - not more than 6°C if it is not collected daily.



You will not be in breach of the requirement to be disease-free for tuberculosis or brucellosis before selling your milk if it is from your non-reactor animals and you either sell to a wholesaler who will heat-treat the milk before marketing it for human consumption, or the raw milk is from sheep or goats and is intended to be made into cheese that has a maturation period of at least 2 months.

You will not be in breach of the requirement to cool milk immediately after milking if the milk is going to be processed within 2 hours of milking or you have received permission from the competent authority because of the dairy products that will be made from this milk.

### If you are an egg producer the following additional rules apply:

#### F. You must

1. keep eggs clean and dry, free of strong odour, effectively protected from shocks and out of direct sunshine.



#### Further information

- The section on 'hygiene of foodstuffs and feed hygiene' does not apply to the direct supply by the producer of small quantities of primary products to the final consumer (eg farm gate sales) or to local retail establishments which then directly supply the final consumer.



#### Further advice and guidance

Information about food and feed safety, including reporting of incidents, can be obtained from the Food Standards Agency.

You can notify food and feed safety incidents to the incidents branch of the Food Standards Agency. A standard form is available on their website – [www.food.gov.uk](http://www.food.gov.uk) – but you do not have to use it.

*The Code of Practice for Using Plant Protection Products* PB11090 for a printed copy; PB11090CD for it in CD format gives information and guidance on record keeping for pesticides. It is available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

*Milk Hygiene on the Dairy Farm – A Practical Guide for Milk Producers*, available from *Animal Health*.

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

Food Standards Agency – **020 7276 8000**

RPA helpline – **0845 603 7777**

# Prevention and control of transmissible spongiform encephalopathies – TSEs

The aim of these requirements is to minimise the risk posed to human and animal health by certain transmissible spongiform encephalopathies (TSEs). They apply to you if you keep farmed animals.

## A. You must not

1. feed animal protein, or any feeding stuff that contains animal protein, to ruminants,<sup>1</sup> with the exception of the following (subject to required sourcing and processing, e.g. it cannot be catering waste):
  - milk, milk-based products and colostrums;
  - eggs and egg products;
  - gelatine from non-ruminants;
  - hydrolysed proteins derived from non-ruminants or from ruminant hides and skins;
  - liquid milk replacers for unweaned ruminants containing fishmeal, if registered by Defra.
2. feed products containing prohibited proteins<sup>2</sup> to **any** farmed animals, or mix prohibited proteins with feeding stuffs;
3. use restricted proteins<sup>3</sup> to produce feed for non-ruminants unless you have received authorisation from Defra;
4. use feed products containing restricted proteins on a farm where there are ruminant species present unless you have received registration from Defra;
5. export from the UK any bovine animal born or reared in the United Kingdom before 1 August 1996;
6. place on the market or export any products consisting of or incorporating any material (other than milk) derived from a bovine animal born or reared in the United Kingdom before 1 August 1996, with the exception of the following:
  - hides of bovine animals used for leather production. Collection, transport and processing of these hides must be done in dedicated facilities and under official supervision in accordance with Defra guidelines;
7. place on the market or export first generation progeny, the semen, ova or embryos of cattle, sheep or goats (of any age) without fully complying with the documentation requirements and restrictions applying to the sale or export of such products.

1 'Ruminant' includes: cattle; sheep; goats; camelids; bison; buffalo; deer; antelope; and wildebeest.

2 'Prohibited proteins' are gelatine from ruminants and processed animal protein (such as mammalian meat and bonemeal, poultry meal, feather meal).

3 'Restricted proteins' are animal proteins restricted to non-ruminant feed production: fishmeal; blood products; bloodmeal (for feeding to farmed fish); dicalcium phosphate and tricalcium phosphate of animal origin.



**B. You must**

1. notify the Divisional Veterinary Officer of your local Animal Health Office immediately if you know or suspect that an animal or carcass in your possession, or under your charge, is infected with a transmissible spongiform encephalopathy (TSE);
2. fully comply with any movement restrictions imposed;
3. fully comply with any order to slaughter and destroy any animal;
4. fully comply with any other notices served by an inspector;
5. fully comply with the inquiry carried out by an inspector to identify all animals at risk.

**Further information**

- The registration by Defra to use feed products containing restricted proteins on farms where ruminants are present will be followed by an Animal Health (AH) inspection. This will confirm permission to use such products on the premises in line with EU requirements.
- Mineral-derived versions of dicalcium phosphate and tricalcium phosphate are permitted for all livestock and are most commonly used. Feed labels which do not specify 'animal origin' can be taken to be mineral.

**Further advice and guidance**

Cross compliance advice line – **0845 345 1302**  
Defra helpline – **08459 33 55 77**  
RPA helpline – **0845 603 7777**

# Control of foot and mouth disease, bluetongue, swine vesicular disease and certain animal diseases

The aim of these requirements is to control and eradicate foot and mouth disease, bluetongue, swine vesicular disease and certain animal diseases. They apply to you if you keep livestock of a susceptible species.

## A. You must

1. notify the Duty Veterinary Officer of your Local Animal Health Office immediately if you know or suspect that an animal or carcass in your possession, or under your charge, is infected with:
  - foot and mouth disease;
  - bluetongue;
  - swine vesicular disease;
  - any of the following diseases:
    - rinderpest;
    - peste des petits ruminants;
    - epizootic haemorrhagic virus disease of deer;
    - sheep and goat pox (capripox);
    - vesicular stomatitis;
    - lumpy skin disease;
    - Rift Valley fever.



### Further advice and guidance

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

RPA helpline – **0845 603 7777**

Your local Animal Health Office





## Welfare of calves

The aim of these requirements is to protect the welfare of calves<sup>1</sup> by setting minimum standards for their care and husbandry. If you keep calves, they apply to you in addition to the requirements for the welfare of all farmed animals (SMR 18).

### A. You must

1. inspect all housed calves at least twice a day, and those kept outside at least once a day;
2. ensure that each of your calves can stand up, turn around, lie down, rest and groom itself without difficulty;
3. ensure that individual stalls or pens satisfy the minimum width and length requirements<sup>2</sup> and that they have perforated walls which allow the calves to have direct visual and physical contact with each other;
4. ensure that each calf, when kept in a group, has its minimum allowance of unobstructed floor space<sup>3</sup>;
5. provide flooring, for those calves kept in buildings, that is:
  - smooth but not slippery;
  - designed so there is no injury or suffering to the calves standing or lying on it;
  - suitable for the size and weight of the calves;
  - rigid, even and stable;
6. keep all housed calves on – or at all times give them access to – a lying area that is clean, comfortable, well-drained and has dry bedding;
7. give all calves appropriate bedding;
8. for calves kept in an artificially lit building, provide artificial lighting for a period that is at least equal to the period of natural light normally available between 9am and 5pm;
9. clean and disinfect housing and equipment used for your calves; remove dung, urine and left-over food as often as necessary to reduce smells and avoid attracting flies or rodents;
10. feed all weaned calves at least twice a day;



- 1 'Calf' means any bovine animal up to 6 months old, including those reared outdoors.
- 2 Details of width and length requirements are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 6 to the Welfare of Farmed Animals (England) Regulations 2007.
- 3 Details of minimum floor space allowance are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 6 to the Welfare of Farmed Animals (England) Regulations 2007.

11. ensure that when feeding group-housed calves each calf either:
  - has access to feed at the same time as the others in the feeding group;
  - has continuous access to feed;
  - is fed by an automatic feeding system;
12. give your calves fresh (palatable) drinking water at all times in hot weather conditions or when they are ill;
13. give all calves food that contains enough iron<sup>4</sup>;
14. provide the specified minimum daily ration<sup>5</sup> of fibrous food for each calf over 2 weeks old;
15. ensure that each calf receives bovine colostrum as soon as possible after it is born and within the first 6 hours of life.

#### B. You must not

1. tether your calves;
2. muzzle your calves;
3. keep a calf in an individual stall or pen after the age of 8 weeks (unless it needs to be isolated to receive treatment).

*You will not be in breach of the requirement relating to the tethering of calves if tethers are applied to group-housed calves, for up to 1 hour, when you are feeding them milk or milk substitute. In this case any tether must be regularly inspected and adjusted to ensure that it does not cause pain or injury to the calf and allows it to lie down, rest, stand up and groom itself.*



#### Further advice and guidance

*Codes of Recommendation for the Welfare of Livestock: Cattle* (PB7949) – available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

Council of Europe Recommendations made under the *European Convention on the Protection of Animals Kept for Farming Purposes* available from the Council of Europe website [www.coe.int](http://www.coe.int)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

your Local Animal Health Divisional Office

<sup>4</sup> In order to maintain a blood haemoglobin level of 4.5 mmol/litre.

<sup>5</sup> Details of the minimum daily ration are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 6 to the Welfare of Farmed Animals (England) Regulations 2007.

# Welfare of pigs

The aim of these requirements is to protect the welfare of pigs by setting minimum standards for their care and husbandry. If you keep pigs, they apply to you in addition to the requirements for the welfare of all farmed animals (SMR 18).

## For all pigs<sup>1</sup>:

### A. You must

1. ensure that each of your pigs is free to turn around without difficulty at all times, including while tethered (where this is allowed);
2. ensure that the accommodation for your pigs allows them to:
  - stand up, lie down and rest without difficulty;
  - have a clean, comfortable and adequately drained place in which to rest (including making sure that any bedding is clean, dry and not harmful to the pigs);
  - see other pigs (unless the pig is isolated for veterinary reasons or for farrowing);
  - maintain a comfortable temperature;
  - have enough space to allow all of them to lie down at the same time;
3. ensure that individual stalls or pens satisfy the minimum size requirements<sup>2</sup> (these do not apply in certain excepted situations);
4. provide flooring, for those pigs kept in buildings, that is:
  - smooth but not slippery;
  - suitable for the size and weight of the pigs;
  - rigid, even and stable, if there is no litter;
  - designed so there is no injury or suffering to the pigs standing or lying on it;
5. provide artificial lighting of at least 40 lux for at least 8 hours each day, for pigs kept in an artificially lit building;
6. give permanent access to enough manipulable material which allows proper investigation;
7. take measures to prevent fighting which goes beyond normal behaviour, if you keep your pigs together, keeping separate those pigs which show persistent aggression or are victims of that aggression;
8. ensure that when feeding group-housed pigs each pig either:
  - has access to feed at the same time as the others in the feeding group;
  - has continuous access to feed;
  - is fed by an automatic feeding system;

1 'Pig' means an animal of the porcine species of any age, kept for breeding or fattening.

2 Details of minimum size requirements are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

9. give all pigs over 2 weeks old permanent access to a sufficient supply of fresh drinking water.

**B. You must not**

1. tether pigs at any time;
2. keep pigs in the high temperature/high humidity environment known as the 'sweat box system';
3. expose your pigs to constant or sudden noise, or levels above 85 decibels in any building where you keep your pigs.

*You will not be in breach of the requirement relating to the tethering of pigs if it is for veterinary purposes. In this case any tether must be regularly inspected and adjusted to ensure that it does not cause pain or injury to the pig and allows it to lie down, rest, stand up and groom itself.*

**For piglets<sup>3</sup>:**

**C. You must**

1. provide piglets with a source of heat and a dry and comfortable lying area away from the sow where all of them can rest at the same time;
2. ensure that a part of the total floor where you keep the piglets is large enough to allow the animals to rest together at the same time and is solid, covered with a mat or littered with straw or any other suitable material;
3. give the piglets enough space to be able to be suckled without difficulty if you use a farrowing crate.

**D. You must not**

1. wean piglets from the sow at an age of less than 28 days (unless there is a risk of adverse welfare or health of the dam or piglets).

*You will not be in breach of the requirement relating to the weaning of piglets if they are weaned up to 7 days earlier, provided that you move them into specialised housing which you empty and thoroughly clean and disinfect before you introduce a new group and which is separate from housing where you keep sows.*

**For sows<sup>4</sup> and gilts<sup>5</sup>:**

**E. You must**

1. treat pregnant gilts and sows against internal and external parasites, if necessary;
2. thoroughly clean pregnant sows and gilts before they are placed in farrowing crates;

<sup>3</sup> 'Piglet' means a pig from birth to weaning.

<sup>4</sup> 'Sow' means a female pig after the first farrowing.

<sup>5</sup> 'Gilt' means a female pig intended for breeding, after puberty and before farrowing.

3. give sows and gilts enough suitable nesting material in the week before the expected farrowing time (unless it is not technically practical because of the slurry system you use);
4. keep sows and gilts in groups (except during the period between 7 days before the predicted day of farrowing and the day on which the weaning of piglets is complete);
5. provide an unobstructed area behind the sow or gilt during farrowing;
6. provide some method of protecting the piglets, such as farrowing rails, if you keep sows loose in farrowing pens;
7. feed sows and gilts using a system that ensures each pig can get enough food even when other pigs are competing for food;
8. give all dry pregnant sows and gilts enough bulky or high-fibre food, as well as high-energy food, to satisfy their hunger and need to chew.

*You will not be in breach of the requirement relating to keeping sows and gilts in groups if they are kept on holdings of fewer than 10 sows provided that the individual accommodation keeps to the general requirements for pig accommodation.*

#### **For boars<sup>6</sup>:**

##### **F. You must**

1. place and build boar pens to allow the boars to turn round and to hear, see and smell other pigs;
2. provide clean resting areas in the boar pens and ensure that the lying area is dry and comfortable;
3. ensure that each boar has its minimum allowance of unobstructed floor space<sup>7</sup>.

#### **For weaners<sup>8</sup> and rearing pigs<sup>9</sup>:**

##### **G. You must**

1. ensure that each weaner or rearing pig, when kept in groups, has its minimum allowance of unobstructed floor space<sup>10</sup>;
2. place pigs in groups as soon as possible after weaning and keep these groups stable with as little mixing as possible;
3. provide opportunities for the animals to escape and hide from unfamiliar pigs if mixing is necessary. This must also be done at as young an age as possible, preferably before, or up to 1 week after, weaning.

6 'Boar' means a male pig after puberty, intended for breeding.

7 Details of the minimum floor space allowance are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

8 'Weaner' means a pig from weaning to the age of 10 weeks.

9 'Rearing pig' means a pig from the age of 10 weeks until slaughter or service.

10 Details of minimum floor space allowance are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

## H. You must not

1. use tranquilising medication to help with mixing, unless there are exceptional circumstances and is on the advice of a vet.

**If your holding has been newly built, rebuilt or brought into use for the first time after 1 January 2003, the following rules also apply:**

## I. You must

1. provide flooring of the correct measurements (for openings and slats) if you use concrete slatted floors<sup>11</sup>. (This applies for all pigs kept in groups);
2. ensure that each female pig after service, when kept in groups, has its minimum allowance<sup>12</sup> of unobstructed floor space, continuous solid floor and pens of correct dimensions.

***These requirements apply to all holdings from 1 January 2013.***



### Further advice and guidance

*Codes of Recommendation for the Welfare of Livestock: Pigs* (PB7950) – available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

Council of Europe Recommendations made under the *European Convention on the Protection of Animals Kept for Farming Purposes* available from the Council of Europe website [www.coe.int](http://www.coe.int)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

Defra Publications – **08459 556 000**

your Local Animal Health Divisional Office

<sup>11</sup> Further details are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

<sup>12</sup> Further details are available from the cross-compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or Schedule 8 to the Welfare of Farmed Animals (England) Regulations 2007.

# Animal welfare

The aim of these requirements is to protect the welfare of farmed animals by setting minimum standards for their care and husbandry. They apply to you if you keep any species for farming purposes.

## A. You must

1. ensure that your animals are looked after by enough staff who have the correct skills and knowledge;
2. inspect your animals thoroughly at least once a day where the husbandry system depends on frequent human attention and in other systems as often as necessary to avoid suffering;
3. ensure that you have enough lighting so that you can carry out a thorough inspection at any time;
4. ensure that you care for ill or injured animals immediately, and if they do not respond to this care then seek veterinary advice;
5. if necessary, isolate sick or injured animals in suitable accommodation with dry comfortable bedding;
6. make a record of:
  - any medicinal treatment given to your animals, and keep these records for at least 3 years from the date of the treatment;
  - the number of deaths found when the animals are inspected, and keep these records for at least 3 years from the date of the relevant inspection;
7. make these records available to any authorised person at inspection or when otherwise asked for;
8. give your animals enough space to avoid unnecessary stress if they are continuously or regularly tethered or confined and also allow them to exhibit their normal behaviour in line with established experience and scientific knowledge;
9. use materials for animals' accommodation that can be thoroughly cleaned and disinfected;
10. build and maintain accommodation so that there are no sharp edges or protrusions which could injure your animals;
11. keep air circulation, dust levels, temperature, relative air humidity and gas concentrations within limits that will not harm your animals;
12. provide artificial lighting if there is not sufficient natural light in a building;
13. give your animals that are not kept in buildings access to a well-drained lying area at all times and, if necessary, protection from adverse weather conditions, predators and risks to their health;
14. check automated/mechanical equipment that is essential for the health and well-being of your animals at least once a day and put right any faults immediately (or take appropriate steps to protect the health and well-being of your animals until you can get the fault put right);



15. provide an appropriate back-up to the main system if your animals' health and well-being depends upon artificial ventilation and an alarm to warn you if the ventilation system fails. Inspect and test these at least once every 7 days;
16. feed your animals a wholesome diet, ensuring that they have access to feed at intervals appropriate to their needs (and, in any case, at least once a day);
17. give all animals access to a suitable water supply and enough fresh drinking water or other fluid each day;
18. minimise any contamination of food and water and the harmful effects of competition between animals through the design and location of feeding and watering equipment.

## B. You must not

1. restrict your animals' freedom of movement if this causes them unnecessary suffering or injury;
2. use materials and/or equipment for accommodation purposes that is harmful to your animals;
3. keep animals in permanent darkness or without an appropriate rest from artificial lighting;
4. give your animals food or liquid in any way, or containing any substance, that could cause them unnecessary harm;
5. administer any substance that is harmful to your animals, except those given on advice of a vet;
6. carry out any mutilation or intervention on your animals, unless the action is classed as a 'permitted procedure'<sup>1</sup>. (Many of these have conditions attached, including the need to be reasonably justified and be a measure of 'last resort');
7. carry out breeding procedures (either natural or artificial) that cause, or are likely to cause, harm to your animals;
8. keep animals for farming purposes unless it can be reasonably expected that the normal breed characteristics (genetic and physical) means that they can be kept without harm to their health and welfare.



### Further advice and guidance

*Codes of Recommendation for the Welfare of Livestock* (for various species) – available from Defra Publications or the Defra website – [www.defra.gov.uk](http://www.defra.gov.uk)

Council of Europe Recommendations made under the *European Convention on the Protection of Animals Kept for Farming Purposes* available from the Council of Europe website – [www.coe.int](http://www.coe.int)

Cross compliance advice line – **0845 345 1302**

Defra helpline – **08459 33 55 77**

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your Local Animal Health Divisional Office

<sup>1</sup> Details of permitted procedures are available from the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance) or in the Mutilations (Permitted Procedures) (England) Regulations 2007.

# The inspection process

Under European legislation at least 1% of farm businesses submitting claims under the Single Payment Scheme (SPS), and at least 1% of farm businesses that entered into new commitments under one or more of certain land-based rural development schemes from 1 January 2007, must be inspected annually for cross compliance purposes.

Several bodies, known as Competent Control Authorities (CCAs), are responsible for different cross compliance requirements. Further details are available on the Rural Payments Agency (RPA) website.

Each CCA will select and carry out inspections on the farm businesses that need to comply with the requirements for which it has responsibility.

Inspections are selected by risk assessment but include a random element and may occur more than once during a calendar year. You will be given advance notice where possible but inspections can be unannounced.

All of the CCAs will try to ensure that inspections cause minimum disruption.

You must co-operate with the inspectors and provide facilities and labour to allow the necessary checks to be made.

If you refuse to allow an inspection, obstruct an inspector, or fail to give reasonable assistance, your payments may be reduced or withheld and an animal movement restriction served on your farm.

Before leaving your farm, the inspector will explain what they found during the inspection.

The inspector will complete a full written report detailing the results of the inspection. This is returned to the processing team within RPA who will also confirm cattle, sheep and goat inspection results against information held on their database at Workington. This takes a minimum of 28 days.

RPA, in its role as paying agency, will assess all of the inspection findings to determine whether there has been any non-compliance. Any breaches that are reported may result in a reduction to your payment. The level of reduction is dependent upon the seriousness of the non-compliance, according to criteria specified in European legislation. A copy of the payment reduction matrix can be found on the RPA website.

You will be notified in writing of the cross compliance inspection findings. RPA will not be able to confirm any payment reduction until it has assessed the results of all of the inspections that have taken place in the calendar year. RPA will advise you of any reduction to your direct payments.

RPA will do all it can to help you understand the decisions that it makes as a result of the cross compliance inspection findings. Please write to them if you require clarification of the inspection findings or the adjustment made to your payments. If you do not agree with any inspection findings or a decision regarding your payment you should send your reasons in writing. Your letter or email should set out the facts as fully as possible and quote your Single Business Identifier (SBI).

The RPA's Customer Service Centre (CSC) will investigate your concerns and inform you of the findings. If they decide to stand by the original decision you can make a formal appeal under the Single Payment Scheme Appeal Procedure in England. RPA will send a guidance booklet and a Stage 1 Appeal Form when they write to you.

All correspondence regarding your inspection findings and SPS claim should be sent to:

Rural Payments Agency  
PO Box 1058  
Newcastle upon Tyne  
NE99 4YQ

Email – [csc@rpa.gsi.gov.uk](mailto:csc@rpa.gsi.gov.uk)

# Inspection criteria

A cross compliance inspection may be carried out by one or more inspectors and you may be inspected more than once during the year. This could be because the relevant Competent Control Authority (CCA) was unable to check all the requirements for which it has responsibility at a single inspection or because your business has been selected for inspection by more than one CCA.

## Inspections by the RPA Inspectorate

### *Physical inspection of land and facilities*

There will be a full physical inspection of your land, where the inspector will cover all of your agricultural land parcels, taking measurements where appropriate to assess compliance with the relevant cross compliance requirements, including an assessment of your Soil Protection Review (SPR).

For those of you who are food producers or feed producers, or who give feed to food-producing animals (this will be the majority of you), the inspector will ask to see all storage areas for food, biocides, plant protection products etc where these are applicable to your business. This is to ensure that you have taken adequate measures to prevent contamination of food and feed and to ensure that food and feed hygiene requirements are being met. The inspector will also, where necessary, check that correct processes are followed, such as the withdrawal of food and feed from the market not in compliance with food or feed safety requirements.

### *Physical inspection for users of plant protection products (PPPs)*

The inspector will check that any PPPs used are approved products and that they are used and recorded properly. Where necessary, they will also ensure that sufficient 'buffer zones' are left, so that spray does not enter watercourses.

### *Physical inspection for livestock keepers*

The inspector will ask to see all livestock housing areas and you will need to provide appropriate labour and safe handling facilities. The inspection will include checks that are applicable to your business, to ensure that:

- **cattle** on the farm match the animals recorded on the Cattle Tracing System (CTS), with births, movements and deaths correctly notified and recorded; they are properly tagged and registered; passports are signed and in order;
- **sheep** and **goats** are identified in line with the requirements; a headcount can be reconciled with the Annual Inventory return;
- **pigs** are marked in line with requirements; marking equipment is being maintained correctly; a headcount can be reconciled with the Annual Stocktake total;
- you have complied with the restricted feed requirements;
- you have complied with any movement restrictions or other notices;
- you are aware of the requirement to notify Defra of suspected disease outbreaks.

## **Physical inspection for dairy farmers**

Additional hygiene checks will be performed through an examination of the livestock, dairy facilities and routines, milk storage and records.

## **Physical inspection for egg producers**

There are additional checks to ensure that eggs are kept hygienically.

## **Record checks**

The inspector will need to examine records that you are required to make/keep and produce on request for a number of the cross compliance standards.

In all cases you will be required to present your SPR, and the inspector will check that:

- it has been completed;
- it identifies problems and measures taken to address them;
- measures identified have been implemented;
- the annual review has been completed, if appropriate;
- there is compliance with specific guidance or written direction, if these have been issued.

Other records include:

- plant protection and biocidal products records of usage;
- Local Environment Risk Assessment for Pesticides (LERAP) records;
- traceability systems for food production, which may include receipts/invoices of inputs on to your farm and products when they leave the farm;
- traceability systems for animal products/feed production, which may include receipts/invoices of inputs on to your farm and products when they leave the farm;
- veterinary medicinal records.

For animal records, the inspector will check that:

- movement records, both on and off the holding, for cattle, pigs, sheep and goats are up to date and that movement documents are correctly completed and retained;
- the annual inventory for sheep and goats and/or pigs is complete and reconcilable;
- the herd register/flock register is completed correctly and up to date.

## **Checks of other documentation**

The inspector may also need to see other documentation, to assess cross compliance.

For land, this may include:

- a burning licence;
- a Certificate of Competence for using PPPs;
- a felling licence;
- a special nature management notice or conservation order;
- English Heritage consent to carry out an operation on a scheduled monument;
- local authority permission to remove a hedgerow;

- local authority written consent regarding trees subject to a Tree Preservation Order (TPO);
- local authority written consent to permanently or temporarily divert a visible public right of way;
- management prescriptions;
- Natural England consent or licence for operations on a Site of Special Scientific Interest (SSSI);
- Natural England or Forestry Commission screening notice/remediation notice/consent in relation to any Environmental Impact Assessment (EIA);
- records of analysis/samples carried out on any livestock, feed or plants.

For animals, this may include:

- Animal Movement Licensing System (AMLS) documentation;
- auction slips, invoices and fallen stock receipts;
- Defra authorisation or registration to use restricted proteins/feed products containing restricted proteins;
- records of analysis/samples carried out on any livestock or feed;
- records of analysis/samples carried out on milk production;
- records of routine and pre-movement TB tests.

### **Inspections by Animal Health for animal welfare and disease control purposes**

The inspector will expect:

- to view all animals in their normal rearing environment;
- you to demonstrate the operation of your alarm systems and to ensure back-up generators etc are working;
- to be able to examine specific animals on request;
- to take, where appropriate, any samples/carcasses/photographs etc as evidence to support both compliance and non-compliance.

In addition, the inspector will:

- inspect veterinary medicine and mortality records;
- check any other records that may support compliance with the requirements;
- enquire whether there has been a known or suspected outbreak case of a notifiable disease (as listed under the disease control requirements) on your premises during the year.

If you keep calves, the inspector will also need to take:

- pen/stall measurements;
- blood samples, if any of the calves appear anaemic on initial inspection.

If you keep pigs, inspectors will also need to measure:

- light intensity in pens from a representative sample of age groups present;
- pens/stalls from a representative sample of age groups present for all fattening pigs and boars;
- pens/stalls/slat widths/slat openings, where appropriate, for accommodation brought into use/reuse since 1 January 2003.

## **Inspections by Animal Health concerning restricted substances**

The inspector will:

- inspect a sample of animals for signs of the misuse of banned substances, such as growth promoters;
- select one or more suitable animals and carry out sampling of blood, urine or animal feed (or bulk milk) for laboratory analysis;
- inspect your medicines store and medicines records, including invoices relating to the purchase of medicines.

## **Inspections by Environment Agency**

### ***Inspections for groundwater requirements***

These will include:

- checks to ensure that if you store and use listed substances, such as pesticides or sheep dip, you do so in accordance with codes of good practice;
- a physical inspection of the authorised application area to ensure that you are complying with the terms of any authorisation issued to you;
- record-keeping/documentation checks to verify that you have an authorisation for any on-farm disposal of listed substances and check the records of materials applied to the authorised area (material, quantity and dates applied).

### ***Inspections for sewage sludge requirements***

The inspector will wish to examine your records as verification that you have:

- sought evidence from the sludge producer that the appropriate analyses have been carried out for the soil (including soil pH) and the sludge;
- taken into account the nutrient needs of the plants when sludge is applied;
- applied sludge in ways that prevent impairment to the quality of the soil, surface and ground waters;
- advised details of other sludge applied, including the particulars of other suppliers, to the sludge producer;
- complied in respect of the cropping and grazing restrictions.

The inspector may also wish to look at land that has been spread with sludge.

***Inspections for Nitrates requirements***

The Environment Agency officer will wish to agree with you the total area of land you farm, to which these requirements apply, by reference to maps. A major part of the inspection visit will comprise the checking of records so the Environment Agency officers may begin inspections by checking a sample of records and if these are satisfactory, may decide that checking the remaining records is not necessary. The selection of the sample will be made by the inspecting officer.

The records must include:

- livestock numbers and nitrogen production and loading calculations;
- livestock manure production and storage calculations;
- organic manure spreading risk map;
- locations of field manure storage sites and dates used;
- nitrogen spreading plan;
- field records recording when and where nitrogen fertiliser is spread, and if necessary your N max calculation.

Inspectors will also carry out checks on your land and will be inspecting:

- storage structures;
- field activities;
- your field solid manure storage.

***Inspections for water abstraction licences***

An Environment Agency officer will visit your site and check that you are complying with the conditions in your abstraction licence. To do this, they will usually need to read your water meter, review your own records, see where you take the water from and where you use it. Environment Agency visits are a good opportunity for you to ask any questions you have about your licence, or changes you wish to make.

Farms are selected for inspection using a risk based approach and inspections are targeted on farms and areas which the Environment Agency believes pose the greatest environmental risk.

**Common breaches**

Further information on the most commonly occurring non-compliances can be found on the cross compliance section of the RPA website [www.rpa.gov.uk/crosscompliance](http://www.rpa.gov.uk/crosscompliance).

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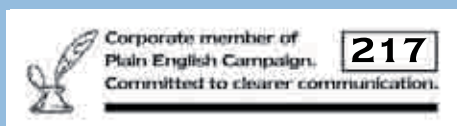
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