



Rural Payments  
Agency

# The guide to cross compliance in England 2021

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# Introduction

Cross compliance is a set of rules which farmers and land managers must follow on their holding if they are claiming rural payments.

'Cross compliance' is a set of rules which farmers and land managers must follow on their holding if they are claiming rural payments for:

- the Basic Payment Scheme (BPS)
- Countryside Stewardship (CS)
- Entry Level Stewardship (including Organic Entry Level Stewardship and Uplands Entry Level Stewardship) agreements starting on or after 1 January 2007
- Higher Level Stewardship (including Organic Higher Level Stewardship and Uplands Higher Level Stewardship) agreements starting on or after 1 January 2007
- Woodland Management Grant and Farm Woodland Premium elements of English Woodland Grant Scheme agreements starting on or after 1 January 2007.

Cross compliance is made up of 'Statutory Management Requirements' (SMRs) and standards for 'Good Agricultural and Environmental Conditions' (GAECs).

They cover the following areas and issues:

- environment, climate change and good agricultural condition of land
  - water
  - soil and carbon stock
  - biodiversity
  - landscape, minimum level of maintenance
- public, animal and plant health
  - food safety
  - identification and registration of animals
  - animal diseases
  - plant protection products
- animal welfare.

## Which rules apply to you?

This guide covers a variety of activities. In most cases, these are things that you should be doing anyway under UK legislation, even if you do not apply for rural payments.

Cross compliance does not cover all the things you must do under UK legislation. Therefore we've given details in each section telling you where you can find more information.

Use this guide to work out which SMRs and GAECs apply to you, and what you need to do to follow them.

Depending on the type of holding you have, you may not need to follow every SMR and GAEC.

Also read the legal notice under 'More information and contacts'.

### **The Farming Advice Service – if you need help**

The Farming Advice Service (FAS) is funded by Defra to provide free, confidential advice to farmers and farming industry advisers to help them understand and meet requirements for cross compliance, water use and quality, and pesticide use including integrated pest management planning.

Call their helpline on 03000 200 301 or to find more information on GOV.UK, search for '[Farming Advice Service](#)'.

# What's new in 2021?

The cross compliance rules that you must meet have not changed.

You must meet all of the cross compliance rules throughout the whole year to receive all of your rural payments.

We're removing duplication with existing guidance about some of the cross compliance rules. We're doing this by outlining the cross compliance rules and then linking to the detailed rules themselves on GOV.UK and other websites.

We've made some changes to how cross compliance runs. This includes inspections and enforcement action we'll take if you do not meet the rules.

## Inspections

When selecting farms for inspection, we'll focus more on the risk of the impact on the environment. This means that we'll inspect fewer farms likely to have low level non-compliance, although we'll still be doing some random inspections.

Before an inspection visit, we'll send you a list of the records we need to check during the inspection so that you'll know in advance what to expect. During the inspection we'll point you to relevant guidance if we think this could help you meet the rules. If you have not met the rules we will also now consider how severe this is by taking into account any mitigating circumstances. We may also ask you detailed questions about how you've engaged with the rules. This will help us identify where a penalty could be reduced.

## Penalties

For many farmers, penalties for non-compliance should now be more proportionate. We've removed the need for the normal penalty to be 3%. We've added more penalty levels (percentages) and we're making warning letters the most likely outcome for a wider range of non-compliances. We're also using factors at inspections to help us identify where a penalty could be reduced, as outlined above under Inspections.

Also for many farmers, the deadlines for applying for force majeure have been extended.

The changes we've made to penalties for cross compliance and force majeure above, apply to the rural payments for farmers:

- who in 2021, apply for the Basic Payment Scheme (BPS) only
- whose Countryside Stewardship (CS) agreements start on or after 1 January 2021 only
- whose CS agreements start on or after 1 January 2021 only **and** who in 2021, apply for BPS.

Because of the changes to the rules about applications involving land in more than one part of the UK (cross border), we've changed the way that we apply cross compliance penalties.

# Key dates in 2021

What you should (and should not) do throughout the year to meet the cross compliance rules.

<b>Date</b>	<b>What you should (and should not) do</b>
1 January	You must start following the rules in the cross compliance 2020 guide from this date. The Basic Payment Scheme (BPS) 2020 year starts.
1 January	You can apply organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land on shallow or sandy soils from this date if conditions are suitable and you adhere to the quantity restrictions for application of these manures. (SMR 1)
1 January	Beginning of the year for assessing the annual amount of livestock manure applied to your land. (SMR 1)
16 January	You can apply manufactured nitrogen fertilisers to grassland and tillage land from this date if conditions are suitable. (SMR1)
1 February	You can apply organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland and tillage land on all soil types from this date if conditions are suitable and you adhere to the quantity restrictions for application of these manures. (SMR 1)
28 February	End of the quantity restrictions for application of organic manures with a high readily available nitrogen content. (SMR1)
1 March	You must not cut or trim hedges or trees from this date, but you can carry out hedge and tree coppicing and hedge laying from 1 March until 30 April. Fruit and nut trees in orchards, or trees acting as windbreaks in orchards, vineyards, hop yards or hop gardens are not included in the ban.(GAEC 7a and 7c)
31 March	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. (GAEC 2)

<b>Date</b>	<b>What you should (and should not) do</b>
1 April	You must not burn heather, rough grass, bracken, gorse or vaccinium on land, other than in upland areas, from this date. (GAEC 6)
1 April	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 to the Environment Agency. (GAEC 2)
16 April	You must not burn heather, rough grass, bracken, gorse or vaccinium in upland areas from this date. (GAEC 6)
30 April	You must have recorded the number of 'specified' livestock kept on your farm during the previous calendar year and calculated the amount of nitrogen they produced. You must also record the number and type of livestock in a building or hardstanding during the previous storage period. (SMR1)
1 May	You must not carry out hedge or tree coppicing or hedge laying from this date. (GAEC7a and 7c)
1 August	If you have been granted a derogation by RPA, you may be able to cut or trim hedges throughout August, to sow oilseed rape or temporary grassland. (GAEC 7a)
1 August	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on shallow or sandy soils except where crops will be sown on or before 15 September. (SMR 1)
1 September	You can cut or trim hedges and trees from this date. (GAEC 7a and 7c)
1 September	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland on shallow or sandy soils. (SMR 1)



<b>Date</b>	<b>What you should (and should not) do</b>
1 September	Start of closed period for applying manufactured nitrogen fertilisers to tillage land. (SMR 1)
15 September	Start of closed period for applying manufactured nitrogen fertilisers to grassland. (SMR 1)
16 September	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on shallow or sandy soils which have been sown with crops on or before 15 September. (SMR 1)
1 October	You can burn heather, rough grass, bracken, gorse or vaccinium on land in upland areas from this date. (GAEC 6)
1 October	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to tillage land on soils which are not shallow or sandy. (SMR 1)
15 October	Start of closed period for applying organic manure with a high readily available nitrogen content (for example, slurry, poultry manures or liquid digested sewage sludge) to grassland on soils which are not shallow or sandy. (SMR 1)
31 October	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 to the Environment Agency. (GAEC 2)
1 November	You can burn heather, rough grass, bracken, gorse or vaccinium on land, other than in upland areas, from this date. (GAEC 6)
30 November	If you have a two-part tariff agreement for your water abstraction licence, expect to receive your second part charge after 30 November. (GAEC 2)
1 December	You need to carry out your annual inventory of sheep and goats. (SMR 8)

# Meeting the rules

Cross compliance rules apply for the whole calendar year, across the whole area of your holding in England and to all agricultural activities on your land. However, certain exemptions apply. As a claimant, you are responsible for making sure the cross compliance rules are met.

You will generally be held liable for the actions of employees, workers and family members.

You may also be held liable for the actions of third parties, for example, agents, contractors and agronomists. This will depend on your actions, such as your choice of third party, the instructions you give to them and your monitoring of them.

However, for those SMRs about the identification and traceability of animals, it is the person with day to day responsibility for the animals (the keeper) who is responsible for meeting the rules (even if they do not own the animals, the land that they graze on or the buildings they are kept in).

Responsibility for the welfare of all farmed animals lies jointly with both:

- the person who has day to day responsibility for the animals (the keeper)
- the owner of the animals.

## Common land

You must meet the relevant rules across the whole of your holding, regardless of the amount of land you entered into the schemes.

This includes common land which you exercise or hold rights of common over (including rights in gross). It also applies to all land including forestry for which payments are claimed under rural development schemes.

## Who is responsible for meeting the rules if land is transferred?

If you declare land in your rural payments application and then transfer that land to another business in the same year, and the business you've transferred the land to is:

- also a rural payments claimant that year – after the transfer, they are responsible for making sure the cross compliance rules are met on the land for the rest of the year (even though they did not declare it in their rural payments application)
- NOT a rural payments claimant that year – after the transfer, you are still responsible for making sure the cross compliance rules are met on the land.

If land has been transferred to you and you declare it on your rural payments application in the same year, and the business you've received the land from is:

- also a rural payments claimant that year – they are responsible for making sure the cross compliance rules are met on the land before the transfer takes place (even if they did not declare it in their rural payment application) You are responsible for making sure the cross compliance rules are met on the land after the transfer takes place.

- NOT a rural payments claimant that year – you are responsible for making sure the cross compliance rules are met on the land for the whole year.

## **Cross compliance and rural development schemes**

If your obligations under a rural development scheme conflict with the GAEC standards in this guide, you should normally follow the rural development scheme rules. You should contact RPA if you are not sure which rules to follow.

## **Exemptions**

Sometimes, you may be exempt from a particular rule. This means you do not have to meet that specific part of a GAEC.

Some examples of when an exemption could be used are if:

- there is a risk to human or animal health or safety
- you need to prevent or treat serious causes of harm to plant health
- you need to prevent or treat a serious pest or weed infestation.

You do not need to write to RPA in advance to ask for an exemption but if you are inspected you must be able to prove how and why you used the exemption.

Exemptions can also be granted if work carried out under a statutory authority stops you from meeting one of the rules. For example, if a pipeline or railway is being built on your land. However, once the work on the land that is being carried out under a statutory authority is finished, you must return it to a state which meets the cross compliance rules.

RPA would not expect statutory bodies to have to use their statutory powers to get permission for access, or to carry out work, where voluntary consent already exists.

## **Derogations**

A 'derogation' is written permission to temporarily not meet a rule. You must receive this permission before carrying out any work and make sure you follow any conditions. You can ask for a derogation from particular rules in some GAECs in a number of different circumstances. This guide explains these more fully in the relevant sections:

- GAEC 1: Establishment of buffer strips along watercourses
- GAEC 4: Providing minimum soil cover
- GAEC 7a: Boundaries
- GAEC 7c: Trees

A derogation could be granted for any of the following reasons:

- it would enhance the environment
- it relates to livestock or crop production
- it would improve public or agricultural access.

## **How to apply for a derogation**

To apply for a derogation you must write to or email RPA (read the 'More information and contacts' section for contact details). You should send all the available evidence (for example, photographs or diagrams) and explain what you want to do. You should also include the land parcel numbers you want the derogation for.

Correspondence should be clearly marked 'Cross compliance derogation'. You have to wait for written permission before carrying out any work.

If the derogation request is successful, you will not have to meet the rule in question for a specific period of time.

## **'Force majeure' and exceptional circumstances**

If 'force majeure' or exceptional circumstances means that you cannot follow the cross compliance rules, RPA may not apply a cross compliance penalty.

If your BPS application and/or CS agreement meet the criteria in the 'What's new' section, you must inform RPA of your circumstances within 8 weeks from the date on which you are in a position to do so. You will also need to send evidence to demonstrate your request. For all other cases this is 15 working days.

Force majeure is defined as 'abnormal and unforeseeable circumstances, outside the control of the operator concerned, the consequences of which, in spite of the exercise of all due care, could not have been avoided except at the cost of excessive sacrifice on your part'.

Some examples might be:

- the death or long-term professional incapacity of a claimant
- a severe natural disaster which affects the agricultural land
- an accident which destroys livestock buildings
- an epizootic disease which affects livestock
- a plant disease which affects crops
- expropriation of all or a large part of a holding if you could not have anticipated this on the day you made your application.

### **Evidence**

You will have to prove that, despite taking every care that could have been expected of you, the exceptional circumstances prevented you from meeting your obligations.

Evidence should include details of the actions taken, with an explanation of the events and the dates they occurred.

Cases are assessed on an individual basis on the evidence supplied.

You can post their force majeure request and evidence to:

Rural Payments Agency  
PO Box 352  
Worksop  
S80 9FG

RPA recommends that you use a postal method with tracking and proof of posting.

Alternatively, you can submit your force majeure request by email to [ruralpayments@defra.gov.uk](mailto:ruralpayments@defra.gov.uk). RPA is not responsible for force majeure requests that are delayed or lost in the post.

## Inspections

To check that claimants are following cross compliance properly, RPA and the Animal and Plant Health Agency (APHA) must carry out inspections on a selection of holdings each year.

These 2 agencies carry out separate cross compliance inspections on a minimum of 1% of claimants for the Basic Payment Scheme (BPS) and/or that have a rural development agreement. APHA only inspects claimants who keep farmed animals.

Cross compliance checks are also carried out during cattle, sheep and goat identification inspections.

You will not always receive advance warning of these visits and it could happen more than once in a year. If RPA or APHA do give advance warning, it's likely to be less than 48 hours before the inspection, and RPA will include a list of the records that the inspector needs to check as part of the inspection.

When an inspector arrives they will tell you what's involved and what you need to do. You must cooperate with the inspector, providing help and equipment to allow checks to be made safely.

If an inspector finds something wrong, they use a set of standards (called 'verifiable standards') to assess how serious the non-compliance is. This is based on the extent of the non-compliance and how severe and permanent it is.

To find out how to get a copy, go to GOV.UK and search for [cross compliance](#), then click the relevant scheme year.

At the end of the inspection, the inspector will explain to you what they've found. If they find anything wrong, RPA will send more information to you to explain how it affects your claim(s). This will be in writing and will be sent within 3 months of the date of the inspection.

If you refuse to allow an inspector on your land, or do not co-operate, you could lose all of your payment(s).

If RPA receives information following any other inspection or check by APHA, or any inspection or check by the Environment Agency, the Forestry Commission, Natural England, or the Veterinary Medicines Directorate that also shows a related cross compliance rule has not been met, then RPA may reduce the relevant payment.

The results from cross compliance inspections show the most common reasons why farmers fail to meet each SMR and GAEC. To read these go to GOV.UK and search for [cross compliance](#) and choose the relevant year.

For more information about inspections go to GOV.UK and search for [Farming inspections](#) or [Farm visits regulators' charter](#).

## Penalties

You may have your scheme payment(s) reduced if you do not meet the cross compliance rules which apply to your holding.

If you do not meet (even by mistake) all the GAEC and SMR rules that apply to you, your scheme payment(s) may be reduced. Penalties will apply to all the schemes affected by cross compliance which you have claimed for in England in the calendar year that RPA finds the rules were not met. RPA uses a guide to work out the penalty that is to be applied, based on the extent of the non-compliance and how severe and permanent it is. The guide is based on the information below. To find out how to get a copy, go to GOV.UK and search for [cross compliance](#), then click the relevant scheme year.

### Penalties for 'Negligent' non-compliances

If you do not meet a cross compliance rule and this falls below the standard of care expected of a competent claimant, this is a 'negligent' non-compliance. As a result you will receive a penalty. You may get a penalty even if you did not know that you had not followed the rules properly.

For these cases, if your BPS application and/or CS agreement meet the criteria in the 'What's new' section, payments will normally be reduced by a penalty of between 1% and 5% (for each non compliance) depending on the extent, severity and permanence of the non-compliance. Where the extent, severity and permanence are at their lowest or where the non-compliance has not caused a risk to public or animal health, or not caused any damage to the feature or environment that the cross compliance rule is aimed at protecting, an 'early warning system' letter may be issued. We also consider how you've engaged with the rules when deciding whether to issue an 'early warning system' letter. This may require you to take action to correct the non compliance.

If your BPS application and/or CS agreement do not meet the criteria in the 'What's new' section, payments will normally be reduced by 3% (for each non-compliance). However, the reduction could be either 1% or 5% depending on the extent, severity and permanence of the non-compliance. An 'early warning system' letter may be issued for the same reasons as explained above.

If you break the same rule more than once in 3 consecutive calendar years (known as reoccurrence), the penalty will get bigger. The second time a rule is broken, the resulting penalty is multiplied by 3. Any further penalties will be 3 times the size of the previous one.

This will continue to happen if you keep breaking the same rule – until the penalty reaches 15%. After that, any more instances of non-compliance will be treated as 'intentional' (see below).

### Penalties for 'Intentional' non-compliances

You will get an 'intentional' penalty for repeating the same 'negligent' penalty (as described above). You can also get an intentional penalty for breaking a cross compliance rule only once.

'Intentional non-compliance' is defined as 'where a claimant seeks a state of non-compliance with the rules or, without seeking such a state, accepts the possibility that it may occur'.

For intentional cases, payments will normally be reduced by 20%. This may be reduced to 15%, or increased up to 100% depending on the extent, severity, reoccurrence and permanence of the

non-compliance. In some extreme cases, you may not be paid for the Basic Payment Scheme and/or rural development schemes in the following year.

# Good agricultural and environmental conditions (GAECs)

## GAEC 1: Establishment of buffer strips along watercourses

Protect watercourses against pollution and run-off from agricultural sources by maintaining buffer strips.

'Watercourses' are all surface waters, including coastal water, estuaries, lakes, ponds, rivers, streams, canals and field ditches. It includes temporarily dry watercourses.

### What you must do and must not do

You must:

- take all reasonable steps to maintain a green cover on land within 2 metres of the centre of a watercourse or field ditch, or to land from the edge of the watercourse or field ditch to 1 metre on the landward side of the top of the bank
- produce and keep a map of your holding if you spread organic manure, which should show:
  - all surface waters and land within 10 metres of them
  - all springs, wells and boreholes on your holding or within 50 metres of the boundary and land within 50 metres of them
- update the map with any changes within 3 months from the date of change.

If your land is in a nitrate vulnerable zone (NVZ), you can use the same map for both NVZs and GAEC 1.

You will not break the rule in the first bullet under 'You must' above if you have written permission from RPA not to maintain a green cover, so that you can enhance the environment, improve public or agricultural access or for reasons relating to livestock or crop production. You must receive written permission from RPA before you carry out this work.

You must not:

- apply manufactured nitrogen within 2 metres of surface water
- apply organic manure (which is any nitrogen or phosphate fertiliser derived from animal, plant or human sources and includes livestock manure) within 50 metres of a spring, well or borehole
- apply organic manure within 10 metres of surface water.

The limit 'within 10 metres of surface water' is reduced to 6 metres if you apply slurry, sewage sludge or anaerobic digestate (which is the product of anaerobic digestion other than from the anaerobic digestion of sewage or material in a landfill) using precision equipment as follows:

- a trailing hose band spreader or a trailing shoe band spreader



- a shallow injector which injects the organic manure no deeper than 10 centimetres below the surface
- a dribble bar applicator.

However, you can spread livestock manure within 10 metres of surface water if the land is managed for breeding wader birds or as species-rich semi-natural grassland under certain restrictions. These are:

- the land must be in an agri-environment scheme, or notified as an SSSI
- the manure is not slurry or poultry manure
- spreading takes place between 1 June and 31 October inclusive
- the manure is not spread directly onto surface water, and
- the total annual amount is not more than 12.5 tonnes per hectare.

If you have land in an NVZ and follow the rules under SMR 1, you will automatically meet the rules above under GAEC1 on that land, with the exception of the first bullet under 'You must'.

### **Cultivation and application of fertilisers or pesticides**

Fertilisers include: inorganic and organic fertiliser, organic manures, lime, slurry, sewage sludge, anaerobic digestate, slag, trace elements, calcified seaweed and human waste (this list is not complete).

Pesticides mean anything used for destroying pests and include herbicides, fungicides, insecticides and other biocides.

You must not:

- cultivate or apply fertilisers or pesticides to land within 2 metres of the centre of a watercourse or field ditch, or to land from the edge of the watercourse or field ditch to 1 metre on the landward side of the top of the bank of a watercourse or field ditch.

This rule will not be broken if:

- you have used pesticides for spot application to control the spread of any of the following weeds:
  - broad-leaved dock (*Rumex obtusifolius*)
  - creeping or field thistle (*Cirsium arvense*)
  - curled dock (*Rumex crispus*)
  - giant hogweed (*Heracleum mantegazzianum*)
  - Himalayan balsam (*Impatiens glandulifera*)
  - Japanese knotweed (*Reynoutria japonica*)
  - ragwort (*Senecio jacobaea*)
  - rhododendron (*Rhododendron ponticum*)
  - spear thistle (*Cirsium vulgare*)
- you are establishing a green cover where one does not exist and the land is part of a field which is being newly created (by merger or division)
- you are establishing a green cover where one does not exist and the land was previously outside the scope of cross compliance
- you have written permission from RPA to cultivate or apply fertilisers or pesticides to enhance the environment, improve public or agricultural access or for reasons relating to livestock or crop production. You must receive written permission from RPA before you carry out this work.

### **Public rights of way**

Public rights of way may form part of the 1 metre or 2 metres 'protection zone' margins along watercourses (and hedges). When they do, the rules of this GAEC still apply but should not limit public access.

### **More information**

For more information about written permission read the 'Derogations' section under 'Meeting the rules'. To write to RPA for a derogation use the address or email address under 'More information and contacts'.

Advice on locating and managing buffer strips is available from Catchment Sensitive Farming officers, Natural England advisers, and Championing the Farmed Environment.

### **Contacts**

Rural Payments Agency: 03000 200 301

Environment Agency: 03708 506506

## **GAEC 2: Water abstraction**

Protect inland or underground water sources.

### **What you must do and must not do**

You must meet the rules about:

- having a licence from the Environment Agency to abstract more than 20 cubic metres (4,400 gallons) of water from an inland or underground source for irrigation, in a single day
- complying with the conditions of any abstraction licence from the Environment Agency.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Water management: abstract or impound water](#)'.

### **Contacts**

Environment Agency: 03708 506506

## **GAEC 3: Groundwater**

Protect groundwater from harmful or polluting substances.

### **What you must do and must not do**

You must meet the rules about:

- having a permit from the Environment Agency before carrying out, causing or knowingly allowing any activity that pollutes or has the potential to pollute groundwater with a hazardous substance or non-hazardous pollutant
- complying with the conditions of any permit or notice from the Environment Agency.

### **Detailed rules**

**You must read the detailed rules on GOV.UK, search for '[Protect groundwater and prevent groundwater pollution](#)'.**

### **Contacts**

Environment Agency: 03708 506506

## **GAEC 4: Providing minimum soil cover**

Protect soil by having a minimum soil cover.

### **What you must do and must not do**

You must take all reasonable steps to protect soil by having a minimum soil cover unless there is an agronomic justification for not doing so, or where establishing a cover would conflict with requirements under GAEC 5 – Minimising soil erosion.

Minimum soil cover must be provided by:

- vegetative cover by all types of crop, grass and herbaceous forage
- cover crops and leguminous and nitrogen fixing crops (green manures)
- game cover and crops planted for biodiversity
- trees, coppice, fruit crops, hops, nursery crops, vines
- overwintered stubble from combinable crops
- other stubbles and crop residues such as vegetable, maize and sugar beet

Agronomic reasons for not providing cover include:

- where doing so would conflict with the requirements to limit or prevent soil erosion
- land that is being managed for pest disease and weed control including, for example, land that has been cultivated or ploughed to prevent weeds going to seed
- land being used for the installation and maintenance of field drains
- areas created for agri-environment schemes
- establishing conditions for habitats for wildlife or biodiversity
- heathland restoration techniques, such as turf stripping
- heather and grass burning
- where the action of frost overwinter is used to break down soil naturally to create a seedbed for spring cropping
- where the land is being prepared as a seedbed and the land is sown within 14 days of having been prepared, or where weather conditions do not allow this, then as soon as reasonably practicable (feasible)
- peat land that is bare but you did not cause it to be bare
- where the land is used for outdoor pig and poultry production and out-wintered livestock and it is not possible to maintain cover due to the action of the animals
- land which is bare for the purposes of removing turf for non-fuel purposes
- where RPA has given written permission to enhance the environment, improve public or agricultural access or for reasons relating to livestock or crop production. You must receive written permission from RPA before you carry out this work.

For other agronomic reasons not listed here, contact RPA to apply for a derogation.

You may be at risk of failing an inspection if soil cover has not been provided by one of the cover types listed above. You will not be in breach where an agronomic justification, listed above, is in place or where:

- a derogation has been obtained from RPA
- there would be a conflict in meeting your obligations to limit soil erosion.

## **More information**

For more information about written permission read the 'Derogations'. To write to RPA for a derogation use the address or email address under 'More information and contacts'.

## **Contacts**

Rural Payments Agency: 03000 200 301

## GAEC 5: Minimising soil erosion

Limit soil erosion by putting in place suitable practical measures.

### What you must do and must not do

To minimise soil erosion you must take all reasonable steps to put suitable practical measures in place to prevent excessive soil and bankside erosion caused, for example, by:

- cropping practices and cropping structures
- livestock management, including outdoor pigs and poultry, causing overgrazing and poaching
- wind
- vehicles, trailers and machinery.

Where soil compaction may cause soil erosion, you must, where appropriate, cultivate post-harvest land and late harvested crops using primary cultivation methods, such as ploughing.

You could lose some of your scheme payments if you have not taken all reasonable steps to prevent erosion over a single area of 1 or more hectares, or caused by livestock trampling along a continuous stretch of a watercourse that is 20 or more metres long and 2 or more metres wide.

At an inspection, you will be asked to show you have put in place suitable practical measures to prevent soil erosion. This must be according to the risk posed by the soil type, topography, rainfall levels and windblow. It must also relate to either the cropping or livestock activity for that field throughout the year.

Any penalty will then depend on the lack of suitable practical measures put in place to limit the soil erosion and how much soil erosion there is.

### Identifying erosion

You can recognise soil erosion by the signs in the following table:

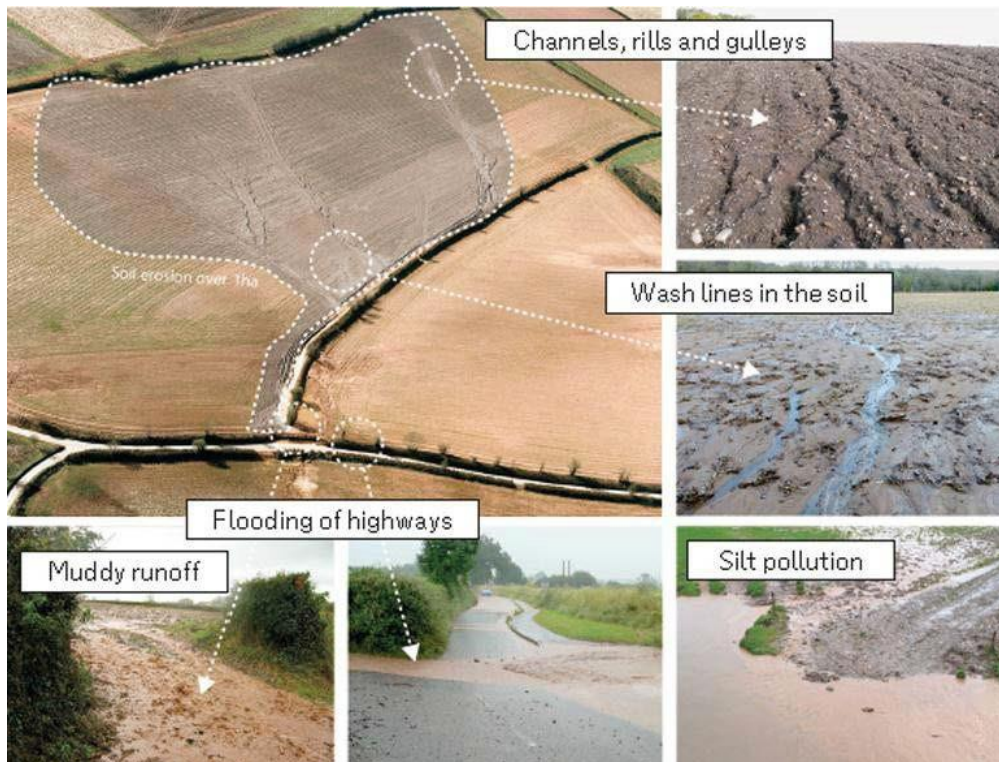
<b>Types of erosion</b>	<b>Signs</b>
Water	Channels (rills and gulleys) in the soil
Water	Soil wash or sheet erosion where soil is washed but no channels are formed (often seen as muddy run-off)
Water	Deposits of eroded soil in valley bottoms, adjacent land, roads, watercourses, semi-natural habitats and/or property
Water	Localised flooding and pollution of watercourses with silt or muddy water

Types of erosion	Signs
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Wind	Soil blown over crops, adjacent land, roads, watercourses, semi-natural habitats and / or property
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Minor erosion of less than 1 hectare can be found around gateways, ring feeders and corners of fields where there is minimal soil loss. Minor erosion resulting in minimal soil loss will not be penalised.

Signs of erosion including channels, rills and gulleys; wash lines in the soil; silt pollution; flooding of highways; and muddy run-off :



## Minimising soil erosion from cropping practices

### Soil compaction and capping caused by cultivation

- soil erosion can occur where the soil has become compacted or capped during and following cultivation and crop establishment
- compaction can occur if the soil is worked when it is too wet
- capping can also occur due to the battering of rain drops, particularly on fine sandy and silty soils where the seedbed has been worked to a fine smooth tilth. Soil erosion tends to occur on these soil types when winter crops are established too late in the year, particularly in high-rainfall areas on steep slopes
- bare soil in worked-down fine seedbeds with an unstable structure can slump and cap, forming a seal that causes run-off and soil erosion
- particular attention is needed on top headlands. These are a common source of compaction, run-off and soil erosion further down the slope.



Pressed soil in a seedbed that is slightly too wet can cause compaction along wheel marks and subsequent run-off and soil erosion:



#### **You can limit soil erosion by:**

- establishing crops early in the autumn during dry conditions that ensure good soil structure and good crop cover over the winter
- using coarse seedbeds and/or chopped stubbles on the soil surface
- deep cultivation, such as subsoiling, to remove compaction
- removing compaction from headlands.

#### **Soil erosion in row crops**

Row crops have an inherently high risk of causing soil erosion.

Soil erosion can occur in crops planted in rows and beds where run-off can be channelled down a slope.

Stone and clod separation, and bed formation in early spring, can destabilise soil structure. This can cause compaction, increasing the risk of soil erosion, particularly if soils are worked when they are not dry enough.

Fine, smooth seedbeds are vulnerable to capping on sandy and silty soils, and compacted wheelings can generate and channel water. Excessive or inappropriately timed irrigation also causes soil erosion.

The problem is most acute in wet summers and with heavy downpours of rain when soils are bare before crop cover is established.

Polytunnels and vehicle traffic on headlands and tracks are also a common cause of compaction and run-off which can lead to soil erosion.

Wherever possible, you should choose relatively flat fields for growing row crops.

Capped seedbeds, polytunnels and compacted wheelings can be a source of run-off that causes soil erosion:



**To limit soil erosion in row crops you can also:**

- plant headland rows and beds across the base of the slope to intercept run-off from high risk ground
- remove compaction in some wheelings to allow water to penetrate into the soil (although care is needed not to make the soil erosion worse)
- use specialised equipment to leave ridges and indentations in the soil to trap run-off
- establish grass strips in valleys or along contours or slopes to reduce run-off
- create banks and diversion ditches within the field to intercept and slow down run-off.

Compacted wheel ruts in light soil can be loosened where this does not interfere with crops:



## Minimising soil erosion from livestock

### Compaction caused by poaching

Compaction develops where hooves press into the soil – this is known as poaching. Where regular poaching occurs, a compacted layer may form over large areas of a field, causing run-off which can lead to soil erosion. This is a particular risk where soil cover has been damaged.

Vehicle traffic when supplementary feeding livestock is also a common cause of soil compaction which can also lead to soil erosion.

Out-wintering and the grazing of winter forage crops can cause soil erosion and soil loss on trampled banks:



To avoid soil erosion when out-wintering livestock, where possible:

- choose well-drained, relatively flat fields
- move stock regularly and use back fencing
- fence watercourses, where appropriate, to avoid excessive bankside erosion
- loosen the soil as soon as conditions allow, for example by ploughing, subsoiling and sward lifting, to help water to penetrate the soil.

### Outdoor pigs and poultry

Pigs and vehicle movement compact soils, particularly during the winter, which can lead to run-off and soil erosion. Outdoor poultry farming can cause similar problems where there are heavy volumes of farm traffic.

A combination of sloping land and high rainfall will lead to soil damage, run-off and erosion. The ideal site for outdoor pigs and poultry is flat or gently sloping, freely drained and in a low-rainfall area. Pigs and poultry can be kept on sites which are

less than ideal, but these will require careful management, especially for outdoor pigs.

Outdoor pigs can cause compaction, run-off and soil erosion. Tracks can also be a common cause of soil erosion when keeping outdoor pigs and poultry:



To limit soil erosion you can:

- lay out paddocks so as not to channel run-off
- move pigs onto well established grass
- use large troughs to reduce soil damage
- use grass strips to intercept run-off
- use tracks across the contour where possible
- regularly divert run-off into field margins or soak away areas to prevent build-up of run-off down slopes
- locate weaner sites, which have high volumes of farm traffic, away from slopes and watercourses
- reduce numbers on high risk steep slopes particularly in the winter
- rotate to avoid severe compaction.

### **Preventing erosion in the uplands**

In the uplands, erosion occurs when vegetation is removed, for example by burning, overgrazing or traffic, and where bare soil is exposed to rain and wind.

Erosion is most severe on peat soils and steep slopes, where it may take years for the vegetation to recover.

Supplementary feeding and the use of tracks, particularly on slopes and next to watercourses, can increase the risk of erosion.

Out-wintering, supplementary feeding of stock, and use of sacrifice fields in upland areas can cause soil erosion:



To minimise the risks of erosion:

- use low ground pressure vehicles and machinery
- use established tracks to avoid vegetation damage
- adjust stocking rates to conserve vegetation cover and to avoid trampling of the soil and creation of sheep scars
- where possible, carry out supplementary feeding on level, freely drained ground and away from watercourses.

Choice of well drained flat fields for out-wintering stock reduces the risk of soil erosion:



You only need to take steps to prevent soil and river bank erosion where it occurs due to current practices and not where it occurs for historic reasons. Historic reasons may include gulleys caused by old drainage grips and ditches, and peat erosion due to vegetation loss caused by air pollution.

## **Minimising soil erosion from vehicles, trailers and machinery**

There is a high risk of soil compaction causing soil erosion if you:

- harvest crops late in the year when conditions are wet
- spread slurry and manure during the winter
- carry out supplementary feeding of out-wintered stock
- use vehicles in wet conditions including non-agricultural use such as temporary car parks.

Where possible, it is best to avoid high risk practices on land at high risk of compaction, run-off and soil erosion (such as steep land in high rainfall areas).

In many cases, hard tracks with good drainage are needed for vehicle access with use of gates at the top of the hill.

You can also choose tyres that allow lower pressures, reducing damage to the soil.

Soil compaction can be treated by:

- cultivation to shatter the soil when it is suitably dry
- subsoiling in some cases to shatter deep compaction
- providing land drainage on heavy land to allow water to drain away underneath and avoiding compaction in the first place.

Digging to look at the soil will help you decide whether subsoiling is needed and whether shattering has been effective across and down the soil profile.

## **Cultivating post-harvest land and late harvested crops**

Crops harvested late in the year and during the winter, such as maize and field vegetables, are a common cause of compaction causing run-off and soil erosion.

Where land is compacted with wheel ruts and especially where there is a risk of soil erosion, it should be cultivated to remove compaction and allow water infiltration into the soil.

To do this, you can use either mould board or chisel ploughing, deep tines and/or subsoiling, where conditions allow.

Chisel ploughing (on the left of the picture) has been carried out to prevent run-off following harvesting of swedes in the winter. Run-off causing soil erosion in the centre and foreground is from compacted wheel ruts:



Land with a rough surface can be left over the winter, or another crop established if conditions allow. However, crops sown late in the year including grass reseeds can be a source of run-off if the seedbed soil is compacted or becomes capped. Here, it may be better to establish the crop in the spring.

Try to work land immediately after harvesting late crops (or soon after) if possible to prevent erosion. If the land is too wet for cultivation, you should cultivate it as soon as conditions allow so as to prevent soil erosion. The worst damaged parts of a field should be dealt with initially and then further treatment applied under more appropriate dry conditions.

With slow draining, heavy soils on slopes it may be better not to grow high risk crops that will be harvested late in the year.

Compacted land can be loosened by mould board ploughing, chisel ploughing and subsoiling where appropriate:



## Protecting bare soil from wind blow

Wind erosion can be a problem in some years in the flat, drier parts of England, especially on sandy and peaty soils.

The risk of wind erosion tends to be high during the spring in crops such as onions, carrots and sugar beet where the soil is bare for a relatively long period before there is protective crop cover.

Problems occur with fine, smooth seedbeds and loose soils where blown soil can abrade and bury crops. Soil loss can also affect neighbouring land, roads, ditches and watercourses.

Unstable, loose sandy soils, with naturally very low levels of organic matter are at risk of wind erosion. Dry peaty soils are also at risk. Blown soil can affect neighbouring land, tracks, roads and watercourses:



**Wind erosion can be limited by:**

- creating coarse seedbeds where possible
- sowing nurse barley crops to protect the soil where appropriate
- using a fleece over vegetable crops
- applying regular applications of organic wastes to improve soil stability
- planting shelterbelts to break the speed of the wind.

Sugar beet drilled at an angle to furrow pressed, ploughed land can reduce the risk of significant wind erosion:



**Contacts**

Rural Payments Agency: 03000 200 301



## **GAEC 6: Maintaining the level of organic matter in soil**

Maintain soil organic matter through appropriate practices.

### **Burning crop residues**

You must meet the rules about:

- not burning cereal straw or cereal stubble or certain crop residues (that is, linseed, oilseed rape, field beans harvested dry, peas harvested dry).

There are exemptions to the rule above that do allow burning, however only 2 apply to cross compliance:

- for plant health reasons if a notice to do so has been served under the Plant Health (England) Order 2005
- to dispose of straw stacks or broken bales, (however, this exemption only applies to cross compliance if arable stubble is not burned as well).

### **Detailed rules**

The detailed rules will be available on GOV.UK soon – we'll update this guide when this happens.

### **Burning heather or grass**

You must meet the rules about:

- having a licence from Natural England if you want to burn specific vegetation (heather, rough grass, bracken, gorse or vaccinium) outside the burning season
- having enough people and equipment to control burning
- taking all reasonable precautions not to injure or damage any neighbouring land, or to any person or thing on it.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Heather and grass burning: rules and applying for a licence](#)'.

## **Environmental Impact Assessment (EIA) – Agriculture**

You must meet the rules about:

- not beginning or carry out a project to increase the agricultural productivity of uncultivated land or a semi-natural area (an uncultivated land project) that meets or exceeds the thresholds, or on land to which a screening notice applies, unless you have a screening decision permitting the project to go ahead
- not beginning or carry out a significant project on uncultivated land or a semi-natural area without first obtaining consent from Natural England
- complying with a stop notice or a remediation notice.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[EIA \(Agriculture\) regulations: apply to make changes to rural land](#)'.

## **Environmental Impact Assessment (EIA) – Forestry**

You must meet the rules about:

- not carrying out afforestation on agricultural land or deforestation projects on existing woodland unless you have permission from the Forestry Commission (FC)
- carrying out the project according to the consent
- meeting the requirements of enforcement notices.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Assess environmental impact before you create new woodland](#)'.

### **Contacts**

Rural Payments Agency: 03000 200 301

Natural England: 03000 200 301

Forestry Commission 0300 067 4000

## **GAEC 7a: Boundaries**

Protect boundary features, such as hedgerows (hedges), stone walls, earth banks and stone banks.

### **What you must do and must not do**

#### **Hedges**

The rules on hedges apply to any hedge growing in, or adjacent to, any land which forms part of the agricultural area of your holding and which has one of the following:

- a continuous length of at least 20 metres, or is part of any such length
- a continuous length of less than 20 metres where it meets (at an intersection or junction) another hedge at each end.

Any gap of 20 metres or less and any gap resulting from a breach of the Hedgerows Regulations 1997 will be treated as part of the hedge.

You must:

- take all reasonable steps to keep a green cover on land within 2 metres of the centre of a hedge.

You must not:

- cultivate or apply fertilisers or pesticides to land within 2 metres of the centre of a hedge. Fertilisers include: inorganic and organic fertiliser, organic manures, lime, slurry, sewage sludge, anaerobic digestate, slag, trace elements, calcified seaweed and human waste (not a complete list).

Pesticides mean anything used for destroying pests and include herbicides, fungicides, insecticides and other biocides.

You will not have broken these rules if you've used pesticides for the spot application to control the spread of any of the weeds listed in GAEC 1, or you've cultivated land for one of these 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
- you have written permission from RPA to do so, in order to enhance the environment, improve public or agricultural access, or for reasons relating to livestock or crop production.

These rules do not apply:

- to land either side of a hedge which is less than 5 years old (you'll need to keep documentary evidence to prove this)
- to land forming part of a parcel of 2 hectares or less, as measured within permanent boundary features
- to land on the side of any hedge which is facing a dwelling where the hedge marks a boundary of the curtilage of the dwelling

- to the casting up of a traditional hedge bank between 1 September and the last day of February (inclusive).

### **Cutting and trimming hedges**

You must not cut or trim a hedge between 1 March and 31 August (inclusive) unless:

- the hedge overhangs a highway, road or footpath over which there is a public or private right of way and the overhanging hedge obstructs the passage of, or is a danger to, vehicles, pedestrians or horse riders
- the hedge is dead, diseased, damaged or insecurely rooted and because of its condition, it or part of it, 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
- it is to carry out hedge-laying or coppicing during the period 1 March to 30 April (inclusive)
- it is to trim a newly laid hedge by hand, within 6 months of it being laid
- you have received written permission from RPA to cut or trim during the month of August for the purposes of sowing oilseed rape or temporary grassland during the same August
- you have received written permission from RPA to do so, to enhance the environment, improve public or agricultural access, or for reasons relating to livestock or crop production.

The cutting and trimming rules do not apply:

- to hedges within the curtilage of a dwelling-house
- to the whole hedge when it marks the boundary of the curtilage of the dwelling-house.

### **Removing hedges**

You must meet the rules about removing all or part of a hedge (including exemptions).

#### **Detailed rules**

You must read the rules on GOV.UK about removing all or part of a hedge, search for:

- [‘Countryside hedgerows: protection and management’](#)
- [‘Hedgerows, retention and replacement notices’](#).

### **Stone Walls, Earth Banks and Stone Banks**

Rules for stone walls, earth banks and stone banks must be followed if any of these apply:

- it has a continuous length of at least 10 metres
- it has a continuous length of less than 10 metres which meets another boundary at each end
- it has a continuous length of less than 10 metres which forms an enclosure

An earth bank is a mound without a hedge, distinct from the surrounding land form. A stone bank is an earth bank faced with natural stone.

You must not:

- remove existing stone walls, earth banks and stone banks
- remove earth or stone from an existing stone wall, stone bank or earth bank.

Rules for stone walls, earth banks and stone banks do not apply if you either:

- widen an existing gateway in a stone wall, earth bank or stone bank to allow machinery or livestock access. The gateway should be no wider than 10 metres and the newly created ends finished to a vertical face
- use the stone or earth removed from the stone wall, earth bank or stone bank to repair another stone wall, earth bank or stone bank on your holding which is in a better condition than the one you remove the stone or earth from
- have written permission from RPA to do so, in order to enhance the environment, improve public or agricultural access, or for reasons relating to livestock or crop production. You must receive written permission from RPA before you carry out this work.

### **More information**

For more information about written permission read the 'Derogations' section under 'Meeting the rules'.

To write to RPA for a derogation use the address or email address under 'More information and contacts'.

### **Contacts**

Natural England: 03000 200 301

Rural Payments Agency: 03000 200 301

## **GAEC 7b: Public Rights of Way**

Keep public rights of way (public footpaths, bridleways, restricted byways and byways open to all traffic) open and accessible.

### **What you must do and must not do**

You must meet the rules about:

- not wilfully obstructing public rights of way without lawful authority or excuse
- not disturbing the surface of public rights of way. If you have had to disturb the surface of a cross field path or bridleway, you must make it good
- maintaining stiles, gates and similar structures across a footpath or bridleway.

For cross compliance, these rules apply only to visible public rights of way. This means, visible as a route to a person with normal eyesight walking or riding along it. This includes any rights of way that would be visible if the rules were being met.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Public rights of way: landowner responsibilities](#)'.

### **Contacts**

You should contact your local authority.

Rural Payments Agency: 03000 200 301

## GAEC 7c: Trees

Protect trees by meeting the conditions of any licence to cut down (fell) a tree or any Tree Preservation Order (TPO).

### What you must do and must not do

#### Tree felling, TPOs and tree conservation areas

You must meet the rules about:

- having a licence to cut down (fell) a tree where a licence is required
- not cutting down, wilfully damaging or destroying, uprooting, topping or lopping any tree protected by a TPO without written consent from your local planning authority
- not cutting down, wilfully damaging or destroying, uprooting, topping or lopping any tree located in a conservation area without giving 42 days written notice to your local planning authority
- complying with felling licence and TPO conditions, restocking notices, enforcement notices or directions served on you.

#### Detailed rules

You must read the detailed rules on GOV.UK about:

- Tree felling, search for '[Tree felling licence: when you need to apply](#)'
- TPOs, search for '[Tree Preservation orders and trees in conservation areas](#)'.

#### Cutting or trimming trees

You must not cut or trim a tree on your farm between 1 March and 31 August (inclusive) each year, except where:

- the tree overhangs a highway, or any other road or footpath, endangering or obstructing vehicles, pedestrians or horse-riders
- the tree obstructs or interferes with the view of drivers of vehicles or the light from a public lamp
- the tree is dead, diseased, damaged or insecurely rooted, and is a risk to human safety
- the tree is either a fruit or nut tree in an orchard or it forms part of a windbreak in an orchard, vineyard, hop yard or hop garden
- it is to carry out tree coppicing during the period 1 March to 30 April (inclusive)
- RPA has given written permission to do so to enhance the environment, improve public or agricultural access, or for reasons relating to livestock or crop production. You must receive written permission from RPA before you carry out this work
- the tree is in a hedge and you have received written permission from RPA to cut or trim during the month of August for the purposes of sowing oilseed rape or temporary grassland during the same month of August. You must receive written permission from RPA before you carry out this work.

For this cross compliance rule a tree must have a diameter of more than 8 centimetres or, in the case of coppice or underwood, have a diameter of more than 15 centimetres. The diameter should be measured over the bark and 1.3 metres above the ground.

## **More information**

For more information read '[Tree cutting and trimming rules](#)' on GOV.UK. Search for Farming Advice Service, and click FAS technical articles.

For more information about written permission read the 'Derogations' section under 'Meeting the rules'.

To write to RPA for a derogation use the address or email address under 'More information and contacts'.

## **Contacts**

Forestry Commission: 0300 0674070



## **GAEC 7d: Sites of Special Scientific Interest (SSSIs)**

Protect sites of special scientific interest because they have important special flora, fauna, or geological or physiographical features.

### **What you must do and must not do**

You must meet the rules about:

- having Natural England's consent in writing before carrying out, causing or permitting any specified operation listed in the SSSI's designation documents
- not intentionally or recklessly destroying or damaging the special interest features of the area or disturbing any protected fauna that are a special interest feature
- complying with management notices and stop notices served by Natural England
- complying with the terms of any restoration order served on you by a court.

These rules apply to all SSSIs. Where the land is also classed as a Special Protection Area or Special Area of Conservation and you do not meet a rule under GAEC 7d you will also not meet the relevant rule under SMR 2 (Wild birds) or SMR 3 (Habitats and species).

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Sites of special scientific interest: managing your land](#)'.

### **Contacts**

Natural England: 03000 200 301

## **GAEC 7e: Scheduled Monuments**

Protect nationally important monuments that have been given legal protection by the Secretary of State for Digital, Culture, Media and Sport due to their historic, traditional, architectural, artistic or archaeological interest.

### **What you must do and must not do**

You must meet the rules about:

- having consent from the Secretary of State for Digital, Culture, Media and Sport to carry out work on a Scheduled Monument
- complying with the conditions attached to any Scheduled Monument consent granted by Secretary of State for Digital, Culture, Media and Sport
- not causing reckless or deliberate damage to a Scheduled Monument.

### **Detailed rules**

You must read the detailed rules in 'Scheduled Monuments – a guide for Owners and Occupiers' on Historic England's website.

### **More information**

For more information on GOV.UK, search for:

- [‘Scheduled monument consent \(England, Scotland and Wales\)’](#)
- [‘Scheduled monuments policy statement’](#).

### **Contacts**

Historic England: 0370 333 1181

# Statutory management requirements (SMRs)

## SMR 1: Nitrate Vulnerable Zones (NVZs)

Reduce water pollution from nitrates by using and storing fertiliser and manure carefully in NVZs.

### What you must do and must not do

You must meet the rules about:

- using nitrogen fertilisers
- storing organic manure
- storing silage and slurry.

### Detailed rules

You must read the detailed rules on GOV.UK about:

- NVZs, search for '[Nitrate vulnerable zones](#)'
- Storing silage and slurry, search for '[Storing silage, slurry and agricultural fuel oil](#)'.

### Contacts

Environment Agency: 03708 506506

## **SMR 2: Wild birds**

Preserve and maintain, as well as re-establish where necessary, a sufficiently large and diverse area of habitat for all wild birds. These areas are known as Special Protection Areas (SPA).

### **What you must do and must not do**

You must meet the rules about:

- getting Natural England's consent in writing before carrying out, causing or permitting any specified operation listed in an SSSI's designation documents
- not intentionally or recklessly destroying or damaging the special interest features of the area or disturbing any protected bird that is a special interest feature
- complying with management notices and stop notices served by Natural England
- complying with the terms of any restoration order served on you by a court.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Sites of special scientific interest: managing your land](#)'.

### **More information**

For more information read '[Special Protection Areas – overview](#)' on the Joint Nature Conservation Committee's (JNCC) website.

### **Contacts**

Natural England: 03000 200 301

## **SMR 3: Habitats and species**

Protect species of flora and fauna in Special Areas of Conservation (SAC).

### **What you must do and must not do**

You must meet the rules about:

- getting Natural England's consent in writing before carrying out, causing or permitting any specified operation listed in an SSSI's designation documents
- not intentionally or recklessly destroying or damaging the special interest features of the area or disturbing any protected fauna that are a special interest feature
- complying with management notices and stop notices served by Natural England
- complying with the terms of any restoration order served on you by a court.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Sites of special scientific interest: managing your land](#)'.

### **More information**

For more information read '[Special Areas of Conservation – overview](#)' on the Joint Nature Conservation Committee's (JNCC) website.

### **Contacts**

Natural England: 03000 200 301

## **SMR 4: Food and feed law**

Make sure that the production of food for human consumption and the production of food or feed that's fed to food-producing animals is safe.

### **What you must do and must not do**

#### **Food and feed safety**

You must meet the rules about:

- not placing unsafe food or feed on the market
- not giving unsafe feed to animals
- withdrawing, recalling and destroying unsafe food or feed
- telling the relevant authorities about unsafe food or feed incidents
- traceability of inputs to your farm (for example, food, feed, food producing animals and substances intended or expected to be incorporated into feed) and any products leaving your farm.

#### **Detailed rules**

You must read the detailed rules on the Food Standards Agency's website in ['Guidance on Food Traceability, Withdrawals and Recalls within the UK food Industry'](#).

#### **Feed hygiene**

You must meet the rules about:

- storing and handling feed, waste and hazardous substances separately and securely, to stop contamination and distribution errors
- acting on results of official controls and sample analyses
- keeping storage areas and containers clean and dry, in particular those used to contain medicated and non-medicated feed, and implementing appropriate pest-control measures where necessary
- storing seed properly and in such a way that it is not accessible to animals
- using feed additives, veterinary medicinal products and biocides correctly (with dosage, application and storage as stated on the label or as prescribed. This includes making sure that the food you produce does not contain residues of pesticides or veterinary medicinal products that are higher than the permitted maximum residue level for the pesticide used or the maximum residue limit for the medicine used)
- handling medicated and non-medicated feeds separately
- making sure the on-farm feed distribution system ensures that the right feed is sent to the right destination. During distribution and feeding, feed must be handled in such a way as to ensure that contamination does not occur from contaminated storage areas and equipment
- taking adequate measures to stop the introduction and spread of contagious diseases transmissible to humans through food, such as abiding by the statutory herd testing for bovine tuberculosis and pre-movement TB testing of

animals; compliance with any notice and instruction; not moving animals subject to movement restrictions; taking precautionary measures when introducing new animals; reporting suspected disease outbreaks to the competent authority

- periodically cleaning on-farm feed transport vehicles and feeding equipment, in particular when used to deliver and distribute medicated feed
- using feed from places that are registered or approved by your local authority (and VMD for specified feed additives)
- taking appropriate remedial action when informed of problems identified during official controls
- keeping records of:
  - veterinary medicinal products or other treatments given to your animals (including treatment dates and withdrawal periods)
  - plant protection products and biocides
  - results of analyses carried out on samples taken that have importance for human or animal health
  - reports on checks on animals and animal products
  - use of genetically modified seeds in feed production.

These rules do not apply to producers selling small amounts of primary products to final consumers or to local shops selling directly to final consumers.

### **Detailed rules**

You must read the detailed rules on the Food Standards Agency's website in '[Good Practices For The Feed Industry](#)' (by the Food and Agriculture Organisation).

### **Raw milk**

You must meet the rules about:

- health requirements for raw milk and colostrum production
- hygiene on milk production holdings

### **Detailed rules**

You must read the detailed rules on the Food Standards Agency's website in '[A Practical Guide for Milk Producers](#)'.

### **Eggs**

If you're an egg producer you must keep eggs clean and dry, free of strong odours, protected from shocks and out of direct sunlight.

### **More information**

For more information about TB testing or veterinary medicines on GOV.UK read:

- '[Bovine TB: get your cattle tested in England](#)'
- '[Manufacturing and supplying veterinary medicines for animal feed](#)'
- '[Record keeping requirements for veterinary medicines](#)'.

For more information about animal feed read '[Farming and animal feed](#)' on the Food Standards Agency's website.

## **Contacts**

Food Standards Agency: 02072768829

Veterinary Medicines Directorate: 01932336911



## **SMR 5: Restrictions on the use of substances having hormonal or thyrostatic action and beta-agonists in farm animals**

Protect the human and animal food chain by stopping the illegal use of these substances.

### **What you must do and must not do**

You must meet the rules about:

- not using restricted substances unless therapeutic exemptions allow it
- not giving food-producing animals restricted substances
- not having on your farm, placing on the market or sending to slaughter for human consumption any animal that has been given any restricted substance
- not placing on the market meat or any other animal product from an animal that has been given any restricted substance
- not having substances on your farm containing beta-agonists to induce tocolysis in cows when calving.
- complying with the correct withdrawal periods
- making veterinary medical records available to inspectors.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for:

- [‘Beef cattle and dairy cows: health regulations’](#)
- [‘Sheep and goats: health regulations’](#).

These rules apply to all farm animals.

### **More information**

To read the Product Information Database go to GOV.UK and search for ‘[Veterinary Medicines Directorate](#)’, then click the ‘Product information database’ link. It contains the most up to date information on medicines authorised for use in farm animals in the UK. The database includes any withdrawal periods.

### **Contacts**

Veterinary Medicines Directorate: 01932336911

## **SMR 6: Pig identification and registration**

Control the spread of disease by identifying pigs and keeping accurate records of movements to allow them to be traced.

### **What you must do and must not do**

You must meet the rules about:

- registering your holding and animals
- identifying your animals
- reporting movements to or from your holding
- keeping a holding register.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Keeping sheep, goats, pigs and deer](#)'.

### **More information**

For information about pig movement reporting go to the eAML2 website at [www.eaml2.org.uk](http://www.eaml2.org.uk).

### **Contacts**

Livestock ID Helpline: 0345 050 9876

Animal and Plant Health Agency: 03000 200 301

eAML2 movement reporting service helpline: 0844 335 8400

## **SMR7: Cattle identification and registration**

Control the spread of disease by identifying animals and keeping accurate records of their births, movements and deaths to allow them to be traced. This includes cattle, bison and buffalo.

### **What you must do and must not do**

You must meet the rules about:

- identifying and tagging your animals
- reporting and record events in your herd
- keeping a holding register.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Guidance on keeping cattle, bison and buffalo in Great Britain](#)'.

### **Contacts**

Livestock Identification Helpline: 0345 050 9876

Rural Payments Agency: 03000 200 301

British Cattle Movement Service (BCMS) helpline: 0345 050 1234

## **SMR 8: Sheep and goat identification**

Control the spread of disease by identifying sheep and goats. This includes keeping accurate records of movements to allow them to be traced.

### **What you must do and must not do**

You must meet the rules about:

- identifying and tagging your animals
- keeping a holding register.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Keeping sheep, goats, pigs and deer](#)'

### **Contacts**

Rural Payments Agency: 03000 200 301

Livestock Identification Helpline: 0345 050 9876

Animal and Plant Health Agency: 03000 200 301

ARAMS movement reporting service: 0844 573 0137

## SMR 9: Prevention and control of transmissible spongiform encephalopathies (TSEs)

Minimise the risk posed to human and animal health by certain transmissible spongiform encephalopathies (TSEs).

### What you must do and must not do

You must meet the rules about:

- if you know or suspect that one of your animals or carcasses is infected with a TSE, telling the duty veterinary officer at once, and meeting movement restrictions, or slaughter, destruction or other orders
- not feeding animal protein or any feeding stuff that contains animal protein to ruminants
- not feeding products containing banned proteins to any farmed animals, or not mixing banned proteins with feedstuffs
- not using restricted proteins to produce feed for non-ruminants unless you've received authorisation from Defra
- not using feed products containing restricted proteins on a farm where there are ruminants present unless you're registered with Defra
- not placing on the market or exporting bovine, ovine or caprine animals and their semen, embryos and ova without meeting the documentation requirements and restrictions which apply to the sale or export of these products
- restrictions for cattle born or raised in the UK before 1 August 1996
- not placing on the market first generation offspring, semen, ova or embryos of cattle, sheep or goats of animals suspected or confirmed with TSE.

### Detailed rules

You must read the detailed rules on GOV.UK about:

- Notifiable diseases, search for '[Notifiable diseases in animals](#)'.
- Controlling TSEs, search for '[Supplying and using animal by-products as farm animal feed](#)', then scroll down the page to TSE regulations and read the guidance note.
- Placing on the market, search for '[Guidance on importing and exporting live animals or animal products](#)'.
- Restrictions for cattle born before 1 August 1996, search for '[BSE: how to spot and report the disease](#)'.

### Contact

Animal and Plant Health Agency: 03000 200 301

Livestock Identification Helpline: 0345 050 9876

Rural Payments Agency: 03000 200 301

British Cattle Movement Service (BCMS) helpline: 0345 050 1234

## **SMR 10: Plant Protection Products (PPPs)**

Protect people, wildlife and the environment by following strict controls over the use of pesticides.

### **What you must do and must not do**

You must meet the rules about:

- using only plant protection products with a valid authorisation or parallel trade permit
- meeting the conditions and rules on the product label, in the authorisation, permit or in any extension of use
- following 'good plant protection practice'.

### **Detailed rules**

You must read the detailed rules on the Health and Safety Executive's website:

- ['Using, Storing and Disposing of Plant Protection Products'](#)
- ['Code of practice for using Plant Protection Products'](#)
- ['Regulating pesticides after the transition period'](#).

### **Contacts**

Defra helpline: 0345 933 557

Health and Safety Executive (Advisory Team): 0300 003 1747

## **SMR 11: Welfare of calves**

Protect the welfare of calves (bovine animals up to six months old) by meeting minimum standards for their care and husbandry.

### **What you must do and must not do**

You must meet the rules about:

- rearing calves (including inspection, sick animals, feeding and muzzling)
- housing calves.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Beef cattle and dairy cows: on-farm welfare](#)'.

### **Contacts**

Animal and Plant Health Agency: 03000 200 301

Defra helpline: 0345 933 557

## **SMR 12: Welfare of pigs**

Protect the welfare of pigs by meeting minimum standards for their care and husbandry.

### **What you must do and must not do**

You must meet the rules about:

- stockmanship and managing pigs
- pig housing and the design
- feeding and watering pigs.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Pigs: on-farm welfare](#)'.

### **Contacts**

Animal and Plant Health Agency: 03000 200 301

Defra helpline: 0345 933 557



## **SMR 13: Animal welfare**

Protect the welfare of farmed animals by meeting minimum standards for their care and husbandry. This SMR applies to any species kept for farming purposes.

### **What you must do and must not do**

You must meet the rules about:

- your responsibilities for any animals on your farm and having enough staff with the training, knowledge and skills to look after your animals properly
- looking after animals
- keeping health records
- feeding and watering animals
- keeping animals in buildings
- keeping animals outside
- making sure equipment works
- not carrying out mutilations or interventions on your animals.

### **Detailed rules**

You must read the detailed rules on GOV.UK, search for '[Farm animals: looking after their welfare](#)'.

### **Contacts**

Animal and Plant Health Agency: 03000 200 301

# More information and contacts

Information (including regulations) and contacts you may need.

## Contact RPA

Defra Rural Services helpline: 03000 200 301

(Open Monday to Friday 8.30am to 5pm, closed at weekends and on public holidays).

RPA Livestock Identification Helpline: 0345 050 9876

Email: [ruralpayments@defra.gov.uk](mailto:ruralpayments@defra.gov.uk)

Address:

Rural Payments  
PO Box 352  
Worksop  
S80 9FG

Please quote your single business identifier (SBI) for all enquiries.

British Cattle Movement Service (BCMS)

BCMS helpline: 0345 050 1234

Address:

BCMS  
Curwen Road  
Workington  
CA14 2DD

## Complaints

To complain to RPA, write, email or telephone. Full guidance about how to complain or appeal is available on GOV.UK by searching for '[Rural Payments Agency](#)', then scroll down to 'Corporate information'. If you're unhappy with a decision you've had from an RPA or Animal and Plant Health Agency inspector, call RPA, email or write.

## Other useful contacts

Animal and Plant Health Agency 03000 200 301

Animal Reporting and Movement Service (ARAMS) 0844 573 0137

Defra helpline 0345 933 5577

eAML2 movement reporting service helpline 0844 335 8400

Environment Agency 03708 506 506

Food Standards Agency 020 7276 8829

Forestry Commission national office 0300 067 4000

Health and Safety – Advisory Team 0300 003 1747

Historic England (previously known as English Heritage) 0370 333 1181

Natural England 03000 200 301

Veterinary Medicines Directorate 01932 336911

## Legal notice

This guidance is not the law. It's designed to help you comply with cross compliance. For more information go to GOV.UK and search 'Cross compliance'. To read the relevant legislation go to the '[Legislation.gov.uk](https://www.legislation.gov.uk)' website. For legal advice, contact a legal professional.

The main regulations relating to cross compliance are as follows (this is not a complete list):

- Regulation EUR 2013/1306
- Regulation EUR 2014/640
- Regulation EUR 2014/809
- The Direct Payments to Farmers and Cross Compliance (Simplifications) (Amendment) (England) Regulations 2020
- The Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014 (which sets out all the GAECs).

If the regulations or our interpretation of them change, RPA will publish more information to let you know.

## Farming Advice Service – if you need help

The Farming Advice Service (FAS) is funded by Defra to provide free, confidential advice to farmers and farming industry advisers to help them understand and meet requirements for cross compliance, water use and quality, and pesticide use including integrated pest management planning.

Call their helpline on 03000 200 301 or to find more information on GOV.UK, search for '[Farming Advice Service](#)'.

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