

Press release: Dry weather support secured for livestock farmers

Farmers affected by this summer's dry weather have been offered further assistance by the UK government.

New flexibility from the EU Commission has been secured, which will help farmers increase the amount of feed they can grow for their livestock.

The dry weather earlier this summer has meant many livestock farmers have not had enough pasture to graze their animals on, with some having to break into their winter feed supplies early.

From today, farmers will be allowed to grow grass and other edible forage in areas that are not usually allowed for grazing.

This is after the UK government secured a derogation from the EU's Ecological Focus Area (EFA) winter crop requirements, which stipulates that certain areas must be left fallow or sown with crop mix that cannot be grazed.

This is the latest in a series of practical solutions to help farmers affected by the dry weather, including:

- Granting of 89 flexible water abstraction licenses by the Environment Agency for farmers to safeguard food production and animal welfare. The majority of applications received have been approved.
- Publishing [guidance for 40 Countryside Stewardship options](#) which can be adjusted for this year without penalty if agreement holders notify Natural England by the end of 2018.
- Waiving penalties for farmers who fail to establish EFA catch crops by 20 August.
- Communicating to farming groups that they are able to graze fallow land without need for a derogation.

Secretary of State Michael Gove said:

We have had one of the driest summers since modern records began in 1961, and it is only right that we do what we can to support farmers who have been placed under the most pressure.

I am pleased that the flexibilities announced today will offer some help to livestock farmers by opening up new sources of fodder ahead of the winter.

I am also glad that we are continuing to discuss the industry's ideas for longer-term resilience.

The government will continue to monitor the situation and listen to industry

as we move towards the autumn and winter months.

Press release: Gross pollution leads to more than £23,000 in fines and costs

DEM (King's Lynn) Ltd stored too much highly polluting waste in a lagoon and spread too much of the organic waste onto land controlled by Trevor William Sieley, leading to run off and pollution, King's Lynn Magistrates heard.

Storage and spreading of waste on the land by the company was illegal and magistrates fined both the person in control of the land and the company. Sieley, who had received a warning letter and previous offences for similar actions, was fined £1,920 and ordered to pay costs of £10,041 as well as a victim surcharge of £170.

Sieley had denied knowingly allowing the illegal waste operation but the court found him guilty, deciding that his actions were reckless.

DEM, which pleaded guilty at an earlier hearing to spreading the waste illegally, was fined £3,667, ordered to pay £7,666 and a victim surcharge of £170.

Mr Gurjit Bdesha, prosecuting for the Environment Agency, told the court the company had deposited and stored waste at the site for almost two years under an exemption, which did not cover the level of operations. There was no environmental permit which would have set out conditions to protect the environment.

Waste vegetable washings were stored and spread on 3.99 hectares of land at Poplar Farm in Outwell. The exemption allowed for waste produced only on the farm to be spread but waste potatoes and washings were brought from two companies onto the site. During 20 months it is estimated that 7,700 tonnes of waste was taken to the farm and deposited or spread.

Sieley had registered an exemption to spread waste on agricultural land to improve soil quality but failed to comply with its conditions. A lagoon, used to store some of the waste, over-spilled and was too close to a ditch and there was too much spread on the land.

Environment Agency officers visited the site in April 2015 after reports from Nordelph Internal Drainage Board that a slurry pit was polluting nearby watercourses. They found heaps of potatoes stored in the field, straw bale walls of the lagoon decomposing and effluent leaking from the lagoon into the ditch.

In June they told the company to stop work and clear up the site by 1 October but no action was taken.

Mr Bdesha said:

In November 2015 the lagoon looked the same, potatoes around the site were in various states of decay and the soil in the field gave off a decaying smell. The lagoon was also over-spilling into a ditch that flowed to the IDB drain.

The court heard that in 2007 Sieley was the sole director of another company that was involved in a similar incident on land at Outwell which resulted in his previous conviction and in 2005 was issued with a warning letter for the disposal of potato wash water on to land/into a soak-away pit at Walsingham Fen, Outwell without a waste management licence.

After the hearing Environment Agency team leader Chris Tate said:

This company was not complying with the agricultural exemption and was also taking waste illegally from other businesses.

By not having the right environmental permit, illegal waste activities pose a threat to human health and the environment by contaminating land and polluting rivers. Anyone who produces, carries, keeps, treats or disposes of waste has a duty of care to make sure it is managed correctly.

Trevor William Sieley was found guilty of:

Between 8 November 2013 and 16 June 2015, on land at Poplar Farm, the Aqueduct, Outwell, in the County of Norfolk, you knowingly permitted the operation of a regulated facility, namely a waste operation for the deposit and storage of waste, without being authorised by an environmental permit granted under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010. Contrary to Regulation 12(1)(a) and 38(1)(b) Environmental Permitting (England and Wales) Regulations 2010

DEM (Kings Lynn) Ltd pleaded guilty to:

Between 8 November 2013 and 16 June 2015, on land at Poplar Farm, the Aqueduct, Outwell, in the County of Norfolk, you did operate a regulated facility, namely a waste operation for the deposit and storage of waste, without being authorised by an environmental permit granted under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010. Contrary to Regulation 12(1)(a) and 38(1)(a) Environmental Permitting (England and Wales) Regulations 2010

New rules for farmers have just been published:

(<https://www.gov.uk/government/news/new-requirements-for-farmers-to-improve-environment-for-all>)

News story: Derogation from some Ecological Focus Areas

Hot and dry weather conditions in England – BPS 2018 – A derogation (relaxation) from some of the Ecological Focus Areas (EFA) rules to increase the availability of fodder

This derogation is in addition to the Hot and dry weather conditions in England guidance published on 31 July 2018 and the temporary prescription adjustments to some Countryside Stewardship and Environmental Stewardship options this year.

Due to the effects of this summer's very dry weather on forage stocks across the country, England has agreed to a derogation from certain greening rules with the European Commission. We are making regulations which we plan to bring into force by 30 September 2018. These regulations will allow farmers in England to relax the EFA rules for catch crops and green cover for the Basic Payment Scheme (BPS) 2018 scheme year.

These are one-off changes to the EFA rules set out in the BPS rules for 2018. They will apply to the winter green cover option in EFA only. All other EFA 2018 requirements are unchanged.

The regulations will mean that in England:

(a) areas under green cover may be established without sowing the mixture of crop species as detailed in the guidance, if the crops sown instead are grasses or other herbaceous forage

(b) areas under green cover may include areas under winter crops which are sown in autumn normally for harvesting for forage or for grazing (including fodder crops that do not meet the 'herbaceous forage' definition)

(c) where a cover crop has been established to meet the requirements set out in the guidance (unharvestable mixture of at least 2 crops chosen from the permitted list), the minimum mandatory period for which the cover must be maintained is reduced to 4 weeks from the date of sowing, as long as a winter crop is sown afterwards and this period will end on 29 October 2018. Otherwise the cover crop must remain until 15 January, as set out in the guidance.

Where you have declared a cover crop to meet your 2018 EFA requirement, you will be able to sow grasses or other herbaceous forage crops either as a

mixture or as a single crop, or winter crops which are sown in autumn normally for harvesting for forage or for grazing, which can be grazed or harvested. These are in addition to the crop mixtures detailed in the BPS rules for 2018.

How to apply for a derogation

Email RPA at ruralpayments@defra.gsi.gov.uk using the subject title 'EFA Derogation'. Please include:

- the SBI and name of the business making the request
- a list of the affected land parcels indicating which of the 3 options above have been applied.

We should receive your request by 19 October 2018.

Press release: £500 fine for Loughborough man fishing in Rothley in close season

A 41-year old man from Loughborough has been successfully prosecuted after being found guilty of fishing for freshwater fish in the close season in May 2018.

The case was brought to Leicester Magistrates Court by the Environment Agency on 20 September 2018 where Clint Maskell, of Palmer Avenue, Loughborough pleaded guilty and was ordered to pay a total penalty of almost £500.

The penalty includes a fine of £333 plus costs of £125 and a victim surcharge of £33 after Clint Maskell was found fishing in the close on 16 May 2018 on the River Soar at Cossington Mill, Rothley, contrary to Environment Agency byelaws and national byelaws of the Water Resources Act 1991.

Following the verdict, Pete Haslock, Fisheries Enforcement Team Leader for the Environment Agency said:

We regularly carry out enforcement operations in order to protect fish stocks and improve fisheries and we take all kinds of illegal fishing – including fishing in the close season, as in this case – extremely seriously.

We hope this case will act as a reminder to anglers of the importance of checking the byelaws in their area to find out which waterways are open to fishing during the close season. The case

also shows anglers how seriously the courts take these offences.

Illegal fishing is not just unfair on other anglers who fish within the law, it also endangers the future of the sport by damaging the sustainability of fish stocks, so it is important for people to report any information about suspected illegal fishing to us in order for us to investigate.

This year the annual close season ran from 15 March to 15 June. Anglers can check the byelaws in their area [here](#).

Anyone who suspects anglers of illegal fishing are urged to contact the Environment Agency's 24/7 hotline on 0800 807060, or Crimestoppers anonymously on 0800 555 111.

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