

Detailed guide: EIA (Agriculture) regulations: apply to make changes to rural land

Updated: Replaced public register with version updated to 3 August 2018.

The EIA regulations protect rural land in England that's uncultivated or semi-natural from changes in agricultural activities that might cause damage by:

- increasing productivity
- physically changing field boundaries

Uncultivated land is land that hasn't been cultivated in the last 15 years by:

- physical means, such as ploughing or an activity that breaks the soil surface
- chemical means, such as adding fertiliser or soil improvers

Semi-natural land includes [priority habitats](#), heritage or archaeological features, or protected landscapes. It's usually land that hasn't been intensively farmed, such as unimproved grassland or lowland heath.

You must use this guidance to follow EIA regulations if you want to change rural land use. Failure to follow EIA regulations means you could:

- be prosecuted
- be fined up to £5,000
- have to restore land to its previous condition

EIA regulations are part of [cross compliance](#), the rules you must follow if you have land in:

- the Basic Payment Scheme
- Countryside Stewardship
- Environmental Stewardship

Failure to follow EIA regulations could affect your payments.

When to get permission to change rural land

Natural England must decide if your proposal to change the use of rural land is likely to have a significant effect on the environment. You must [apply for this decision](#), known as an 'EIA screening decision' before you change rural land. There are several ways to change the use of rural land.

Increasing productivity of land for agriculture

You need a screening decision if you propose to affect uncultivated or semi-natural land by:

- disrupting the soil surface by ploughing, tine harrowing or rotovating
- increasing the use of fertiliser or soil improvers including lime
- sowing seed that will increase grassland productivity
- draining land
- clearing existing vegetation or scrub equal to or above an area of 2 hectares, either physically or using herbicides
- increasing stock density that will result in improved vegetation from grazing

Land under 2 hectares

You can't work on separate projects under the 2ha threshold which are on the same landholding if they go on to exceed 2ha overall.

Natural England also needs to consider proposals to change land under the 2ha threshold that's of regional significance if it:

- is semi-natural
- has heritage features, such as above or below-ground archaeological sites
- has special landscape features, such as a historic parkland

Restoring semi-natural grassland or semi-natural heathland

You need a screening decision if sowing seed for restoration of land disrupts the soil surface as a form of cultivation and increases agricultural productivity.

Altering field boundaries

You need a screening decision if you intend to:

- add or remove field boundaries that are over 4km long
- add or remove field boundaries that are over 2km long for land in protected areas, such as a national park, area of outstanding natural beauty or site of a scheduled monument
- add new fencing on common land that meets the same criteria above (these were previously exempt from the Regulations)

Moving or redistributing earth

You need a screening decision to add, remove or redistribute earth or other material if it's:

- 10,000 cubic metres or more
- an area of 100 hectares or more

For land in a protected area, such as a national park or area of outstanding

natural beauty, you need permission to add, remove or redistribute earth or other material if it's:

- 5,000 cubic metres or more
- an area of 50 hectares or more

You don't need permission to:

- replace nutrients on semi-natural land as long as it doesn't result in increased agricultural output – for example applying low levels of lime or farmyard manure to hay meadows as part of its traditional management
- introduce mixed wildflower seed
- clear invasive non-native vegetation

Apply for an EIA screening decision

You must apply for a screening decision before changing rural land that's equal or over the 2ha threshold, or meets the criteria under the 2ha threshold.

You must provide an Environmental Screening Report (ESR) with your application.

Your ESR needs to include:

- a full description of the project and its effect on the environment
- map and plans for the project and the area likely to be affected
- descriptions of the environmental sensitivity of the project
- landscape, biodiversity and archaeological assessments where required
- details of any mitigation that will lessen the effect of the project
- an appended collection of your evidence

Landscape assessment

You'll need a landscape assessment for projects that:

- add or move field boundaries
- redistribute earth or other materials
- change the structure of your agricultural landscape

Your assessment needs a:

- desk assessment
- field survey carried out by a qualified agent or consultant
- summary assessment of your project's effects on the landscape

Your desk assessment will describe the landscape qualities and the field survey should verify these findings. You can get landscape information from your [local council](#) and by consulting:

- the [Open Spaces Society](#) for projects on open land
- your regional [Federation of Commoners](#) for projects on common land

Your desk assessment needs to include:

- a local landscape character assessment using information from the [National Character Area \(NCA\) profiles](#)
- identification of the project area's landscape qualities
- the potential effects of the project
- a 1:25,000 scale [zone of visual influence \(ZVI\)](#) map of the project

Your field survey will:

- verify the desk assessment with clear photographic and mapped evidence of the landscape and its condition
- summarise the project's effect on the landscape characteristics

Your summary assessment needs to include the effect of your project on the landscape.

Biodiversity assessment

ESRs for uncultivated land projects will need a biodiversity assessment. This includes a desk assessment verified by a field survey where needed. A summary assessment should include your project's effects on biodiversity.

Your desk assessment needs to show what biodiversity is present. You can get biodiversity data from the [MAGIC website](#) and by consulting:

- your local [Biodiversity Records Centre](#)
- the [Wildlife Trust](#)
- The [RSPB](#)

Using data from your consultations, verify:

- what priority habitats are present
- [Local Wildlife Sites](#) and any priority or protected species
- what's next to the site
- whether there's a [Site of Special Scientific Interest \(SSSI\)](#) or priority habitat
- the significance of the biodiversity to the area

Your field survey will be used to verify the findings of the desk assessment including assessing habitat condition. If you're not disputing consultation results, you don't need a field survey. Your summary needs to include the effects of your project on the habitat, and any protected species.

Archaeology assessment

Your assessment needs to verify the effects of the project on any areas of archaeological or historic interest on the site. A qualified person such as the County Archaeologist can provide this information. You can also consult:

- the Protected Landscape Authority, [National Park Authority](#), or your [Area of Outstanding Natural Beauty \(AONB\) Partnership](#)
- [Historic England](#)

- archaeology data from the [MAGIC website](#)

Your consultations will verify:

- any archaeology or historic environment features within or near the project area
- the significance of the archaeology or historic environment
- the project's effect on the archaeology or historic environment
- how to best minimise the effect of the project

It's an offence to provide false or misleading information in your application.

Submit your EIA screening application

Complete the relevant form for projects that:

- increase the productivity for agriculture of uncultivated land or semi-natural areas [Form EIA 1](#)
- physically restructure rural land holdings [Form EIA 1a](#)

Natural England will take between 35 and 90 days (depending on the complexity of your proposal) from receiving your application to decide whether you:

- can proceed
- need to apply for consent to carry out the work

A screening decision is valid for 3 years.

You must get all other permissions and changes to land management agreements you may have before you can start work, such as:

- making sure your proposal doesn't breach the requirements of a Countryside Stewardship agreement
- getting permission from the Environment Agency if your proposal includes spraying within one metre of a watercourse

Apply for a consent decision

Natural England's screening decision will determine whether your proposal is likely to have a significant effect on the environment. You'll need permission, known as a 'consent decision' to carry out works if this is the case.

To apply for a consent decision you need to prepare an environmental assessment report. Use an experienced specialist, such as your environmental consultant to do this. You can discuss your report with Natural England before submitting your application.

Natural England can tell you what your environmental statement and consent application should contain (known as a 'scoping decision'). Natural England

will send you their scoping opinion within 5 weeks of your request. You must base your environmental assessment report on the advice you get from Natural England.

You must start projects that have been granted consent within one year of the consent date and complete it within 3 years. You must re-apply for consent if you miss the deadline.

Notice of applications for consent received by Natural England

There are currently no notices.

Consent and screening decisions

Natural England will publish its consent decision so it's available to anyone local to the relevant land. This may be in a newspaper or a public notice in a town hall or library.

Outcome of Natural England's screening decisions

See the

[Environmental Impact Assessment \(Agriculture\) \(England\) \(No. 2\) Regulations 2006: public register](#)

(PDF, 2.19MB, 330 pages)

for all screening decisions.

Appeal against a screening or consent decision

You must send your appeal to the Secretary of State for Environment, Food and Rural Affairs within 3 months of Natural England publishing the decision notice.

EIA (Agriculture) regulations decision appeals

Department for the Environment, Food and Rural Affairs

Nobel House

17 Smith Square

London

SW1P 3JR

Email: eia-appeals@defra.gsi.gov.uk

Contact

Contact the EIA team for further advice.

Environmental Impact Assessment (EIA) Unit

Natural England
Horizon House

Deanery Road
Bristol
BS1 5AH

Email
eia.england@naturalengland.org.uk

Freephone
0800 028 2140

[Detailed guide: Animal gatherings: licences](#)

Updated: Linked to fees document

When you need an animal gatherings licence

If you want to hold an animal gathering, the premises must have an Animal Gatherings Order (AGO) licence from Animal and Plant Health Agency (APHA).

An animal gathering is when certain species of animals (see below) are brought together from different places:

- to be sold
- to be sent elsewhere (for example, for slaughter)
- for show or exhibition
- to be inspected for breed characteristics (for example, to assess pedigree status)

The animal species include:

- cattle (excluding bison and yak)
- sheep

- pigs
- deer
- goats

Gatherings of poultry and other captive birds are not licensed in the same way but must be registered. See the [bird gathering general licence](#).

You must have an animal gathering licence if your gathering involves poultry/captive birds and any of the animals listed above.

It's an offence to hold an animal gathering without a licence.

When you don't need a licence

You don't need a licence to hold an animal gathering if:

- all the animals brought to the premises come from one holding
- animals are dispersed from one holding

Get an animal gatherings licence

Complete the [application for a licence to hold an animal gathering form \(AG001\)](#) and a plan of the proposed site.

You can get help with the AG001 form from [APHA](#).

Send the completed forms to APHA.

- For customers in England, send to One Health CSC, County Hall, Spetchley Road, Worcester, WR5 2NP or email CSCOneHealthAG0@apha.gsi.gov.uk.
- For customers in Wales, send to the [Caernarfon Field Service Office](#) or email to APHA.CymruWales@apha.gsi.gov.uk.

Once you have submitted the form, APHA will arrange a visit by a veterinary inspector to discuss your application and inspect the premises.

Your licence will be posted to you if the veterinary inspector is satisfied that the licence conditions will be met.

Your licence lasts for 1 year. It's your responsibility to reapply if you need to renew the license.

Fees

For further information on fees, see the [Animal Gathering Order section in the fees document](#).

Give notice

At least 14 days before you hold each animal gathering under your licence, you must tell APHA and your [local council](#):

- the times when the licensed premises will be open to receive animals
- the purpose of the animal gathering

You don't need to do this if the dates were included your application form.

Animal gatherings licence conditions

You must make sure that you comply with the conditions in your licence. These conditions are listed on the application form and include the following:

- you take all reasonable steps to prevent the spread of disease during animal gatherings (biosecurity measures) – see [biosecurity advice for animal gatherings](#) (PDF, 788KB, 6 pages)
- you appoint a biosecurity officer to make sure licence conditions are upheld (this can be the licence holder)
- there is a fence around the licensed area to prevent animals escaping
- animals only enter or leave the animal area in a vehicle (they must only be loaded onto and off vehicles in the animal area)
- no animals arrive after a period of 48 hours from the start time the licensed premises advertised they will be open for receiving animals. You can ask APHA to extend this period in some circumstances
- you keep records to allow tracing of animals
- you comply with [animal welfare rules](#) and do not allow sick or injured animals to be presented for sale
- you have documented operational procedures including contingency plans for adverse events such as power or lighting failure, inability to effectively cleanse and disinfect, transport failure, animal welfare incidents
- you have a contingency plan for what you would do if notifiable disease were suspected during a gathering. As a minimum, this must be based on the [AG004 plan](#) available.

How often animal gatherings can take place and for how long

You must make sure that it's at least 27 days since the last animal left the premises and all equipment has been cleaned and disinfected.

The 27 day rule doesn't apply if the area is entirely paved with a material that can be, and is, effectively cleaned and disinfected inbetween animal gatherings. Accepted materials include:

- cement
- concrete
- asphalt
- other impermeable materials

Records you must keep

You must record:

- names and addresses of all staff working in the animal area
- whether staff have contact with livestock anywhere else
- the origin of the animals involved in each gathering
- the destination of the animals or, if not available, details about the buyer
- details about any vehicles used to transport the animals so that they can be traced if necessary

Records must be up to date and must be kept for 6 months.

You must report the movements of animals so these can be recorded on the national animal movement databases:

- [cattle](#)
- [sheep and goats](#)
- [pigs](#)
- [deer](#)

Facilities needed at premises

If the licensed animal area is paved, you must make sure that the floor and all fixtures and fittings in animal areas:

- are in a good state of repair
- can be cleaned and disinfected after each gathering

There must be a separate area for cleaning and disinfecting vehicles used to transport animals. This area must be suitable for cleaning and disinfecting after each gathering.

If you need to move animals between areas, the areas must be one of the following:

- adjoining
- connected by designated walkways

Animal gatherings for slaughter

If you're holding a gathering for slaughter involving animals that haven't served standstill on a farm it must be held on a paved animal area.

Gatherings for slaughter can't be held as part of any other type of animal gathering.

Disposal of animal products

All [animal by-products](#) must be disposed of, including:

- feeding stuffs
- bedding
- excreta
- any other contaminants derived from animals

They must be disposed of in one of the following ways:

- destroyed
- disposed of so that animals don't have access to them
- treated to remove the risk of disease transmission

The disposal method must be documented.

When the animal gathering is over

When each animal gathering held under your licence is over you must make sure that equipment and paved areas are cleaned and disinfected after all the animals have left the site and before the next animal gathering.

Penalties

If you hold an animal gathering without a licence or fail to comply with the licence conditions you may be prosecuted.

You may also have your licence suspended or withdrawn and may be subject to additional monitoring by APHA or the local council.

[Detailed guide: How to get paid under an agreement: Environmental Stewardship](#)

Updated: Deadline for late applications and amendments has passed.

Making a claim

The deadline for Natural England to receive Environmental Stewardship (ES) revenue claims and amendments was 11 June 2018. Natural England will not accept any further revenue claims in 2018.

The extension of the Countryside Stewardship payment claim deadline does not apply to ES claims.

Claims for capital works under HLS

Contact Natural England to request a capital works claim form. You can claim:

- throughout the year when you complete work as specified in your agreement

- for capital works for educational access visits

You'll need to complete the [HLS VAT declaration form](#) if you are not registered for VAT with HM Revenue and Customs.

Getting paid

Natural England and RPA aim to make:

- partial payments by December 2018
- end of year payments by June 2019

RPA will make payments into your bank account. To update RPA on your bank account details, call 03000 200 301.

Changes to your agreement

You must notify Natural England in writing before you make any changes to your agreement. This is in addition to completing your claim form. Check your agreement's [handbook](#) for details of the requirements and deadlines for making changes.

Your payments may be affected if you do not meet the requirements and deadlines in your handbook.

Contact

Natural England – contact the [office for your county](#).

Rural Payments Agency – call the helpline on 03000 200 301.

[Detailed guide: Gangmaster licensing appeals: challenge a licence decision](#)

Updated: Update email address

What you can appeal against

You need a licence if you are involved in supplying workers for agriculture, horticulture, shellfish gathering or food processing and packaging.

It is illegal to provide this labour (eg as an employment agency) without one.

You can appeal to a tribunal if:

- you are refused a licence
- your licence is revoked
- extra conditions are added to your licence
- your request to transfer the licence is turned down

When you appeal, the licensing decision will normally be put on hold until the tribunal has considered your case.

The tribunal is independent of the government. A judge will listen to both sides of the argument before reaching a decision.

Time limits for appealing

You must normally appeal within 20 working days of receiving the decision from the GLAA.

If your licence is revoked with immediate effect, you have to appeal within 10 working days.

If you miss the time limit, you can [apply for more time to appeal](#). The tribunal will decide if it can still take your case.

How to appeal

Use the [notice of appeal form](#) and [guidance leaflet](#).

Clearly state why you want to appeal against the decision.

Include any supporting documents, like the GLAA's decision. Mark each one as a 'copy'.

Send the form to gangmastersappeals@justice.gov.uk or:

England, Wales and Scotland

Gangmaster Licensing Appeals

Alexandra House

14-22 The Parsonage

Manchester

M3 2JA

Telephone: 0161 833 6123 or 0161 833 6118

Fax: 0870 739 4433

Northern Ireland

Office of the Industrial Tribunals and the Fair Employment Tribunal

Killymeal House

2 Cromeac Quay

Ormeau Road

Belfast

BT7 2JD

Phone: 028 9032 7666

Fax: 028 9025 0100

Help and advice

You can get advice on your appeal from a:

- [solicitor](#)
- [trade association](#)
- [Citizens Advice bureau](#)
- [law centre](#)

Tribunal staff can give you general guidance on how the process works, but cannot give you legal advice.

What happens next

In most cases:

- the GLAA will reply to your appeal within 20 working days
- the tribunal will send you a copy of this reply
- you will be asked how you want your appeal to be decided

You can ask for your appeal to be decided:

- at a hearing in your local area – where you can put your case in person
- without a hearing – using only the documents in the case

The tribunal may ask for more information or documents before the hearing or before it makes its decision.

The tribunal hearing

If you do have a hearing it will take place in a court or tribunal building.

The hearing will be attended by:

- an employment judge (known as an ‘appointed person’) – who will decide on your case
- a representative from the GLAA
- you and your representative – if you have one

The hearing may also be attended by members of the public or the press.

You can represent yourself, or ask someone to speak for you – such as a lawyer, consultant, colleague, friend or relative.

You or your representative will have the chance to:

- present your case to the judge
- call witnesses
- ask questions
- present documents

The judge and the representative from the GLAA may also ask you questions.

The judge may tell you their decision at the end of the hearing or send you decision in writing afterwards.

The tribunal’s decision

The tribunal will normally send you a written copy of its decision within 4 weeks.

The decision may tell you when it will come into effect. If it doesn’t give a specific date, then this will be 5 working days after the decision was sent to you.

This tribunal’s decision is usually final – you can’t appeal to another tribunal.

If you still want to challenge the decision, speak to a solicitor as soon as possible about how to apply for judicial review.

Previous decisions

Search the list of [appeal results](#) to see how judges made decisions in previous cases.

Legislation and rules

You can find the licensing rules and the right to appeal to the tribunal in the [Gangmasters \(Licensing\) Act 2004](#).

More detailed rules on how your case will be handled are contained in [The Gangmasters \(Appeals\) Regulations 2006](#).

Detailed guide: Catchment Sensitive Farming: reduce water and air pollution

Updated: CSF is also working to improve air quality.

Catchment Sensitive Farming (CSF) raises awareness of diffuse pollution from agriculture by giving free training and advice to farmers in selected areas in England. The aim of the advice is to improve the environmental performance of farms.

Advice is only available in high priority areas for water quality. These areas will contribute most to meeting Water Framework Directive and National Emissions Ceiling Directive objectives. To find priority areas and local data on [MAGIC](#):

- select 'Countryside Stewardship Targeting & Scoring Layers', then 'Water', then 'Countryside Stewardship Water Quality Priority Areas (England)' in the Table of Contents
- enter place or postcode in 'Map search'
- use the 'Identify' tool under 'Feature Tools' to get local data

CSF is a project run by Natural England in partnership with the Environment Agency and the Department for Environment, Food and Rural Affairs. It's staffed by trained, qualified and experienced advisors. The advice is confidential and not disclosed to other parties.

CSF complies with Article 22 of Commission Regulation (EU) No 702/2014 on how it gives advice. The amount of aid given for advisory services is limited to 1,500 euros per farmer per advisory theme.

Countryside Stewardship

CSF supports farmers applying for Mid Tier capital grants to improve water and air quality in priority areas.

Some [Mid Tier capital items](#) require written support from a Catchment Sensitive Farming officer (CSFO) as part of an application's evidence requirement. Check the capital item requirements to find out when this is necessary.

Endorsement of a Mid Tier application by a CSFO will increase the chance of its success. Applicants who require this support should [contact CSF to discuss a pre-application visit](#).

Training and advice

All CSF training and advice aims to give practical and cost-effective solutions to improve water and air quality through:

- workshops
- demonstrations
- farm walks
- farm events
- one-to-one advice

You should be in one of the high priority areas for water quality to qualify for training and advice. Contact your [Catchment Sensitive Farming officer](#) for more information.

Training topics

Topics are tailored to the area and farming sector but include:

- manure management
- nutrient management
- soil condition
- pesticide management
- farm infrastructure

You'll also learn about:

- [silage, slurry and agricultural fuel oils regulations \(SSAF0\)](#)
- [cross compliance](#)
- Nitrate Vulnerable Zones (NVZ)

Get further CSF information by downloading one of the [related publications and documents](#).

Training events

For details of CSF farm training events, email farm.events@naturalengland.org.uk or telephone 020 8026 8780.

CSF partnerships

CSF is working with partners in the farming and water industries, government agencies and environmental bodies.

National partnerships

CSF works with national partners to run joint events and share best practice:

- [The Agriculture and Horticulture Development Board](#)
- [Professional Nutrient Management Group](#)
- [The Rivers Trust](#)
- [The Voluntary Initiative](#)

- [Soil and Water Management Centre events](#)
- [Innovation for Agriculture](#)
- [Campaign for the Farmed Environment \(CFE\)](#)

Long term catchment partnerships

CSF provides advice, training and support through the following partnerships.

Isle of Wight

Partners: Hampshire & Isle of Wight Wildlife Trust, Environment Agency

CSF0: Lucy Temple, Hampshire & Isle of Wight Wildlife Trust

Contact: lucy.temple@hiwwt.org.uk, 01983 760016 / 07739 312930

Nene and upper Welland

Partners: River Nene Regional Park, Environment Agency, Anglian Water, Wildlife Trust, Welland Rivers Trust

CSF0: Georgina Wallis, River Nene Regional Park

Contact: georgina@rnrp.org.uk, 01536 526438 / 07921 941734

Yorkshire Dales

Partner: Yorkshire Dales National Park

CSF0: Jane Le Cocq, Yorkshire Dales National Park Authority

Contact: jane.lecocq@yorkshiredales.org.uk, 07818 048748

CSF0: Hannah Fawcett, Yorkshire Dales National Park Authority

Contact: Hannah.Fawcett@yorkshiredales.org.uk, 01969 652391

Nidd

Partners: Nidderdale AONB (Harrogate Borough Council), Yorkshire Water

CSF0: Marian Wilby, Nidderdale AONB

Contact: marian.wilby@harrogate.gov.uk, 01423 712950

Loddon

Partner: Affinity Water (working with South East Water)

CSF0: Amanda Ingham, Hampshire & Isle of Wight Wildlife Trust

Contact: amanda.ingham@hiwwt.org.uk, 01256 381017 or 07796 387872

Hertfordshire and Essex catchments (Roding, Beam & Ingerbourne, Colne & Upper Lee)

Partner: Environment Agency

CSF0: Emma Boyle, Environment Agency

Contact: emma.boyle@environment-agency.gov.uk, 020 8474 7304 or 07760 408196

CSF0: Rosemary Robinson

Contact: rosemary.robinson@naturalengland.org.uk, 07500 793028

Short-term collaborative projects

CSF also collaborates on projects with partners such as rivers trusts,

universities and Areas of Outstanding Natural Beauty (AONBs). For example, in collaboration with East Devon AONB we are helping farmers reduce sediment and phosphate loads in the River Axe, a site of special scientific interest and Special Area of Conservation.

Contact

Catchment Sensitive Farming customer services

Natural England
PO Box 247
Cambridge
CB2 2WW

Telephone
020 8026 2018