

Nitrates Derogation Application Form

Completing the Application Form

Water Management Unit, Agricultural Regulation Team



**Environment &
Heritage Service**

www.ehsni.gov.uk

Further information can be found in the Environment & Heritage Service (EHS)/ Department of Agriculture and Rural Development (DARD) "Guidance Booklet for Northern Ireland Farmers on the Requirements of the Nitrates Action Programme (NI) Regulations 2006 and the Phosphorus (Use in Agriculture) (NI) Regulations 2006". Page references below are from this Booklet.

The following information is required in relation to what you plan to do in the calendar year 2008

SECTION A

Your name, address, DARD business reference number and contact information. Please complete in BLOCK CAPITALS.

SECTION B

To be eligible for derogation 80% or more of the agricultural area of your holding under your control must be grassland. Only land that you own is assumed to be under your control unless evidence can be proved to the contrary. This evidence can either be if you are claiming Single Farm Payment (SFP) on the land for that period, or there is a written agreement between you and the owner, establishing control of that land. This agreement should clearly identify the two parties, the exact location and area of the land and the calendar year(s) to which it applies. A written agreement should transfer the responsibility for compliance of the Nitrates and Phosphorus Regulations 2006 only and does not affect other SFP obligations.

1. i. Agricultural area of your holding under your control in 2008 (hectares):

State the agricultural area of your holding under your control in 2008 in hectares (Section 1, page 10 and 1.5.3, page 16).

ii. Grassland area of your holding under your control in 2008 (hectares):

State the area in hectares of grassland area only under your control in 2008 (Definition of grassland page 41). This area will be determined based on the crop grown for the majority of the year.

SECTION C

You cannot apply more than 250kg Nitrogen/ha/year from grazing livestock manure to land. This includes application by the animal itself. Grazing livestock means cattle (with the exception of veal calves), sheep, deer, goats and horses. You may apply for derogation in respect of grazing livestock only, so this figure should not include nitrogen produced from non-grazing livestock such as pigs or poultry. If your grazing livestock stocking rate is greater than 250kg Nitrogen/ha/year, you will have to make alternative arrangements to deal with the surplus. (Method to calculate your livestock manure nitrogen loading see pages 17 and 47 and also the online calculator at www.ruralni.gov.uk).

2. Estimated Nitrogen produced from grazing livestock manure on your holding in 2008 (kgs):

State the Nitrogen that you predict will be produced from grazing livestock only on your holding in 2008. Use the amount recorded in 2007 unless you anticipate any substantial change in stocking levels in 2008.

3. How much Nitrogen from grazing livestock manure do you intend to import onto your holding in 2008 (kgs)?:

State any Nitrogen from grazing livestock manure in kilograms that you predict will be imported onto your holding in 2008. Remember you will have to keep records of imported manures (Page 33). If you do not intend to import any grazing livestock manure onto your holding in 2008 put a line through this box.

4. How much Nitrogen from grazing livestock manure do you intend to export from your holding in 2008 (kgs)?:

You may choose to export surplus grazing livestock manure in which case state any surplus of Nitrogen to be exported in kilograms in 2008. Remember you will have to keep records of exported manures (Page 33). If you do not intend to export any grazing livestock manure from your holding in 2008 put a line through this box.

SECTION D

You cannot apply more than 170kg Nitrogen/ha/year from non-grazing livestock manure to land. This includes application by the animal itself. Grazing livestock means cattle (with the exception of veal calves), sheep, deer, goats and horses. Non-grazing livestock should include all other livestock such as pigs and poultry. You must have sufficient land to meet both these limits. If your non-grazing livestock stocking rate is greater than 170kg Nitrogen/ha/year, you will have to make alternative arrangements to deal with the surplus (Method to calculate your livestock manure nitrogen loading see pages 17 and 47 and also the online calculator at www.ruralni.gov.uk). However, it should be noted that all of the farm will be subject to all of the conditions of the derogation.

5 Estimated Nitrogen produced from non-grazing livestock manure on your holding in 2008 (kgs):

State the Nitrogen that you predict will be produced from non-grazing livestock only on your holding in 2008. Use the amount recorded in 2007 unless you anticipate any substantial change in stocking levels in 2008. If you do not have non-grazing livestock put a line through this box.

6 How much Nitrogen from non-grazing livestock manure do you intend to import onto your holding in 2008 (kgs)?:

State any Nitrogen from non-grazing livestock manure in kilograms that you predict will be imported onto your holding in 2008. Remember you will have to keep records of imported manures (Page 33). If you do not intend to import any non-grazing livestock manure onto your holding in 2008 put a line through this box.

7 How much Nitrogen from non-grazing livestock manure do you intend to export from your holding in 2008 (kgs)?:

You may choose to export surplus non-grazing livestock manure in which case state any surplus of Nitrogen to be exported in kilograms in 2008. Remember you will have to keep records of exported manures (Page 33). If you do not intend to export any non-grazing livestock manure from your holding in 2008 put a line through this box.

SECTION E

You should read the leaflet on terms and conditions carefully before signing the declaration/undertaking. By signing this declaration and submitting your application to EHS, you are accepting that you have understood the conditions attached to the granting of a Derogation, that you are eligible to obtain a Derogation and that you will meet the terms and conditions attaching to the Derogation during 2008.

EHS will acknowledge receipt of your application and may contact you informally if there is any need to clarify any aspect of your application. Applications will be deemed to be approved within 28 days of receipt or the operational date of the amending Regulations transposing the derogation, whichever is later. Applications that are found to be ineligible by EHS will be refused in writing within 28 days of receipt or the operational date of the operating Regulations, whichever is later. If your application is refused you will be informed of any right of appeal.

SUMMARY MEASURES REQUIRED TO COMPLY WITH THE NITRATES DEROGATION

<p><i>Management</i></p>	<p>Apply to EHS for derogation each year by 1 March</p> <ul style="list-style-type: none"> • Must operate below 250kg N /ha/yr from grazing livestock manure (cattle, sheep, deer, goats and horses). • Have at least 80% of agricultural area grassland. • Shall not exceed a Phosphorus* balance (P) of 10kg P/ha/yr. • Must not exceed 272 kg N/ha/yr from chemical fertiliser or other organic manure, not being livestock manure, on grassland on dairy farms. Other livestock farms must not exceed 222 kg N/ha/yr. • Soil sample at least every 4 hectares of land every 4 years. • May not spread manure in autumn before grass cultivation. • Temporary grassland must only be ploughed in spring. • Ploughed grass must be followed by a crop with a high nitrogen demand. • Must not grow leguminous (nitrogen fixing) plants. However clover swards with less than 50% clover and cereals and peas undersown with grass are allowed. <p>(*To convert P_2O_5 to P multiply by 0.436)</p>
<p><i>Fertilisation Plan</i></p>	<p>Prepare and have available a fertilisation plan by 1 March for that calendar year. It must include:</p> <ul style="list-style-type: none"> • Planned average stock numbers for the year; • Description of housing and storage system; • Volume of livestock manure storage; • Planned livestock manure N and P produced on the farm; • Planned areas of grass and other crops to be grown and area noted on farm map; • N and P requirements of crop to be grown; • Soil analysis results when available; • Livestock manure to be imported or exported • Planned N and P applications from livestock manure over each uniform area of soil type and crop; and • Planned N and P to be applied from chemical and other organic manures over each uniform area of soil type and crop. <p>Plans to be revised no later than 7 days detailing any changes in agricultural practises.</p>

<i>Fertilisation Accounts</i>	<p>Prepare and submit a fertilisation account to EHS each year by 1 March for the previous calendar year.</p> <p>It must include;</p> <ul style="list-style-type: none">• N and P chemical fertiliser usage and crop areas;• Livestock numbers;• N livestock manure details including export and import details;• The amount of P in agricultural products entering and leaving the farm, for example, concentrates, milk, livestock, eggs, livestock manures, fertilisers, forages and crops; and• How dirty water is managed.
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Nitrates Derogation Application Form 2008

SECTION A

Name: John SmithDARD Business Ref No.: 6 0 0 0 0 0

Address: _____

Telephone: _____

Mobile: _____

E-mail: _____

Post Code: _____

SECTION B: AGRICULTURAL AREA DETAILS

1. i. Agricultural area of your holding under your control in 2008 (hectares)

ii. Grassland area of your holding under your control in 2008 (hectares)

SECTION C: GRAZING LIVESTOCK MANURE DETAILS

2. Estimated Nitrogen produced from grazing livestock manure on your holding in 2008 (kgs)3. How much Nitrogen from grazing livestock manure do you intend to import onto your holding in 2008 (kgs) ?4. How much Nitrogen from grazing livestock manure do you intend to export from your holding in 2008 (kgs) ?

SECTION D: NON-GRAZING LIVESTOCK MANURE DETAILS

5. Estimated Nitrogen produced from non-grazing livestock manure on your holding in 2008 (kgs)6. How much Nitrogen from non-grazing livestock manure do you intend to import onto your holding in 2008 (kgs) ?7. How much Nitrogen from non-grazing livestock manure do you intend to export from your holding in 2008 (kgs) ?

SECTION E: DECLARATION/UNDERTAKING TO BE COMPLETED BY APPLICANT

I declare that, to the best of my knowledge, the particulars given by me in this form are correct and that I undertake to comply with all the derogation conditions set out in the summary of the measures attached.

SIGNED: John Smith DATE: 9th Feb 2008DATE STAMP
(for official use only)FILE REFERENCE
(for official use only)

Completed forms to be submitted on or before **1 March 2008** to:
EHS-Water Management Unit, Agricultural Regulation Team,
17 Antrim Road, Lisburn, BT28 3AL

WORKED EXAMPLE

Ensuring that nitrogen from grazing and non-grazing livestock manure does not exceed the 250kg N/ha/yr and 170kg N/ha/yr limits.

For a farm with 100 dairy cows and followers and a 20,000 broiler unit selling 132,000 birds per annum.

Land requirements for grazing livestock manure

$$C + D - E \text{ divided by } 250\text{kg N/ha/yr} \\ (11500 + 0 - 0) \text{ divided by } 250\text{kg N/ha/yr} \text{ equals a land requirement of } 46 \text{ ha}$$

Land requirements for non-grazing livestock

$$F + G - H \text{ divided by } 170\text{kg N/ha/yr} \\ (5095 + 0 - 4500) \text{ divided by } 170\text{kg N/ha/yr} \text{ equals a land requirement of } 3.5\text{ha}$$

Minimum land requirement for the farm to comply with derogation equals the land requirement for grazing and non-grazing livestock manure

$$(46 + 3.5 = 49.5\text{ha})$$

Grassland area of example farm is 53.5ha and therefore the farm can comply.

If the land requirement is greater than the actual grassland area of the farm then steps must be taken to reduce the livestock manure nitrogen.



*Our aim is to protect, conserve and promote
our natural and built environment for the
benefit of present and future generations.*

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www.ehsni.gov.uk

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