

Storing & Handling of Ammonium Nitrate Fertiliser

Storing and handling ammonium nitrate fertiliser is attracting a lot of attention at the moment, not only from the Health and Safety Executive but also the Fire and Rescue Service and the National Counter Terrorist Office.

As well as the Health and Safety at Work Act 1974 it is controlled by the Ammonium Nitrate Materials Regulations, Dangerous Substances (Notification and Marking of Sites) Regulations and Carriage of Dangerous Goods Regulations.

Ammonium Nitrate is used in explosives and is a dangerous substance and whilst most of the regulations refer to a nitrogen content above 28%, the Security Services are interested in anything over 16%.

Selling it, for instance in a farm sale, requires a Detonation Resistance Test Certificate and any farm storing over 25 tonnes should have a risk management system in place ensuring that the Fire Service and Enforcing Authority are provided with the details.

A management plan is relatively simple and not expensive to put in place and without one the liabilities and penalties can be extremely severe.

Our Range of Professional Services Include:-

- Sales of Farms & Land
- Land & Estate Management
- Valuations
- Single Payment Scheme
- Environmental Schemes
- Tax Planning
- Planning & Development Advice
- Dispute Resolution
- Compulsory Purchase
- Woodland & Forestry
- Live & Deadstock Sales

If you would like further information or assistance with any of the above topics please contact a member of our professional team

James Stephenson Richard Tasker Edward Stephenson Rod Cordingley
Sarah Hogg Bill Smith Davina Fillingham Richard Morley

s&s@stephenson.co.uk

York Auction Centre, Murton, York, YO19 5GF

Tel: 01904 489731 Fax: 01904 489782 www.stephenson.co.uk

AGRICULTURAL NEWSLETTER AUTUMN 2008

Roads, Pylons and Pipelines

Over the coming months the government has promised to commission a whole raft of public works to try and kick start the economy.

These projects could include new roads, gas or water pipelines, electricity line upgrades, and other public works and some may effect you.



There is a common misconception that the statutory compensation does not cover professional fees, but this is entirely wrong.

All your professionals fees, including ours as surveyors and your solicitor's, will be payable by the public utility company carrying out the work and even your own time is compensatable.

If you get approached by any contractor or utility company wanting to make use of your land or property please get in touch immediately for advice.

Sugar Beet Restructuring Aid

If you held a Sugar Beet Contract with British Sugar during 2006, 2007 or 2008 you are entitled to receive the Sugar Beet Restructuring Aid. This also applies if you renounced your contract to British Sugar in the autumn of 2006.

The Rural Payments Agency have recently sent out blue forms headed **Application for Restructuring Aid BSRA1** to all Sugar Beet Growers which need checking, signing and returning to the Rural Payments Agency by **31st October 2008**.

If you have not received your application form, please contact the Office.

Estate Planning and the Next Generation

New Labour has consistently changed the ground rules for the two major property taxes of Inheritance Tax and Capital Gains Tax; that is apart from introducing Stamp Duty Land Tax as a further burden.

These shifting sands make it all the more important to get your estate planning in order so that the hard earned wealth of one generation is not passed over to the Chancellor instead of to the next generation.

We are increasingly consulted to advise on estate planning strategy and with our specialist knowledge have been able to link the views of the other professional, legal and accounting advisors.

If you want to plan your estate in an orderly fashion or review your existing strategy, please contact James Stephenson and his team in strict confidence.

Revised Entry Level Scheme Options for New Agreements

Natural England have introduced some minor changes to Entry Level Scheme which took effect on the 1st October, these changes will only apply to new schemes entered after this date. Examples of the changes to the scheme include increased maximum plot sizes for:

- Pollen and Nectar Mixes from 0.50ha in the old scheme to 1ha,
- Field Corner Management from 1ha in the old scheme to 2 ha,
- Wild Bird Seed Mix from 0.50ha in the old scheme to 2ha.

The scheme continues to provide a payment of £30 per hectare and can in many cases be entered with minimal impact on the current farming practices.

If you would like an application preparing or some advice on the Environmental Schemes please contact us. - **We can now submit ELS Applications online-**

Extension of Nitrate Vulnerable Zones & New Regulations.

From the 1st January 2009 the area of Nitrate Vulnerable zones will be increased to cover approximately 70 % of England, maps of the new areas can be viewed on the DEFRA website. Landowners can appeal against the inclusion of their land within the new NVZ boundaries, this will involve submitting a written statement to the Secretary of state by the 31st January 2009.

The regulations will impose new obligations on farmers, for more information on how to comply with the new requirements, together with details of grants available for manure storage or to appeal against your inclusion in the new NVZ area please contact us.

Countryside Stewardship Scheme Capital Items- Money Available

Natural England has additional funding available to existing Countryside Stewardship Scheme Holders for new capital works or amendments.

Priority will be given to projects that can be carried out before February 2009, so if you think you would like some money towards projects such as hedge or tree planting now is the opportunity to apply.

Money may also be available for a wider variety of longer term works including traditional building restoration, orchard work and ponds.

The deadline for applications is **15th November** and Natural England will aim to inform people of their decision within 10 days of receipt.

If you would like any further information on the above then please contact Sarah Hogg.

New Entitlements for Permanent Fruit & Vegetables, Nursery Crops and Vines

As a result of the EU Fruit & Wine reforms the following land will be eligible for the 2009 single payments scheme using existing entitlements, growers can **apply now for new entitlements for 2010** to cover land that has not been eligible in the past:-

- Permanent fruit and vegetables
- Commercial orchards
- Nursery crops
- Vines



The new entitlements will be subject to a minimum area of 0.30 hectares and will be issued with **unit value equivalent to the a flat rate regional area payment in 2010** expected to be in the region of €230 per hectare.

All eligible parties must register their interest by 31st December 2008—for more information on whether you are eligible and how to register please contact us.

2008 SPS Exchange Rate

The 2008 Single Payment Scheme Exchange rate was set on 30th September 2008 at **€1=0.79030**, claimants entitlements are therefore worth approximately 9% more than last year when converted into pounds sterling— one positive effect of the credit crunch!