

SCHEDULE 1

PART I

6

Application to land of purchased manure and fertiliser, whether organic or inorganic

A

Purchased fertilisers containing nitrogen, phosphate or potash

I. Fertilisers other than bulky organic manures:

(1) Where no crop has been taken from the land since the fertiliser was applied, the value shall be the reasonable cost of the fertiliser as applied to the land (including the cost of delivery and application).

(2) Where one crop or more has been taken from the land since the fertiliser was applied, the value shall be,—

- (a) for nitrogen contained in the fertiliser, nil;
- (b) subject as provided below, for each Unit of phosphoric acid (as P_2O_5) contained in the fertiliser, the amount calculated in accordance with Table 2 below:

Provided that—

- (i) where a phosphatic fertiliser contains less than one-tenth of its total phosphoric acid content in an insoluble form, as indicated by the solubility test appropriate to that fertiliser, its total phosphoric acid content shall be treated as soluble;
 - (ii) where a phosphatic fertiliser other than a fertiliser specified and applied as described in items 2(a), 2(b)(i) or 3(a) in Table 2 contains more than one-tenth of its total phosphoric acid content in an insoluble form, the value shall be restricted to and determined only for each Unit of phosphoric acid in soluble form in that fertiliser;
 - (iii) for the purpose of this sub-paragraph, permanent grassland shall be taken to mean grassland which at the termination of the tenancy has been established for five or more years;
 - (iv) in the case of land situated in an area in which rapid fixation of phosphate occurs, the foregoing provisions of this sub-paragraph shall not apply and the value for each Unit of phosphoric acid contained in fertiliser applied to that land shall be the residual value (if any) determined in accordance with scientific evidence and by reference to the reasonable cost of the fertiliser as applied to the land (including the cost of delivery and application);
- (c) for each Unit of potash (K_2O) contained in the fertiliser, the amount calculated in accordance with Table 3 below:

Provided that—

- (i) where a vegetable crop has been produced from the land following the application of the fertiliser and the majority of the stem and leaf was removed, the value shall be nil, but where the said majority was left on the land, the value shall be calculated in accordance with item 1 in Table 3, and where an intermediate proportion of stem and leaf was removed, the value shall be calculated in accordance with such proportion;
- (ii) in the case of land comprised in holdings which are entirely or mainly horticultural holdings, the value shall be calculated in accordance with item 1 in Table 3.

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(3) For the purposes of sub-paragraph (2) above, a Unit of nutrient (phosphoric acid (as P₂O₅) or, as the case may be, potash (K₂O)) is the amount of nutrient contained in one per cent of a tonne of fertiliser calculated on the basis of the percentage content of the nutrient in the fertiliser as stated in the relevant statutory statement given in relation to the fertiliser under section 68 of the Agriculture Act 1970.

TABLE 2

Unit Value of Phosphoric acid (as P₂O₅) in one per cent of a tonne of fertiliser

<i>After Nature of fertiliser</i>	<i>ONE</i>	<i>TWO</i>	<i>THREE</i>
<i>growing seasons</i>	<i>P</i>	<i>P</i>	<i>P</i>
1. Organic forms and inorganic forms (including basic slag) but excluding rock phosphates and calcined calcium aluminium phosphate	142	71	35
2. 'Soft' ground rock phosphates(1) applied in—			
(a) areas with a mean excess winter rainfall(2) of 450mm or more	142	71	35
(b) areas with a mean excess winter rainfall(3) of less than 450mm			
(i) Permanent grassland	142	71	35
(ii) Other crops	nil	nil	nil
3. Other ground rock phosphates applied in—			
(a) areas with a mean excess winter rainfall(4) of 450mm or more	35	35	35
(b) areas with a mean excess winter rainfall(5) of less than 450mm	nil	nil	nil
4. Calcined calcium aluminium phosphate	The value, if any, shall be such as may be determined in accordance with scientific evidence		

II. Bulky organic manures brought on to the holding:

Subject to sub-paragraphs (3) and (4) below, the values of bulky organic manures brought on and applied to the holding shall be in accordance with the provisions of sub-paragraphs (1) and (2) below:

(1) Farmyard manure:

(a) Where no payment was made for the manure and—

- (i) no crop has been taken from the land since the manure was applied, the value shall be the cost of delivery and application;

(1) 'Soft' ground rock phosphates in this Table means the material of that name described in Group 2(a) in Section A of Schedule 1 to the Fertilisers Regulations 1977.

(2) Data of the mean excess winter rainfall in different areas of England and Wales are produced by the Meteorological Office.

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- (ii) one crop or more has been taken from the land since the manure was applied, the value shall be, after the first growing season, one-half,

TABLE 3

Unit Value of Potash (K₂O) in one per cent of a tonne of fertiliser

<i>After Type of crops to which fertiliser applied growing seasons</i>	<i>ONE</i>	<i>TWO</i>	<i>THREE</i>
	<i>p</i>	<i>p</i>	<i>p</i>
1. Applied to arable crops (except forage crops) and all root crops where tops are left on the land, except potatoes (see also 4 below)	66	33	nil
2. Applied to leys, permanent grassland or forage crops which are grazed or the product cut and fed on the holding	66	33	nil
3. Applied to leys and permanent grassland the product of which is cut and removed from the holding	nil	nil	nil
4. Applied to roots (including potatoes) and forage crops which are removed from the holding	nil	nil	nil

and after the second growing season, one-quarter, of the cost of delivery and application, and thereafter, nil;

- (b) Where payment was made for the manure and—

- (i) no crop has been taken from the land since the manure was applied, the value shall be the cost of the manure as applied to the land (including the cost of delivery and application);
- (ii) one crop or more has been taken from the land since the manure was applied, the value shall be, after the first growing season, one-half, and after the second growing season, one-quarter, of the said cost, and thereafter, nil:

Provided that the value of any type of manure specified in Table 4 below shall not exceed the value specified in relation to that type in the appropriate circumstances set out in that Table.

TABLE 4

Value per tonne of purchased farmyard manure

<i>Type of manure</i>	<i>No crop off</i>	<i>After one growing season</i>	<i>After two growing seasons</i>	<i>After three growing seasons</i>
	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>
Cattle (FYM)	430	215	108	nil
Horse (stable manure)	490	245	123	nil
Pig (FYM)	475	238	119	nil

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<i>Type of manure</i>	<i>No crop off</i>	<i>After one growing season</i>	<i>After two growing seasons</i>	<i>After three growing seasons</i>
	<i>p</i>	<i>p</i>	<i>p</i>	<i>p</i>
Poultry (deep litter)	980	490	245	nil
Poultry (broiler manure)	1,165	583	291	nil

(2) Slurry:

Where manure is brought on and applied to the land in the form of slurry, the value shall be the reasonable cost of cartage (if any) and application.

(3) No compensation shall be payable under sub-paragraph (1) or (2) above in respect of the excess (if any) of the rates of application set out in the second column below in relation to the type of bulky organic manure specified in the first column below:—

Bulky Organic Manure

<i>(1)</i> Type applied	<i>(2)</i> Application per hectare per annum
Cattle, horse or pig manure	50 tonnes
Deep litter poultry manure	18 tonnes
Broiler poultry manure	12.5 tonnes

(4) No value shall be given to, and no compensation shall be payable in respect of, any purchased manure applied to land during the last year of the tenancy after the last crop was removed from that land unless such application was made at the written request, or with the written consent, of the landlord.