

Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018, Farming Rules for Water (FRFW) – Nutrient planning under Rule 1 (Regulation 4)

The requirements for this Rule are that for each application of organic manure or manufactured fertiliser the application is planned so that they,

- 4 a (i) Do not exceed the needs of the soil and crop on that land; or
- 4 a (ii) Do not give rise to a significant risk of agricultural diffuse pollution, and;
- 4 b Take into account the weather conditions and forecasts for that land at the time of the application.

RB209, the most widely recognised Nutrient Management Guide, helps farmers and land managers and advisers to make the most of organic materials and balance the benefits of fertiliser use against the costs - both economic and environmental. It gives recommendations on major nutrient requirement (N, P, K, and Mg) of most, if not all, crops grown in the UK. It contains recommendations for optimising nutrient uptake by crops to help minimise an excess in the soil

The Environment Agency finds that, according to the RB209, there is no agronomic justification for crop available nutrient applications, particularly of nitrogen, to many crops in the autumn. Organic manure applications during this period are unlikely to satisfy a genuine soil and crop need. If you feel there is a legitimate crop need you need to be able to justify this in your nutrient management plan and you might wish to consult with a FACTS Qualified Adviser to help prepare this. (<https://basis-req.co.uk/scheme-facts>)

To ensure compliance in any year we strongly recommend all farms, in all parts of England, provide a minimum of 6-months storage capacity for all slurry produced and held on the farm, with rainfall additions calculated on a 1 in 5 year (wetter than average) basis (e.g. October to March). The AHDB slurry Wizard can be used to do this calculation (<https://ahdb.org.uk/knowledge-library/slurry-wizard>). In high risk site and soil conditions a greater capacity may be required.

Note that a greater of storage capacity can be achieved by keeping clean water out of stores. For instance, regularly scrapping/brushing dairy parlours before washing down, covering yards, diverting clean water through a separate management system and exporting slurry elsewhere where it is safe and compliant to do so. Grazing can be extended too, although farmers must be careful not to swap one diffuse pollution problem for another under FRFW (e.g. poaching and associated runoff).

If you're planning on spreading any manufactured fertilisers or organic manures (including organic wastes being spread for agricultural benefit) in the autumn you should ensure that you can justify any application as part of this plan. We may request a copy of your plan.

Please note that your plan should demonstrate that each nutrient application is in accordance with a genuine soil and crop need and is not, for instance, to justify a crop response which would have occurred anyway.

We have sent you this letter as part of our advice and guidance to land managers on compliance with the Regulations but reserve the right to take further enforcement action where appropriate and necessary.

Further sources of information – Rules for farmers and land managers to prevent water pollution. What you must do to manage manure, fertiliser and soil to prevent runoff, erosion and leaching. Please use the following four hyperlinks;

- <https://www.gov.uk/guidance/rules-for-farmers-and-land-managers-to-prevent-water-pollution>
- <https://www.gov.uk/government/publications/farming-rules-for-water-in-england>
- <http://www.farmingadvice.service.org.uk/sites/default/files/docs/2020-09/Farming-rules-for-water-Rule-1-v2.pdf>
- <https://ahdb.org.uk/RB209>

If you have any questions or if you would like to discuss these Regulations, please contact your local Environment Agency officer.