

A large, light green circular graphic containing a white stylized figure with arms raised, set against a background of white, cloud-like shapes.

The White Peak Partnership Advisors Training Day

New Farming Rules for Water

Paul Chambers
Environment Officer

Farming Rules for Water

- Enabling legislation is The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018
- Came into force on 2 April 2018
- Set out provisions to reduce and prevent pollution of coastal waters, inland freshwaters and groundwater from diffuse agricultural sources
- Apply to farmers (“land managers”) in England

DEFRA's New 'Farming Rules for Water'

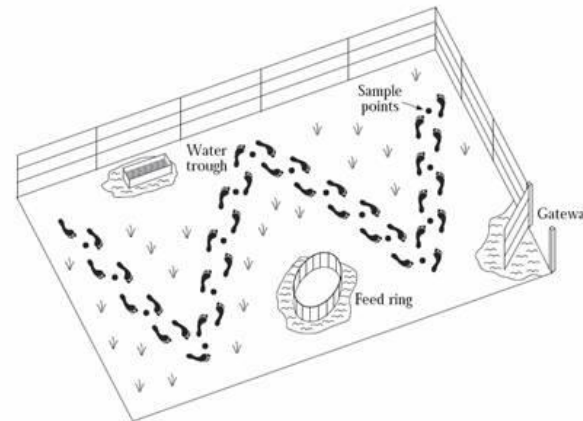
- All farmers in England need to follow a new set of farming rules for water
- The rules:
 - promote good practice in managing fertilisers and manures
 - encourage land managers to take reasonable precautions to prevent diffuse pollution from runoff or soil erosion
 - fulfil obligations of the Water Framework Directive

Farming Rules for Water

- Based on 'Best Practice'
- Designed:
 - to protect and improve water quality and the environment as a whole
 - to be simple and aligned with existing rules
 - to be proportionate, practical and reasonable
 - to be collaborative, in line with responses to 2015 consultation and government's 25 year plan for the environment
- Full definitions are in the legislation

Rule 1: planning use of manures and fertilisers

- Application of organic manures and manufactured fertilisers to cultivated land must be planned in advance to meet soil and crop nutrient needs and not exceed these levels
- Planning must take into account the significant risk of pollution and the results of testing for Phosphorus, Potassium, Magnesium, pH and Nitrogen levels in the soil
- Soil testing must be done at least every 5 years



“Significant risk of pollution”

- Take into account the following factors:
 - slope of land, especially if slope is greater than 12 degrees
 - any ground cover
 - proximity to inland fresh waters, coastal waters and wetlands
 - weather conditions and weather forecasts
 - soil type and condition
 - presence and condition of agricultural land drains
- Places emphasis on farmer to do the right thing

Rule 2: storing organic manures

- Organic manures must not be stored on land:
 - within 10 metres of inland freshwaters or coastal waters
 - where there is significant risk of pollution entering inland freshwaters or coastal waters
 - within 50 metres of a spring, well or borehole



Rule 3: applying manures or fertilisers

- Organic manures or manufactured fertilisers must not be applied:
 - if the soil is waterlogged, flooded, or snow covered
 - if the soil has been frozen for more than 12 hours in the previous 24 hours
 - if there is significant risk of causing pollution



Rule 4: where not to apply organic manures

- Organic manures must not be applied:
 - within 10 metres of any inland freshwaters or coastal waters, or within 6 metres of inland freshwaters or coastal waters if precision equipment is used
 - within 50 metres of a spring, well or borehole



Rule 5: where not to apply fertiliser

- Manufactured fertiliser must not be applied within 2 metres of inland freshwaters or coastal waters



Rule 6: reasonable precautions to prevent soil erosion

- Take all reasonable precautions to prevent significant soil erosion and runoff from:
 - the application of organic manure and manufactured fertiliser
 - land management and cultivation practices, e.g. seedbeds, tramlines, rows, beds, stubbles (including harvested land with haulm), polytunnels and irrigation
 - poaching by livestock



Rule 7: protecting against soil erosion by livestock

Any land within 5 metres of inland freshwaters and coastal waters must be protected from significant soil erosion by preventing poaching by livestock by, for example:

- Moving livestock regularly
- Fencing off watercourses
- Wintering livestock on well-drained, level fields



Rule 8: position of livestock feeders

- Livestock feeders must not be positioned:
 - within 10 metres of any inland freshwaters or coastal waters
 - within 50 metres of a spring, well or borehole
 - where there is significant risk of pollution from poaching around the feeder entering any inland freshwaters or coastal waters



Compliance and Enforcement

- DEFRA expect that most farmers already comply
 - Farmers need to review and check that they do
 - Non-compliance is an offence and could result in a fine or Civil Sanction (restoration notice, compliance notice, stop notice, fixed or variable monetary penalty, enforcement undertaking)
- Environment Agency will:
 - Provide advice and guidance on new rules
 - Regulate the new rules;
 - as part of existing programme of work
 - in line with enforcement and sanctions policy
 - using existing enforcement tools, starting with advice and guidance
- Rules will be reviewed in 3 years
- Monitor improvement in water quality through existing programmes

Summary and further guidance

- April 2018 new 'best practice' rules aimed at protecting water from agricultural diffuse pollution came into force
- Focus on fertilisers, manures and soil management
- Most farmers will already comply through good practice, Cross Compliance and NVZ rules
- EA will regulate through existing programme of advice and guidance
- Review in 3 years

- Search 'Farming Rules for Water' on GOV.UK
- EA Customer Contact Centre 03708 506 506



Thank you for listening!

Any questions?

Paul Chambers – 07802 329140