



Llywodraeth Cymru
Welsh Government

SMR 1: Water Protection

April 2021

The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 require all farms in Wales to protect water from pollution. Agricultural pollution can be detrimental to public health, the environment, local communities and to the agricultural industry itself.

The regulations specify measures which must be carried out if you intend to undertake certain agricultural activities. While the regulations apply to all land in Wales, transitional periods have been provided for certain requirements, for land not previously falling within a Nitrate Vulnerable Zone. Further details are available from the Welsh Government Website.

Requirements applying to all land from 1 April 2021

- Comply with closed periods for manufactured nitrogen fertilisers (exemptions may apply – see guidance).
- Further clarification regarding closed periods for applying manufactured Nitrogen fertiliser are set out in the Control of Agricultural Pollution Regulations guidance which can be found at gov.wales/land-management
- Make sure that silage storage systems are built in accordance with the relevant construction standards, and field silage site rules are met (see guidance).
- Comply with any notices served by Natural Resources Wales (NRW) that require improvements to be made to an installation or field silage site.
- Carry out regular inspections of installations and make timely repairs where necessary.
- Notify NRW in writing about a new, substantially enlarged, or substantially reconstructed silo or slurry storage system at least 14 days before beginning construction (applies from 28 April 2021).
- Notify NRW of the place where field silage (made on open ground) is to be made at least 14 days before that site is first used.

- Spread organic materials and fertilisers as accurately as possible and in a way which does not contaminate water courses (manufactured nitrogen fertilisers must not be spread within 2 metres of a surface water and organic manure must not be spread within 10 metres), taking into account: slope, ground cover, proximity to surface water, weather conditions, soil type and presence of land drains.
- When applying organic manure to bare soil or stubble, you must incorporate it into the soil as soon as possible, and within 24 hours at the latest (exemptions may apply – see guidance).
- Additional requirements will apply from 1 January 2023 and 1 August 2024 – these are set out in the Control of Agricultural Pollution Regulations guidance. You should ensure you are able to comply with these changes from 1 January 2023 and 1 August 2024.

Requirements applying only to land previously within a Nitrate Vulnerable Zone (NVZ)

- A map of land previously falling within a Nitrate Vulnerable Zone (NVZ) can be viewed at www.lle.gov.wales/catalogue/item/NitrateVulnerableZonesNVZ/?lang=en
 - Comply with closed periods for organic manure and manufactured nitrogen fertilisers.
 - Ensure adequate storage capacity for all livestock manure or slurry to meet the requirements of the closed periods and associated rules set out within guidance.
 - Make sure that slurry and silage storage systems meet requirements for capacity, durability, maintenance and safety zones, are built in accordance with the relevant construction standards, and field silage site rules are met (see guidance).
 - Comply with rules on the location and storage of solid manures.
 - Comply with any notices served by Natural Resources Wales (NRW) that require improvements to be made to an installation or field silage site.
 - Carry out regular inspections of installations and make timely repairs where necessary.
 - Notify NRW in writing about a new, substantially enlarged, or substantially reconstructed installation (silo or slurry storage system) at least 14 days before the structure is to be constructed (applies from 28 April 2021).
- Notify NRW of the place where field silage (made on open ground) is to be made at least 14 days before that site is first used.
 - Take all sources of nitrogen into account when calculating nitrogen crop requirements.
 - Limit the total nitrogen in livestock manure applied to land either by spreading, or directly grazing animals so as not to exceed of 170kg/ha across the farm.
 - Do not spread more than 250 kg/ha total nitrogen in organic material on any given hectare.
 - Control the spreading of nitrogen fertiliser and organic manure and produce a risk map.
 - Spread organic materials and fertilisers as accurately as possible and in a way which does not contaminate water courses (manufactured nitrogen fertilisers must not be spread within 2 metres of a surface water, and organic manure must not be spread within 10 metres), taking into account: slope, ground cover, proximity to surface water, weather conditions, soil type and presence of land drains.
 - Spread slurry using equipment with a low spreading trajectory (below 4 metres from the ground).
 - Maintain farm records as required for at least 5 years.

Field checks applying to all land from 1 April 2021

- Check compliance with the Control of Agricultural Pollution Regulations.
- Check for notice to NRW of any planned new construction of a slurry or silage storage system.

Field checks applying only to land previously within a Nitrate Vulnerable Zone (NVZ)

- Check compliance with the Control of Agricultural Pollution Regulations.
- Check relevant records – nitrogen plans, cropping, livestock numbers, fertiliser/manure/slurry usage and field risk map.
- Check actions have been taken in line with any notices issued by NRW.
- Assess capacity, durability, maintenance and safety zones (including those for the making of silage and storage of silage and slurry).
- Assess farmer's regular inspection regime (inspection plan and records, as appropriate for the installation and components) and check for corrosion, damage and leaks.
- Do not go into silage effluent tanks – inspect them from the outside only.

Good practice

- Notify NRW before you plan a new, substantially enlarged or substantially reconstructed installation (silo or slurry storage system), to ensure the installation will be compliant and costly alterations can be avoided.
- Obtain copies of guidance literature to help you comply with all the requirements
- Ensure regular soil and manure analysis and use the results to influence nutrient planning.
- Refer to the Guidance which provides a template as an aid to completing the necessary plan, records and calculations which can be accessed at: gov.wales/land-management.
- Share your risk map with contractor.

For further information please contact:

- Natural Resources Wales.
- See 'Useful Contacts' factsheet within this pack.