



## Farming Rules for Water: Organic manures and manufactured fertilisers

### October 2021

*Wildlife and Countryside Link is a coalition of 62 organisations working for the protection of nature. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline.*

#### Summary

- The Farming Rules for Water (FRfW) are an essential tool in the delivery of climate and nature objectives in England.
- Relaxing the existing FRfW would be a regressive step and hamper the development of a sustainable, resilient climate-safe farming sector.
- Non-compliance with the rules is already considerable with significant effects on water quality, GHG emissions and biodiversity.
- The focus should be on facilitating compliance, improving understanding of regulation, and making inspection and enforcement more effective, with a focus on improving rates of compliance, rather than weakening current environmental requirements.

#### Introduction

[The Farming Rules for Water](#) (FRfW) are an essential tool in the delivery of climate and nature objectives in England. Rule One ensures that each application of organic manure must be planned so that it neither exceeds the needs of the soil or crop on that land, nor creates a significant risk of agricultural diffuse pollution.

There has been growing pressure from industry to relax this rule, with arguments centring around the practicalities of achieving compliance and that it may impede efforts to improve soil health and build soil organic carbon. However, such management has been a recommended part of Good agricultural practice for decades prior to its incorporation into the FRfW. There are several alternatives that farmers can adopt to build soil health without the risk of pollution. Considering the significant water quality issues England currently faces, weakening Rule One would be a clear step backwards, when the focus should be on acting on climate change, biodiversity loss and improving the state and quality of our freshwater environment.

#### The issues

[The Defra fertiliser survey 2019](#) suggests that that cattle farmyard manure (FYM) was applied across 2.1 million ha at an average application rate of 100–110 kgN/ha and cattle slurry was applied across 1.5 million ha (some overlap with FYM area) at an average application rate of 70–80 kgN/ha.

It also suggests that nearly half of organic manures applied are not incorporated within the timeframe

stipulated by the FRfW – when applied in this way outside the growing season, there is clearly a significant risk of diffuse pollution of air and watercourses.

Diffuse pollution from agriculture is the cause of [40% of waters](#) failing to achieve Water Framework Directive targets and Environment Agency monitoring data shows that the application of excess nutrients is the biggest cause of this. In 2015, 81% of groundwater bodies were found to have poor status or be at risk at failing the objectives through nitrate concentrations, and the graph below highlights the ongoing problem of Nitrate concentrations in English rivers.

Waste and manure management also account for 16% of [agricultural GHG emissions](#), which must be a key area of focus in the path to Net Zero. This adds emphasis to the importance of interventions reducing emissions, particularly from manure management.

### Action to date

The FRfW can make a significant contribution to tackling these issues, provided sufficient resource is allocated towards more effective advice, inspection, monitoring and enforcement. The Environment Agency had been making progress in identifying and advising on instances of excess nutrient application but have now issued a [Regulatory Position Statement](#) which backs away from this. This significantly undermines the Agency's position and action to date, and any further calls to weaken these protections cannot be justified in a sustainable, resilient and climate-safe farming sector.

### Risks and implications

Any relaxation of the FRfW, would undermine efforts aimed at protecting biodiversity, air & water quality and mitigating climate change, such as those envisioned within the [Net Zero Strategy](#) and ELMs.

Furthermore, there are legal implications associated with the removal of basic measures for water protection. The FRfW were introduced as a basic measure to “*prevent or control diffuse sources of pollution*” to comply with the **Water Environment (Water Framework Directive) (England and Wales) Regulations 2017**. Given the concerning statistics above, it is difficult to imagine how statutory environmental objectives could be met if the FRfW are pared back. A change would undermine the purpose of the FRfW and risk breaching statutory duties under the Water Environment Regulations 2017.

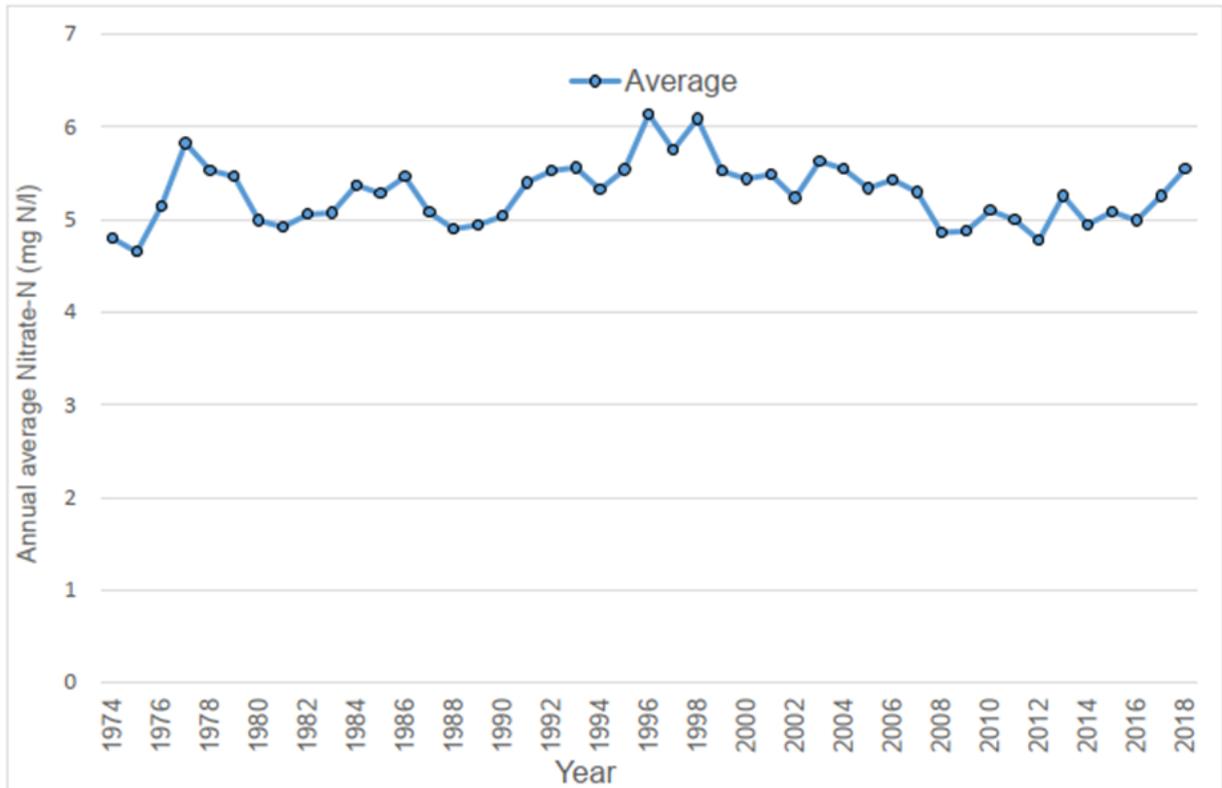
The rules laid down in the 2018 Regulations reflected what had been recommended as part of good farming practice since at least 1991.<sup>1</sup> It is misleading to argue that the requirements of the RPS are “impractical” especially as many issues can be overcome by effective planning and preparation. Further arguments have been made around restrictions on the ability to build soil organic matter, there are numerous other ways to achieve this goal, which do not pose a pollution risk, such as the incorporation of cover crops.

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<sup>1</sup> “To a very great extent indeed, what was laid down in the 2018 Regulations merely reflected what had been recommended to farmers as good agricultural practice certainly since 1991, and in many respects since 1985, including The Code of Good Agricultural Practice (MAFF 1985)” Salmon and Trout Conservation ‘Doing its job?': available at [https://salmon-trout.org/wp-content/uploads/2021/04/Doing-its-job.stc\\_.pdf](https://salmon-trout.org/wp-content/uploads/2021/04/Doing-its-job.stc_.pdf)

### Conclusion

Any relaxation of current rules would be a clear step backwards, when more must be done if agriculture and land management are to help meet nature and climate commitments. Instead, Government should focus on supporting compliance and establishing a robust regulatory baseline to drive greater levels of compliance and improve the state and quality of the environment.



Annual average concentration of nitrate in English rivers from 1974-2018