

Advice to farmers

Managing manure after prolonged wet weather

September 2012

This note explains how to respond to the current wet weather to minimise the risk of polluting the environment.

Advice to farmers

1. To spread safely - continue to follow the advice on how to spread safely that is given in section 5.4 of the [Code of Good Agricultural Practice \(CoGAP\)](#). You must also follow the Nitrate Vulnerable Zone (NVZ) requirements on spreading explained in Guidance leaflet 8, if your land is designated as NVZ¹. This will minimise the immediate problems of lost resources, pollution and soil damage.
2. You should urgently review your infrastructure to check that you are minimising clean water draining into slurry stores, including maintenance such as gutter cleaning. CoGAP paragraph 192 gives advice on this.
3. You should consider what other options may be possible. Additional suitable temporary storage could be provided for slurry; section 4.3 in CoGAP can help you to decide what is suitable. Alternatively you may be able to export slurry so that it may be safely reused elsewhere.
4. You should take every opportunity to keep your livestock out but without causing soil damage, so that slurry production is minimised.
5. Manure, and in particular slurry, that is applied to land when the crop cannot make use of it will be washed or leached from the soil into surface water or groundwater, and will cause pollution. This is the reason for CoGAP advice on timing of applications in paragraph 384, which is made a requirement for high available N manures in the NVZ closed periods. If you cannot avoid spreading at times when you think there is a risk of slurry washing off or leaching, you should:
 - i. produce a contingency plan of how your spreading will be done. Such a plan will be flexible, having to respond to the changing conditions. The plan can be simple, but should show how you have decided which land you is best to use. You should use a Manure Management Plan to identify lower risk land on which slurry may be spread with relatively little risk, and high risk land, which is likely to be unsuitable. This should be part of your contingency plan;
 - ii. spread no more than 30 cubic metres per hectare for slurry, or 8 tonnes per hectare for poultry manure, allowing three weeks between each spreading;
 - iii. use as much land as safely possible so that the impact is reduced;
 - iv. assess the risks of both pollution and soil damage when deciding which land to spread on;
 - v. do not import any off-farm organic manures such as food processing wastes unless you know that you will be able to manage your own manures safely and legally through to the growing season in 2013;
 - vi. keep a record of the amount, date and field location of each application – this is a requirement in NVZs.

As a general principle it is a business responsibility to make contingency arrangements; to decide how much storage you need to manage manures you need to take account of the 'reasonable worst case'

¹ See maps of existing designated areas and proposed revisions for 2013 at www.defra.gov.uk/food-farm/land-manage/nitrates-watercourses/nitrates/

scenario. The regulatory minimum storage volume in either SSAFO² or the NVZ Regulations³ is unlikely to be sufficient for this.

It is still an offence to cause or knowingly permit entry of polluting matter to water. When we decide what action to take, as always, we will consider the actions you took to prevent and minimise pollution. If you break the law we can:

- issue a warning letter
- give a formal caution
- issue an anti-pollution Works Notice
- apply a Civil Sanction
- prosecute

It also remains an offence to spread slurry (and other manures with high available nitrogen) in an NVZ during the closed period. If you do so, we will consider the local weather history, the way that you have applied this advice and your compliance with the current slurry storage rules on your holding. Then we will decide whether to take enforcement action under that legislation.

Background information

2012 has seen the wettest spring/early summer on record and continued above-average rain through the summer months in many parts of the country. Farmers' efforts to recycle all their slurry in preparation for the autumn are being hampered. Continuing poor weather in parts of the country is delaying harvests, which will in turn set back the timing of post-harvest slurry spreading.

Good practice for farmers in re-using manures for their fertiliser value covers three elements:

- spreading in the right conditions,
- spreading what crops need,
- spreading when crops need it.

The typical agricultural practices and farming intensities that are followed in the UK rely on 'normal' conditions (that is, not moving too far from average) to be able to meet these. In the current conditions, soils may often be too wet or heavy rainfall may be forecast, which means that slurries cannot be applied or harvests are delayed. This can have a disrupting effect on the farming calendar. Evidence on farm infrastructure that we have collected, together with anecdotal information suggests that it is unusual for farms to have enough slurry storage to respond to such contingencies.

If slurry is spread in the wrong conditions, it is likely to lead to soil damage and/or water pollution. Every effort should be made to avoid or minimise these effects. Following the advice above will help.

It would not be appropriate to give guarantees of immunity from enforcement action in these circumstances. Different farmers face varying weather conditions and impacts on their farms, and so the issues are not all the same. However, the way that farmers have approached the problem, and how this advice has been applied will be taken into consideration in deciding what action, if any, is appropriate.

² Water resources (Control of pollution) (Silage, slurry and agricultural fuel oil) Regulations 2010

³ Nitrate Pollution Prevention Regulations 2008