
STATUTORY INSTRUMENTS

2015 No. 668

The Nitrate Pollution Prevention Regulations 2015

PART 7

Calculations and records

Annual records relating to storage

26.—(1) Before 30th April each year, the occupier of a holding with livestock must record for the previous storage period the number of animals in a building or hardstanding on the holding during that period and the category for each animal by reference to Schedule 1.

(2) The occupier must also record the temporary field sites used for free-standing heaps as referred to in regulation 23 and the dates of use.

(3) In this regulation, “storage period” has the meaning given in regulation 25(7).

Record of nitrogen produced by animals on the holding

27.—(1) Before 30th April each year, the occupier of a holding with livestock must record—

- (a) the number of animals on the holding during the previous calendar year and the category for each animal by reference to Schedule 1, and
- (b) the number of days that each animal spent on the holding.

(2) The occupier must then calculate the amount of nitrogen in the manure produced by the animals on the holding during that year by reference to Schedule 1.

(3) In the case of permanently housed pigs or poultry, the occupier may (as an alternative to the method referred to in paragraph (2)) use—

- (a) software approved by the Secretary of State, or
- (b) in the case of a system of keeping livestock that only produces solid manure, sampling and analysis in accordance with Part 2 of Schedule 2.

(4) The occupier must make a record of the calculations and how the final figures were arrived at.

(5) Where the occupier uses software approved by the Secretary of State, the occupier must keep a printout of the result.

Livestock manure brought on to or sent off the holding

28.—(1) The occupier of a holding who brings livestock manure on to a holding must, within one week of doing so, record—

- (a) the type and amount of livestock manure,
- (b) the date on which it was brought on to the holding,
- (c) the nitrogen content (if known), and
- (d) the name and address of the supplier.

(2) An occupier who sends livestock manure off a holding must, within one week of doing so, record—

- (a) the type and amount of livestock manure,
- (b) the date on which it was sent off the holding,
- (c) the nitrogen content,
- (d) the name and address of the recipient, and
- (e) details of a contingency plan to be used in the event that an agreement for a person to accept the livestock manure fails.

(3) If the nitrogen content of livestock manure brought on to a holding is not known, the occupier must ascertain it, as soon as reasonably practicable after arrival, and record it within one week of ascertaining it.

(4) For the purposes of this regulation, nitrogen content must be ascertained—

- (a) by using the standard figures in Part 1 of Schedule 2, or
- (b) by sampling and analysis as set out in Part 2 of that Schedule.

(5) This regulation does not apply to a holding on which organic manure is spread only in a greenhouse.

Sampling and analysis

29. A person using sampling and analysis to determine nitrogen content in organic manure must keep the original report from the laboratory.

Records of crops sown

30.—(1) The occupier of a holding must, within one week of sowing a crop on which the occupier spreads or intends to spread nitrogen fertiliser, record the crop sown and the date of sowing.

(2) This regulation does not apply to a crop growing in a greenhouse.

Records of spreading nitrogen fertiliser

31.—(1) The occupier of a holding who spreads organic manure must, within one week of doing so, record—

- (a) the area spread,
- (b) the quantity of organic manure spread,
- (c) the date,
- (d) the method,
- (e) the type of organic manure,
- (f) the total nitrogen content, and
- (g) the amount of nitrogen that was available to the crop.

(2) The occupier of a holding must, within one week of spreading manufactured nitrogen fertiliser, record—

- (a) the date of spreading, and
- (b) the amount of nitrogen spread.

(3) This regulation does not apply to nitrogen fertiliser spread in a greenhouse.

(4) This regulation does not apply in a case where, in any calendar year—

- (a) the requirements under paragraph (5) are met, and
 - (b) the occupier makes a record demonstrating that they are met.
- (5) The requirements under this paragraph are that throughout the year concerned—
- (a) at least 80% of the holding's agricultural area is sown with grass,
 - (b) the total amount of nitrogen in organic manure applied to the holding, whether directly by an animal or spreading, does not exceed 100kg multiplied by the area of the holding in hectares,
 - (c) the total amount of nitrogen from manufactured nitrogen fertiliser applied to the holding does not exceed 90kg multiplied by the area of the holding in hectares, and
 - (d) the occupier does not bring organic manure on to the holding.
- (6) For the purposes of paragraph (5)—
- (a) the area of the holding excludes any land on which the occupier does not spread fertiliser or work the soil, and
 - (b) the total amount of nitrogen in organic manure is to be calculated by reference to the methods described in regulation 14.

Subsequent records

32.—(1) The occupier of a holding who has used nitrogen fertiliser must record the yield achieved by an arable crop within one week of ascertaining it.

(2) Before 30th April each year, the occupier of a holding must record how any grassland was managed in the previous calendar year.

(3) This regulation does not apply to crops in a greenhouse.

FACTS advice

33. Where the occupier of a holding has for any purpose under these Regulations relied on advice from a FACTS adviser, the occupier must keep a copy of the advice.

Keeping records up to date

34.—(1) In a case where the occupier of a holding was required by regulation 35(1) of the old regulations to record by 30th April 2009 (or, in the case of a new holding, 1st January 2014⁽¹⁾) the total size of the holding, the occupier must, if the size of the holding changes, update that record within one month.

(2) Paragraph (1) applies only in so far there is a change in the area of the land on the holding that is not covered by a greenhouse.

(3) In a case where the occupier of a holding was required by regulation 36(1)(b) of the old regulations to record by 30th April 2009 (or, in the case of a new holding, 1st January 2014⁽²⁾) the amount of storage capacity of the holding, the occupier must, if the amount of storage capacity changes, record that change within one week.

(4) If the occupier of a holding introduces animals on to the holding for the first time, the occupier must, within one month of the introduction of the animals, calculate and record—

- (a) the amount of manure that will be produced by the number of animals expected to be kept in a building or on hardstanding during the storage period (as defined by regulation 25), using the figures given in Schedule 1,

(1) See paragraph 12 of Schedule A1 to [S.I. 2008/2349](#).

(2) See footnote (a).

- (b) the amount of storage capacity (in slurry vessels and hardstanding) required to enable compliance with regulation 25, taking into account—
 - (i) the amount of manure intended to be exported from the holding,
 - (ii) the amount of manure intended to be spread on land that has a low run-off risk, and
 - (iii) in the case of a slurry vessel, the amount of liquids other than slurry likely to enter the vessel, and
 - (c) the current storage capacity of the holding.
- (5) The references in paragraphs (1) and (3) to the old regulations are references to the Nitrate Pollution Prevention Regulations 2008(3).

Duration of records

35.—(1) A person required to make a record under these Regulations must keep the record until such time as a period of 5 years has expired since the record ceased to be current (regardless of whether the land in question has in the meantime ceased to be designated as a nitrate vulnerable zone).

(2) The reference in paragraph (1) to a record required to be made under these Regulations includes a reference to a record required to be made under the Nitrate Pollution Prevention Regulations 2008 and in relation to which regulation 45 of those Regulations had effect immediately before the commencement of these Regulations.