WELSH STATUTORY INSTRUMENTS

2021 No. 77 (W. 20)

AGRICULTURE, WALES WATER, WALES

The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021

Made - - - 21 January 2021

Laid before Senedd

Cymru - - - - 27 January 2021
Coming into force 1 April 2021

THE WATER RESOURCES (CONTROL OF AGRICULTURAL POLLUTION) (WALES) REGULATIONS 2021

PART 1

Introduction

- 1. Title, application and commencement
- 2. Transitional measures for holdings not previously in a nitrate vulnerable zone
- 3. Interpretation

PART 2

Limiting the application of organic manure

- 4. Application of livestock manure total nitrogen limit for the whole holding
- 4A Application of grazing and non-grazing livestock manure on qualifying grassland holdings during the relevant period
- 4B Notice requirements
- 5. Spreading organic manure nitrogen limits per hectare

PART 3

Crop requirements

- 6. Planning the spreading of nitrogen fertiliser
- 7. Additional information to be recorded during the year

- 8. Total nitrogen spread on a holding
- 9. Calculating the amount of nitrogen available for crop uptake from organic manure
- 10. Maximum nitrogen limits by crop

PART 4

Controlling the spreading of nitrogen fertiliser

- 11. Risk maps
- 12. When to spread fertiliser
- 13. Spreading manufactured nitrogen fertiliser near surface water
- 14. Spreading organic manure near surface water, boreholes, springs or wells
- 15. Controlling how nitrogen fertiliser is spread
- 16. Incorporating organic manure into the ground

PART 5

Closed periods for spreading nitrogen fertiliser

- 17. Meaning of "organic manure with high readily available nitrogen"
- 18. Closed periods for spreading organic manure with high readily available nitrogen
- 19. Exemptions: crops sown before 15 September
- 20. Exemptions for organic holdings
- 21. Restrictions following the closed period
- 22. Times in which spreading manufactured nitrogen fertiliser is prohibited

PART 6

Storage of organic manure and silage

- 23. Storage of organic manure
- 24. Making or storage of silage
- 25. Storage of slurry
- 26. Exemptions to the storage requirements
- 27. Temporary field sites
- 28. Separation of slurry
- 29. Storage capacity
- 30. Notice requiring works etc.
- 31. Appeals against regulation 30 notices
- 32. Notice of construction etc.

PART 7

Calculations and records

- 33. Recording the size of the holding
- 34. Records relating to storage of manure during the storage period
- 35. Annual records relating to storage
- 36. Record of nitrogen produced by animals on the holding
- 37. Livestock manure brought on to or sent off the holding
- 38. Sampling and analysis
- 39. Records of crops sown
- 40. Records of spreading nitrogen fertiliser

Changes to legislation: There are currently no known outstanding effects for the The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. (See end of Document for details)

- 41. Subsequent records
- 42. Keeping of advice
- 43. Duration of records

PART 8

Monitoring and review

- 44. Monitoring and review
- 45. Alternative measures

PART 9

Enforcement

- 46. Offences and penalties
- 47. Enforcement

PART 10

Miscellaneous

- 48. Revocations
- 49. Consequential amendments Signature

SCHEDULE Amount of manure, nitrogen and phosphate produced by grazing

livestock and non-grazing livestock

SCHEDULE Enhanced nutrient management requirements

1A

- 1. Application of Schedule 1A
- 2. Interpretation
- 3. Livestock manure to be applied to the holding during relevant period
- 4. Soil sampling analysis
- 5. Determining the soil phosphorus index
- 6. Planning the spreading of phosphate fertiliser
- 7. Requirements for enhanced nutrient management plans
- 8. Total phosphorus spread on a holding during relevant period
- 9. Maximum phosphate limits by crop
- 10. Additional information to be recorded during the relevant period
- 11. Risk maps additional requirements
- 12. Maintaining the holding as a qualifying grassland holding
- 13. Closed period for ploughing grass on the holding
- 14. Sowing of crops following grass on the holding
- 15. Crop rotation on the holding
- 16. Recording the size of the holding
- 17. Record of nitrogen and phosphate produced by animals
- 18. Livestock manure intended to be sent off the holding
- 19. Records of crops sown
- 20. Records of spreading phosphate fertiliser
- 21. Recording the date of ploughing
- 22. Fertilisation accounts
- 23. Soil protection measures
- 24. Locations of supplementary feeding and drinking sites for livestock

25. Spreading of slurry during relevant period 26. Spreading organic manure near surface water during relevant period SCHEDULE Fruit species SCHEDULE Calculating nitrogen in organic manure PART 1 — Standard Table PART 2 — Sampling and analysis of organic manure Slurry and other liquid and semi-liquid organic manure 1. 2. Solid manures SCHEDULE Permitted crops for the closed period SCHEDULE Requirements for silos 1. The requirement to be satisfied in relation to a silo... 2 The base of the silo must— (a) extend beyond any... 3. The capacity of the effluent tank must not be less... (1) The base of the silo must be— 4. The base and walls of the silo, its effluent tank... 5. No part of the silo, its effluent tank or channels... 6. If the silo has retaining walls— (a) the retaining walls... Subject to paragraph 9, the silo, its effluent tank and... 7. If any part of an effluent tank is below ground... 9. SCHEDULE Requirements for slurry storage systems 1. The requirements to be satisfied in relation to a slurry... The base of the slurry storage tank, the base and... 2 3. The base and walls of the slurry storage tank, any... The base and walls of the slurry storage tank and... 4. (1) Any facilities used for the temporary storage of slurry... 5. 6. In the case of a slurry storage tanks with walls... No part of the slurry storage tank or any effluent... 7. The slurry storage tank and any effluent tank, channels, pipes... 8. 9. If the walls of the slurry storage tank are not... 10. (1) Subject to sub-paragraph (3), if the slurry storage tank...

Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.