

Detailed guide: Rules for farmers and land managers to prevent water pollution

You must take steps to prevent manure, fertiliser and soil getting into watercourses – known as diffuse water pollution (pollution).

These rules apply to farming or horticultural practices, such as:

- using and storing organic manure (manure) or manufactured fertiliser (fertiliser)
- planting and harvesting
- soil management – for example, ploughing or planting cover crops
- managing livestock on your land

Organic manures are made from one or more animal, plant or human sources. A cover crop is any crop with leaf cover that stops rain falling directly onto the soil.

These rules also apply if you:

- are in a [Nitrate Vulnerable Zone](#)
- receive funding from the [Basic Payment Scheme](#), [Countryside Stewardship](#) or [Environment Stewardship](#)

Assess pollution risks

You must take into account the risks of runoff and soil erosion from these factors:

- the angle of slopes, in particular if the angle is greater than 12 degrees
- amount of ground cover
- distance to inland freshwaters, coastal waters, wetlands, springs, wells or boreholes
- soil type and condition
- presence and condition of land drains

You must identify the risks that apply to your land and your activities.

Before you use manure or fertiliser

You must plan each application of manure or fertiliser on your land.

Applying includes:

- spreading on the surface of the land
- injecting into the soil

- mixing manure or fertiliser with the surface layers of soil

For all farming and horticultural land you must plan:

- how much fertiliser or manure to use, so you don't use more than your crop or soil needs
- by [assessing the pollution risks](#)
- by taking into account the weather conditions and forecasts at the time you want to apply manure or fertiliser on your land

You can use the [Nutrient Management Guide RB209](#) to work out the nutrients your soil or crop needs.

Soil tests for cultivated agricultural land

If you're applying manure or fertiliser to cultivated agricultural land, you must also plan by using the results of soil tests.

Cultivated agricultural land is both or one of the following:

- land you've ploughed, sowed or harvested at least once in the last year
- land where you've applied organic manure or fertiliser at least once in the last 3 years

The results of soil tests must show the pH and levels of:

- nitrogen – you can use [the soil nitrogen supply assessment method \(sns\)](#) instead of a soil test
- phosphorus
- potassium
- magnesium

Soil test results must be no more than 5 years old at the time of application.

Applying fertiliser

You must not use fertiliser:

- on waterlogged, flooded or snow covered soil
- when the soil has been frozen for more than 12 hours in the past 24 hours
- within 2 metres(m) of inland freshwaters, coastal waters, a spring, well or borehole
- where [risk factors](#) mean there's a significant risk of pollution

Using manure

You must not use manure:

- on waterlogged, flooded or snow covered soil
- when the soil has been frozen for more than 12 hours in the past 24

hours

- within 50m of a spring, well or borehole
- within 10m of inland freshwaters or coastal waters unless you're using [precision equipment](#) or you're managing [land for specific environmental benefits](#)
- where [risk factors](#) mean there's a significant risk of pollution

6m exception for precision equipment

You can apply manure no closer than 6m from inland freshwaters or coastal waters if you use:

- a trailing hose or shoe band spreader
- a shallow injector (no deeper than 10cm)
- a dribble bar applicator

Exception for environmental benefits

There's an exception for land you manage for breeding wader birds or as a species-rich semi-natural grassland.

On this land, you can apply livestock manure (not slurry or poultry) within 10m of inland freshwaters and coastal waters if:

- the land is in an Environmental or Countryside Stewardship scheme or it's a [site of special scientific interest \(SSSI\)](#)
- you don't apply manure onto the surface of water
- you only apply the manure from 1 June to 31 October
- you apply no more than 12.5 tonnes per hectare per year

Reduce pollution risks

You must take reasonable precautions to reduce the risk of pollution when you apply manure or fertiliser.

Examples include:

- checking your spreading equipment is calibrated and doesn't leak
- working manure or fertiliser into the soil within 12 hours or as soon as possible after applying it
- checking the organic matter content and moisture level in your soil – you can use the [Nutrient Management Guide RB209](#) or other resources to help you do this

Storing manure

You must take into account [risk factors for runoff](#) when deciding where to store manure on your land.

You must not store it:

- within 10m of inland freshwaters or coastal waters
- within 50m of a spring, well or borehole

Prevent erosion: manage livestock and soil

You must take reasonable precautions to prevent soil loss caused by horticultural and farming activities. Soil loss can lead to erosion and allow pollutants to get into watercourses.

Find out [how inspectors check](#) you're complying with the rules.

Planting, harvesting and soil management

You must take reasonable precautions to reduce the risk of pollution when you carry out activities such as:

- creating farm tracks or gateways
- establishing seedbeds, polytunnels or tramlines
- cleaning out ditches
- installing drainage or irrigation
- irrigating crops
- spraying crops with pesticides, herbicides or fungicides

Examples include:

- planting crops in early autumn and in dry conditions
- planting headland rows and beds across the base of sloping land
- undersowing or sowing a cover crop to stabilise soil after harvest
- breaking up compacted soil
- establishing grass buffer strips in valleys, along contours, slopes, field edges and gateways

Manage livestock

You must make sure you prevent livestock compacting soil by trampling it (poaching) within 5m of an inland freshwater or coastal water.

You must not place livestock feeders:

- within 10m from inland freshwaters or coastal waters
- within 50m of a spring, well or borehole
- where [risk factors](#) mean there's a significant risk of pollution

You must take reasonable precautions to prevent pollution from managing livestock.

Examples include:

- moving livestock to prevent poaching and bankside erosion – find out [how inspectors check](#) you're complying with the rules
- putting up fences to keep animals away from watercourses
- wintering livestock on well-drained, level fields

Enforcement and inspections

The Environment Agency is responsible for enforcing these rules. It will do this through its farm inspections work. This may include checking:

- you're meeting the distance restrictions in the rules
- for soil erosion affecting a single area of more than 1 hectare
- for poaching on a stretch of land (at least 2m wide and 20m long) next to an inland freshwater or coastal water
- for signs of fertiliser use in restricted areas – including excessive growth of vegetation on the margins of restricted areas
- fertiliser records, including records you keep on calibrating fertiliser equipment
- soil test results
- for evidence of pollution or if there's a significant risk it could happen
- the types of crops you're planting

How enforcement will work

If the Environment Agency finds you're breaching the rules, it will help you by:

- identifying the changes you need to make
- agreeing a timescale with you to make changes

To check you've made changes, the Environment Agency may:

- give you a follow-up visit
- ask for evidence, such as photographic evidence of a change

If there's already pollution or a high risk of pollution, the Environment Agency may take enforcement action. This may include prosecution.

This guide relates to The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 which came into force on 2 April 2018.

Get advice

Contact the [Environment Agency](#)

[Press release: Government crackdown on litter louts](#)

The maximum on-the-spot fine for littering and graffiti almost doubles from £80 to £150. For the first time, local authorities can also use these

littering penalties against vehicle owners if it can be proved litter was thrown from their car.

Keeping the country's streets clean cost local councils almost £700 million last year. Much of this is avoidable litter, and money that could be better spent in the community.

The Government is clear however that councils must not abuse the power to impose penalties. Councils should take into account local circumstances, like local ability to pay, when setting the level for these penalties. Government guidance is available to ensure the new powers are used in a fair and proportionate way by local authorities.

Environment Minister Thérèse Coffey said:

These new fines will tackle antisocial behaviour by hitting litter louts in the pocket, whether it's litter that is thrown from a vehicle or dropped in the street.

Littering is a scourge on our environment and we waste taxpayers' money cleaning it up – funds which could be better spent in the community.

We want to be the first generation to leave our environment in a better state than we found it, and I encourage everyone to take responsibility for their litter and recycle more.

Edmund King OBE, president of motoring organisation the AA said:

There is no excuse for car litter louts. Tossing rubbish from vehicles spoils the environment, costs millions and puts road workers' lives at risk when they have to clear up. The majority of our members support higher fines for littering and we welcome these steps to tackle this unnecessary problem. It is not difficult for car occupants to bag it and bin it.

When AA employees have conducted litter picks and our members have surveyed local roadside litter, we are always astonished at the number of plastic bottles, take-away wrappers and even kitchen sinks discarded at the roadside.

The changes to penalties for littering follow a public consultation as part of the launch of England's first ever Litter Strategy in April 2017 which showed nearly 9 out of 10 respondents were in favour of increasing fixed penalties for littering.

These measures come on top of cross government work to protect the environment. On the same day, Her Majesty's Revenue and Customs (HMRC) is implementing an extension to the landfill tax to cover unauthorised waste

sites, showing that whether people are littering on a small or a large scale the penalties are high.

Today's announcement builds on a range of new measures to tackle waste including banning [microbeads](#), proposals to extend the 5p plastic bag charge, and plans to introduce a [deposit return scheme](#) for drinks containers.

The move builds on Government's wider Litter Strategy for England as well as the recent launch of the 25 Year Environment Plan setting out how Government will protect and enhance our natural environment.

Background

- The full version of the government's Litter Strategy is available [here](#)
- The maximum on-the-spot fine local authorities can issue for dropping litter has nearly double, from £80 to £150
- The default penalty has increased from £75 to £100, and from April 2019 the minimum penalty will increase from £50 to £65
- The cost of £682m in 2016/17 for street cleaning is from Official local Government returns to [DCLG](#)
- Research on one in five admitting to having dropped litter in the past is from Keep Britain Tidy – Litter Droppers Segmentation research (2010)
- For further information please contact Defra press office on 020 8225 7317 or out of hours on 0345 051 8486

[Corporate report: Customer Notice 2018-01: Update on Customer Consultation](#)

LLW Repository Customer Notices which provide key information and updates to customers.

[Consultation outcome: Energy Company Obligation: EC03, 2018 to 2022](#)

Updated: Final stage impact assessment added.

We're seeking views on the future design of the Energy Company Obligation

(ECO) scheme. This includes:

- the scheme moving to a 100% Affordable Warmth scheme for fuel poor, low income and vulnerable households
- the energy efficiency and heating measures that can be delivered under the scheme
- the proportion of the scheme that can be delivered under Local Authority Flexible Eligibility
- how ECO can support innovation

Energy suppliers, energy efficiency manufacturers, installers and trade bodies, groups interested in fuel poverty issues and local authorities may have an interest in this consultation. Members of the public with an interest in energy efficiency and fuel poverty issues may also wish to respond.

Press release: Government delivers on manifesto pledge with £6 billion package to help end fuel poverty and drive innovation in energy efficiency

- Flagship £6 billion energy efficiency scheme to start with re-focusing flagship scheme entirely on low-income and vulnerable, cutting bills for thousands more families until at least 2028
- plans to extend the Warm Home Discount ensuring over 2 million low income and vulnerable customers receive £140 off their energy bills next winter
- drive to increase world-leading British innovation in green technologies as part of the government's Clean Growth Strategy

Nearly a million more low-income households are set to benefit from innovative energy saving measures under new plans outlined today by the Minister for Energy and Clean Growth Claire Perry, as part of the Clean Growth Strategy.

A consultation has been launched today to focus [Energy Company Obligation \(ECO\)](#), the government's flagship energy efficiency scheme to tackle fuel poverty and reduce carbon emissions by providing energy efficiency upgrades and heating measures – entirely on low income households. Currently only 70% of beneficiaries are from low income families. Since the scheme was launched in 2013, more than 1 in 16 homes have benefitted from over 2.2 million improvements.

This is the latest step in the delivery of the [government's Clean Growth](#)

[Strategy](#), aiming to bring 2.5 million fuel poor homes up to an Energy Performance Certificate rating of C by 2030, helping to save energy and bring down bills.

Alongside this, a separate consultation looks ahead to [changes to the Warm Home Discount](#) beyond next winter which will enable all payments to be made automatically. The Warm Homes Discount provides a much needed top up of £140 to the energy bills of the most vulnerable in society. The consultation will also include extending eligibility to people who receive Universal Credit who are in work and earn less than £16,190 a year.

Speaking on a visit to [Q-bot](#) in Wandsworth South London, an award-winning technology company which has developed robots to install underfloor cavity insulation quickly and easily, Energy and Clean Growth Minister Claire Perry said:

We have made clear our commitment to eradicating fuel poverty and by making our flagship energy scheme 100% focused on low-income families we are taking another step towards achieving this goal.

As set out in our Clean Growth Strategy, we also want to continue to drive world-leading British innovation in green technologies for the benefit of all consumers. That's why we are increasing the opportunity for energy suppliers to get funding to develop new and innovative energy saving products and services, like the award-winning company Q-bot's robotic insulation service.

The proposed changes to focus 100% of the ECO scheme on the fuel poor would see energy saving improvements like insulation and modern efficient heating systems installed in 900,000 homes by March 2022. The government also committed to maintaining funding for home energy efficiency until at least 2028 as part of the Clean Growth Strategy, a total of just over £6 billion.

At the end of February the government also took action for 11 million households on [poor value standard variable tariffs](#) by introducing a landmark Bill into Parliament for a temporary price cap on these tariffs until effective competition is in place.

Respond to the consultations:

[Energy Company Obligation: EC03, 2018 to 2022](#)

[Warm Home Discount scheme: 2018 to 2019](#)

Notes for editors

1. The consultation on the new Energy Company Obligation scheme is open until 29 April 2018.
2. The current Energy Company Obligation scheme will end in September 2018.

The scheme places an obligation on larger energy suppliers (currently 15) to deliver heating and energy efficiency measures. This is split between Affordable Warmth, for low income and fuel poor households (which accounts for 70% of the scheme) and the Carbon Emissions Reduction Obligation (the remaining 30%), which is available to all households.

3. The ECO programme requires energy suppliers with over 250,000 customers to provide energy efficiency upgrades and heating measures to homes across Britain.
4. In line with the government's Industrial Strategy, the refocused scheme includes proposals to support innovation in the sector. Suppliers will be able to devote up to 20% of their delivery target to supporting innovative measures. If all suppliers do this then as much as £128 million could be spent supporting British innovation.
5. Since ECO was launched in 2013, more than 1 in 16 homes across Britain have benefitted from over 2.2 million improvements installed.
6. The ECO consultation will also look at increasing parts of the scheme delivered through local referrals enabling local authorities to identify households who will benefit the most from energy efficiency measures, including those with health problems that are made worse by cold homes.
7. The proposals to extend the current [Warm Home Discount](#) scheme are open for consultation until 29 April 2018.
8. The government is also currently looking at ways to make it easier for those eligible for the Warm Home Discount to receive it automatically. A consultation was launched earlier this year on new data sharing powers to better target those households which are fuel poor and would benefit most from a rebate on their energy bills.
9. Reforming and extending policies on fuel poverty are a key part of the government's commitment to protect vulnerable consumers. Ofgem recently extended its Safeguard Tariff Cap on pre-payment meter tariffs to protect a further 1 million vulnerable households, bringing the total protected to 5 million households this winter.