
WELSH STATUTORY INSTRUMENTS

2013 No. 2506

The Nitrate Pollution Prevention (Wales) Regulations 2013

PART 4

Crop Requirements

Planning the spreading of nitrogen fertiliser

14.—(1) An occupier of a holding who intends to spread nitrogen fertiliser must—

- (a) calculate the amount of nitrogen in the soil that is likely to be available for uptake by the crop during the growing season (“the soil nitrogen supply”);
- (b) calculate the optimum amount of nitrogen that should be spread on the crop, taking into account the amount of nitrogen available from the soil nitrogen supply; and
- (c) produce a plan for the spreading of nitrogen fertiliser for that growing season.

(2) In the case of any crop other than permanent grassland, the occupier must do this before spreading any nitrogen fertiliser for the first time for the purpose of fertilising a crop planted or intended to be planted.

(3) In the case of permanent grassland the occupier must do this each year beginning 1 January before the first spreading of nitrogen fertiliser.

(4) The plan must be in permanent form.

(5) The plan must record—

- (a) the reference or name of the relevant field;
- (b) the area of the field planted or intended to be planted; and
- (c) the type of crop.

(6) For the area planted or intended to be planted the plan must record—

- (a) the soil type;
- (b) the previous crop (if the previous crop was grass, whether it was managed by cutting or grazing);
- (c) the soil nitrogen supply calculated in accordance with paragraph (1) and the method used to establish this figure;
- (d) the anticipated month that the crop will be planted;
- (e) the anticipated yield (if arable); and
- (f) the optimum amount of nitrogen that should be spread on the crop, taking into account the amount of nitrogen available from the soil nitrogen supply.

Status: Point in time view as at 25/10/2013.

Changes to legislation: There are currently no known outstanding effects for the The Nitrate Pollution Prevention (Wales) Regulations 2013, PART 4. (See end of Document for details)

Additional information to be recorded during the year

15.—(1) Before spreading organic manure, the occupier must on each occasion calculate the amount of nitrogen from that manure that is likely to be available for crop uptake in the growing season in which it is spread.

- (2) The occupier must, before spreading, record—
- (a) the area on which the organic manure will be spread;
 - (b) the quantity of organic manure to be spread;
 - (c) the planned date for spreading (month);
 - (d) the type of organic manure;
 - (e) the total nitrogen content; and
 - (f) the amount of nitrogen likely to be available from the organic manure intended to be spread for crop uptake in the growing season in which it is spread.
- (3) Before spreading nitrogen fertiliser, the occupier must record—
- (a) the amount required; and
 - (b) the planned date for spreading (month).

Total nitrogen spread on a holding

16.—(1) Until 31 December 2013, irrespective of the figure in the plan, an occupier must ensure that the total amount of—

- (a) nitrogen from manufactured nitrogen fertiliser, and
- (b) nitrogen available for crop uptake from livestock manure in the growing season in which it is spread calculated in accordance with regulation 17,

does not in any twelve month period exceed the limits set out in regulation 18.

(2) On or after 1 January 2014, irrespective of the figure in the plan, an occupier must ensure that the total amount of—

- (a) nitrogen from manufactured nitrogen fertiliser, and
- (b) nitrogen available for crop uptake from organic manure, in the growing season in which it is spread calculated in accordance with regulation 17,

does not in any twelve month period exceed the limits set out in regulation 18.

Calculating the amount of nitrogen available for crop uptake from organic manure

17.—(1) The occupier must establish the total amount of nitrogen in livestock manure, for the purposes of regulation 16, by—

- (a) using the table in Part 1 of Schedule 3; or
- (b) sampling and analysis in accordance with Part 2 of Schedule 3.

(2) Once the total amount of nitrogen in the livestock manure has been determined, the following percentages are assumed in order to establish the amount of nitrogen in the livestock manure that is available for crop uptake in the growing season in which it is spread;

Available percentage

Type of livestock manure

Amount of nitrogen available for crop uptake in the growing season in which it is spread

Until 31 December 2013 From 1 January 2014

Cattle slurry	35%	40%
Pig slurry	45%	50%
Poultry manure	30%	30%
Other livestock manure	10%	10%

(3) In relation to all other organic manure, the occupier must establish the total amount of nitrogen available for crop uptake in the growing season in which it is spread, for the purposes of regulation 16—

- (a) by reference to technical analyses provided by the supplier;
- (b) to the extent that such information is unavailable, by reference to the values given in the Fertiliser Manual (RB 209) (8th Edition)^{M1} (referred to therein as “nitrogen available to the next crop”); or
- (c) by sampling and analysis in accordance with Part 2 of Schedule 3.

Marginal Citations

M1 The Fertiliser Manual (RB209), 8th edition, is published by TSO, June 2010, ISBN 978-0-11-243286-9.

Maximum nitrogen limits by crop

18.—(1) The total amount of nitrogen permitted to be spread on any crop listed in the first column below is the figure given in the second column below, adjusted in accordance with the notes to the table and multiplied by the total area in hectares of that crop sown on the holding.

Maximum nitrogen

<i>Crop</i>	<i>Permitted amount of nitrogen (kg)¹</i>	<i>Standard yield (tonne/ha)</i>
Asparagus	150	n/a
Autumn or early winter sown wheat	220 ²³⁴	8.0
Beetroot	350	n/a
Brussels sprouts	350	n/a
Cabbage	350	n/a
Calabrese	350	n/a

¹ An additional 80 kg per hectare is permitted to all crops grown in fields if the current or previous crop has had straw or paper sludge applied to it.

² An additional 20 kg per hectare is permitted on fields with shallow soil (other than shallow soils over sandstone).

³ An additional 20 kg per hectare is permitted for every tonne that the expected yield exceeds the standard yield.

⁴ An additional 40 kg per hectare is permitted to milling wheat varieties.

⁵ This is inclusive of any nitrogen that is applied as an exemption to the closed period for manufactured nitrogen fertiliser. The permitted amount may be increased by up to 30 kg per hectare for every half tonne that expected yield exceeds the standard yield.

⁶ An additional 40 kg per hectare is permitted to grass that is cut at least three times a year.

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Cauliflower	350	n/a
Carrots	150	n/a
Celery	250	n/a
Courgettes	250	n/a
Dwarf bean	250	n/a
Field beans	0	n/a
Forage maize	150	n/a
Grass	300 ⁶	n/a
Leeks	350	n/a
Lettuce	250	n/a
Onions	250	n/a
Parsnips	250	n/a
Peas	0	n/a
Potatoes	270	n/a
Radish	150	n/a
Runner beans	250	n/a
Spring-sown wheat	180 ³⁴	7.0
Spring barley	150 ³	5.5
Sugar beet	120	n/a
Swedes	150	n/a
Sweetcorn	250	n/a
Turnips	250	n/a
Winter barley	180 ²³	6.5
Winter oilseed rape	250 ⁵	3.5

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