

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet
dros Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: PO/HIDCC/0274/25

Andrew RT Davies MS
Chair: Economy, Trade and Rural Affairs Committee

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Dear Andrew,

Thank you for your letter following the Committee meeting of 15 May.

The Welsh Government has been exploring the potential for alternatives to closed periods for some time, including the application of technological solutions. As part of this work, I have also visited Gelli Aur, to hear directly about the technology being explored there. This matter was considered as part of the 4-year review of the Control of Agricultural Pollution Regulations.

I reiterate my commitment to working in working in co-operation with stakeholders as we consider these issues further.

In accordance with Recommendations 5, 8 and 9 resulting from the review, further work will be carried out to further consider alternative approaches to the closed periods and the 170 limit. I am keen to explore every avenue, to ensure the regulations are as practical as possible. As part of this work, we will give consideration to the relationship between the Regulations and the use of processed organic manures as an alternative to manufactured fertilisers.

The 4-year review highlighted a number of significant concerns regarding an alternative to the closed periods. These include the potential for increased losses of nutrients, particularly nitrogen and phosphorus, where livestock manures are applied at a time of increased rainfall and reduced crop growth. The review concluded there is currently insufficient evidence that demonstrates crop need for additional nutrients is sufficient to justify applications during the current closed periods, relative to the pollution risks and the actions which could be taken to mitigate those risks.

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The review highlighted soil and weather conditions are not the only relevant factors which should be taken into account when determining if it is appropriate to apply fertilising materials. The crop need for those nutrients and the pollution risks must also be considered. Whilst there may be minimal crop growth during the closed periods, the supply of nutrients available to the crop from manure applications made during the growing season must also be considered.

As with any alternative to the 170kg limit, which was highlighted as a concern during my attendance, a regulatory alternative to the closed periods is likely to require additional complexity, to determine the crop need for nutrients and assess any risks of pollution from the application. However, regulatory complexity was raised as a significant concern by many farmers and agricultural representatives throughout the review process.

In response to concerns raised during the Committee Meeting in respect of the 170kg limit, I would like to take the opportunity to clarify that whilst the crop need for nitrogen may be significantly greater than 170kg, nutrient management planning should always consider the other nutrients provided by the manure, in particular phosphorus. The ratio of phosphorus to nitrogen within livestock manures means that meeting the crop need for nitrogen from livestock manures alone may significantly exceed the crop need for phosphorus. The impact of legacy soil phosphorus, from the overapplication of manures, is a significant barrier to the recovery of our SAC rivers. The 170kg limit is aligned to these risks and those related to the losses of nitrogen released from the manure over time.

The matters raised above highlight some of the challenges of developing alternative approaches that provide improved flexibility for farmers while also protecting our environment.

I would also like to inform you that the Welsh Government has committed £1.58m for NRW's enforcement of the Regulations in the 2025-26 financial year.

I hope you find this information helpful.

Yours sincerely,



Huw Irranca-Davies AS/MS

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