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# Summary of responses to the Consultation on the Code of Good Agricultural Practice to protect water, soil and air quality

21 August to 13 November 2007

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## 1 Introduction

1.1 A consultation document “Draft Code of Good Agricultural Practice to protect water, soil and air quality – for farmers, growers and land managers” was published by Defra on 21 August 2007. The three month consultation period ended on 13 November 2007.

1.2 For the purpose of this summary document, the consultation will be referred to as the “Code consultation”. The background to the consultation is set out in the consultation document, which is available on the Defra website at <http://www.defra.gov.uk/corporate/consult/cogap-rev/index.htm>

1.3 Stakeholders were asked to provide their views on three main questions when considering the Code:

**Question 1:** Do you agree with the consolidation of the Air, Soil and Water Codes into one overarching Code? Has anything been lost by this consolidation?

**Question 2:** Do you agree that the layout of integrated advice – i.e. by farming activity rather than by resource (air, soil and water) – is more helpful to land managers?

**Question 3:** You are also invited to comment on the detail of the attached version of the Code, including:

- The structure and layout of the code, both overall and within the individual sections;
- The content of the code and the scope covered;
- The drafting style of the document in particular whether it achieves the objective of being a practical guide that can be used by farmers

1.4 The current Water Code is a Statutory Code under Section 97 of the Water Resources Act 1991. This provides that, while contravention of the Statutory Code does not itself constitute an offence, the Environment Agency shall take into account any actual or likely contravention when exercising powers under the Act. The Environment Agency has indicated that they wish for the new Code to be a Statutory Code under the Act because this adds legitimacy to references to the Code in legal

proceedings. It is proposed that the new Code retains this statutory function.

- 1.5 The Code consultation was launched alongside two related consultations: “The Protection of Waters Against Pollution from Agriculture: Consultation on implementation of the Nitrates Directive in England” and “The Protection of Waters Against Pollution from Agriculture: Consultation on diffuse sources in England”. Separate consultation summaries and responses are published for these two consultations.

## 2 Overview of responses

- 2.1 A total of 42 responses were received. 30 responses were received by the 13 November deadline, with the remaining 12 responses received shortly after. Late responses were accepted at Defra’s discretion. All responses were therefore recorded and acknowledged.
- 2.2 Defra is grateful to all those who responded with helpful, constructive and often detailed comments and would like to thank all those stakeholders who took the time to send us their contributions.
- 2.3 A list of organisations and individuals who responded to the consultation can be found at **Annex A**. The names of individual respondents (i.e. not companies or organisations) have been replaced by “Individual 1” etc. A breakdown of responses by interest group is set out in Table 1 below.

Table 1: Response breakdown by interest group

Agriculture Industry Bodies	11
Water Industry	6
Environment/Social NGO	5
Individuals	4
Local Government	4
Public Bodies (other than local Gov’t)	4
Academic/Research Organisations	3
Farming Advisory Groups	2
Commercial Businesses	2
Other Government Departments	1

A summary of individual responses can be found in **Annex B** of this document. None of the 42 respondents have objected to their views being made public, so copies of individual responses can be requested from the Defra library. Requests should be made to [defra.library@defra.gsi.gov.uk](mailto:defra.library@defra.gsi.gov.uk) .

### **3 Summary of responses to the consultation questions**

- 3.1 Stakeholders were asked to respond to the three questions outlined below. Responses were varied and not all addressed each question. Some answers to the questions were also implied rather than clearly stated and this summary attempts to outline the implied answers. Many stakeholders also discussed other related themes that didn't specifically feature in the consultation document. These comments, where considered relevant, are summarised in Section 4 of this document.

**Question 1:** Do you agree with the consolidation of the Air, Soil and Water Codes into one overarching Code? Has anything been lost by this consolidation?

#### **Summary of responses**

- 3.2 Of the 42 consultation responses received, 27 respondents addressed this question.
- 3.3 Of these 27 responses, 26 agreed that consolidating the three Codes into one was the right thing to do. There were no responses disagreeing with this approach. Four respondents commented that although they agreed with this measure overall, it had made the document somewhat lengthy and cumbersome to read. Five respondents pointed out that some detail had been lost through consolidation compared to the three separate documents.

**Question 2:** Do you agree that the layout of integrated advice – i.e. by farming activity rather than by resource (air, soil and water) – is more helpful to land managers?

#### **Summary of responses**

- 3.4 Of the 42 consultation responses received, 22 respondents addressed this question.
- 3.5 Of these 22 responses, all agreed or largely agreed that organising the advice by farming activity was more helpful to land managers than the approach of the old Codes, where it was laid out by resource (air soil and water). There were no responses disagreeing with this approach. Three respondents commented that even though they largely agreed with the organisation of the advice, this also lead to repetition and overlap. One of

these respondents suggested that this problem could be solved by clearly identifying legal, good practice and best practice in the document.

- 3.6 One respondent felt that the new structure was spoilt by problems with references. Another respondent commented that Section 2 of the document is in fact divided by issue, not by management.

**Question 3:** You are also invited to comment on the detail of the attached version of the Code, including:

- The structure and layout of the code, both overall and within the individual sections;
- The content of the code and the scope covered;
- The drafting style of the document in particular whether it achieves the objective of being a practical guide that can be used by farmers

### **Summary of responses**

- 3.7 Out of the 42 consultation responses received, 22 respondents addressed this question. These 22 respondents all had different suggestions for how the structure, content and drafting of the Code could be improved, and these are summarised below. Further comments on the content can also be found in Section 4.
- 3.8 Four of the 22 respondents indicated that the document was too long and bulky. One of these respondents, as well as another respondent, also felt that it was complicated in places and needed simplification. One respondent suggested that the removal of certain sections to an Annex could reduce the length of the Code.
- 3.9 One respondent felt that the key purpose of the document was less clear following the introduction of other frameworks, such as Cross Compliance and Environmental Stewardship.
- 3.10 Three respondents wanted more examples and templates included, as this would help with clarity.
- 3.11 One respondent suggested that there should be increased reliance on **reference documents**, rather than repeating facts within the document. Another respondent commented that a unique referencing system should be used, and a third suggested using sequential numbering of the references. Two respondents suggested that web links leading to the

references should be introduced, and another respondent felt that the references were incomplete and that there should be information included on how to get hold of them. Two respondents commented on the large amount of references included, and one suggested that a central location should be developed for the collection of references.

- 3.12 A point put forward by six respondents was that there needed to be a clearer **distinction between statutory guidance and advice**. On the other hand, two respondents stated that they found this distinction clear. Another two respondents stated that they approved of the **general structure and layout**.
- 3.13 One respondent thought that the document was not well aimed at its **target audience**, and that it should be **targeted at sectors** rather than at farmers, growers and land managers as one group.
- 3.14 The **re-ordering** of the first sections was suggested by one respondent. Another respondent called for more **cross-referencing** between sections and three respondents felt that there was too much **repetition and duplication**. One respondent felt that section 4 was very clear, and another respondent suggested that everything concerning the management of manures should be put in one section. Another respondent felt that the Accident and Emergency Plan information should be moved to the front of the Code.
- 3.15 Many respondents called for **more information on specific subjects**. These subjects included water pollution, sensitive sites (including the policy drivers), energy efficiency, anaerobic digestion, mitigation of climate change, greenhouse gases, soil blow, the Habitats Directive, archaeological sites and odour. Three respondents commented that the scope was adequate, and another commented that they agreed with the scope in general, but that it should focus on widely applicable generic best practice.

## **4 Other relevant issues raised by stakeholders**

- 4.1 37 of the 42 respondents also provided more or less detailed comments on the content of the Code.
- 4.2 These comments included suggestions for edits on particular facts, addition of references and general comments. The main points have been summarised below – more details can be found in Annex B, or by requesting the full response from the Defra library.
- 4.3 Detailed suggestions for edits were received on a wide range of topics, for example soils, fertiliser and lime use, FACTS/BASIS, lead shot in soil, the use of dredgings, application of organic wastes, storage of silage, manures, fertiliser and pesticides, management plans, cover crops, ammonia and sheep dip.
- 4.4 Several respondents suggested the inclusion of a specific additional reference, or requested more references on a specific topic.
- 4.5 Six respondents commented on the dissemination of the Code. Two of these suggested a survey to monitor the use of the Code, and another respondent believed that a radical rethink of the communication was needed. One respondent requested web access, web links and access via the Whole Farm Approach, and one another suggested that the Code could be published in a “ring binder” format to facilitate updates and emphasized that it should be available in both paper and electronic format, as well as available free of charge.
- 4.6 Two respondents commented that the Code should not only focus on damage limitation, but also highlight the beneficial effects of certain agricultural practices.
- 4.7 The legal obligation of a Code under the Nitrates Directive was commented upon and accepted by one respondent out of the 42 respondents.
- 4.8 One respondent commented that the Code should have statutory status, and another respondent agreed that the Code should retain its current statutory basis.
- 4.9 One respondent particularly welcomed the statement in Section 8 about limited water resources.
- 4.10 One respondent commented that the guidance in general was very good, but that more information was needed on how to protect the public from spray and odour nuisance. Another three respondents also agreed that more guidance was needed on odour nuisance.

- 4.11 Four respondents expressed dissatisfaction with the information about anaerobic digestion, pointing out that this is an important emerging technique and that more information is needed.
- 4.12 One respondent asked that the Code should include specific advice for contractors.
- 4.13 One respondent asked for clarification about the incorporation requirement for green wastes.

## **5 Next steps**

- 5.1 Defra officials will carefully consider the responses to the Code consultation, with a view of reporting and making recommendations for publication. When this is completed, Defra will issue an official response to the consultation, identifying how the views expressed by the consultees will be reflected in the final document and outlining a timetable and strategy for publication.
- 5.2 The publication and content of the Code is closely linked to the revision of the Nitrates Directive Action Programme and to the Diffuse Water Pollution from Agriculture policy. The Code can not be finalised and published until the Nitrates Directive Action Programme has been agreed between government ministers and the European Commission. The date when this will take place is still uncertain. It has therefore been decided not to publish an official response to the Code consultation until such a time when it can include a publication date for the Code and a commentary on the finalised content – i.e. once the Nitrates Directive Action Programme has been agreed.
- 5.3 In line with Defra's policy of openness, copies of the consultation responses we have received will be made publicly available through the Defra Information Resource Centre, Lower Ground Floor, Ergon House, 17 Smith Square, London SW1P 3JR. Requests for copies of the responses should be made to [defra.library@defra.gsi.gov.uk](mailto:defra.library@defra.gsi.gov.uk)

## Annex A

### List of consultation respondents and date of response

1.	Agricultural Industries Confederation (AIC)	13/11/2007
2.	Agricultural Lime Association (ALA)	22/11/2007
3.	British Agrochemical Standards Inspection Scheme (BASIS)	12/11/2007
4.	British Association for Shooting and Conservation (BASC)	07/11/2007
5.	British Crop Protection Council (BCPC)	14/11/2007
6.	British Hydrological Society (BHS)	05/11/2007
7.	British Waterways (BW)	13/11/2007
8.	Buglife - The Invertebrate Conservation Trust	13/11/2007
9.	Chartered Institution of Water and Environmental Management	09/11/2007
10.	Country, Land & Business Association (CLA)	21/11/2007
11.	Defence Estates	09/11/2007
12.	Devon County Council (DCC)	13/11/2007
13.	Dorset Area of Outstanding Natural Beauty (Dorset AONB)	13/11/2007
14.	Environment Agency (EA)	15/11/2007
15.	Eurinco	08/11/2007
16.	Hampshire County Council (HCC)	16/11/2007
17.	Horticultural Development Council (HDC)	12/11/2007
18.	Individual 1	12/11/2007
19.	Individual 2	13/11/2007
20.	Individual 3	13/11/2007
21.	Individual 4	21/11/2007
22.	Institute of Agricultural Management (IAM)	12/11/2007
23.	Joint Nature Conservation Council (JNCC)	03/10/2007
24.	Linking Environment And farming (LEAF)	12/11/2007
25.	Meat and Livestock Commission (MLC)	15/11/2007
26.	National Association of Agricultural Contractors (NAAC)	15/11/2007
27.	National Farmer's Union (NFU)	27/11/2007
28.	Natural England (NE)	12/11/2007
29.	Portsmouth Water	12/11/2007
30.	Royal Association of British Dairy Farmers (RABDF)	10/12/2007
31.	Royal Society for the Protection of Birds (RSPB)	12/11/2007
32.	Society of General Microbiology (SGM)	15/11/2007
33.	Soil Management Initiative (SMI)	30/08/2007
34.	South Staffordshire Water	13/11/2007
35.	Suffolk Coastal District Council	13/11/2007
36.	Thames Water	13/11/2007
37.	United Utilities	12/11/2007
38.	Veterinary Laboratories Agency (VLA)	20/11/2007
39.	Vitacress Salads	12/11/2007
40.	Waste and Resources Action Programme (WRAP)	14/11/2007
41.	Water UK	13/11/2007
42.	Wigan Council	13/11/2007

## **Annex B – Summary of individual consultation responses**

Below are summaries of the responses received, in alphabetical order. Some respondents have submitted very long and detailed contributions, and in these cases an attempt has been made to summarise the most important points. Additional comments to question **Q3** are sometimes provided under the heading “Other comments”, and these should therefore be read in conjunction.

### **1. Agricultural Industries Confederation**

Agree with the consolidation into one overarching Code (**Q1**)?

Agree with integration of advice (**Q2**)?

Comments on the detail of the Code (**Q3**): Key purpose of document is less clear since introduction of Cross Compliance and other guidance. This adds up to an enormous amount of reference material. The value of the document to the user is likely to be low – attempts to simplify the language sometimes appear condescending. Is the publication of this document a wise use of resources?

Other comments: A fresh strategic look should be taken at the delivery of sustainable agricultural practices through the current policy mechanisms and a single integrated framework of guidance. Don't advocate additional legislation, but compliance with a common framework with additional requirements based on environmental risk may be easier to deal with. Accept that Defra has a legal obligation to have the Codes in place in support of the Nitrates Directive.

Clear distinction must be made between actions included within legislation and actions as part of environmental schemes and good practices codes. Colour coding would help. Question if it is necessary for the guidance on management plans to be part of this document. Alternative description of “diffuse pollution” should be used. The text about fossil fuels to make inorganic fertiliser is incomplete without fair acknowledgement given to the overall positive energy balance. A large number of additional detailed and comprehensive suggestions for edits, especially concerning the storage and handling of pesticides and fertilisers.

## **2. Agricultural Lime Association**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Suggested edits regarding soil pH. Additional references should be included. Should emphasise that in soils with a high clay content, soil structure is adversely affected by acidity. Organic matter should not be applied to acid soil. Remove the reference to lime being expensive.

## **3. British Agrochemical Standards Inspection Scheme**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Detailed edits to the Sections regarding BASIS/FACTS accreditation. Emphasising the need to consult an adviser who has the FACTS qualification and is a member of either the BASIS Professional Register or the FACTS Annual Scheme when planning nutrient applications and an agronomist who is a member of the BASIS Professional Register to evaluate the need for pesticide use. Provision of information about training opportunities, contacts and reference material.

## **4. British Association for Shooting and Conservation**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Question the statement in Section 2 that lead shoot can accumulate in soil in amounts that may pose a risk to grazing stock and crops.

## **5. British Crop Protection Council**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): No comment

Other comments: User survey should be held after an appropriate time.

## **6. British Hydrological Society**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): No comment

Other comments: Support the revised Code. In particular, applaud the statement in Section 8 on the limited water availability of water for domestic, industrial, agricultural and horticultural use.

## **7. British Waterways**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)?

Comments on the detail of the Code (**Q3**): Code is fundamental in providing best practice guidance. Water pollution should have separate section and be explained in greater detail. Code bulky and complex, contains a lot of very good and useful advice but should be made clearer, simpler and more concise. Simple tables and diagrams would help. The large amount of reference material can appear overwhelming.

Other comments: Potential cost savings of pollution preventing measures need to be made more obvious. Clearer message of the statutory status of the Code on water pollution issues must be made. Encouragement is needed – if a farmer follows the Code, it is less likely that an offence will occur. Critical to return dredgings to agricultural land and Code should encourage this. The introduction could be simplified with tables. Keep definitions of slurry consistent between legislations and the Code. More explanation about how water pollution is caused and the problems it brings. Text on atmospheric pollution needs simplifying. A large number of additional detailed and comprehensive suggestions for edits, on

nutrient management, accident and emergency planning, more details needed on soil management planning, use of manure and dirty water, storage design, pesticide and fertiliser storage and handling and field work.

## **8. Buglife – The Invertebrate Conservation Trust**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Poaching and grazing of watercourse margins are important for certain wetland invertebrate specialists, therefore fencing off of watercourses should only be encouraged where livestock entering a watercourse is resulting in water pollution. Little emphasis is made of the potential environmental impact of lime to freshwater ecosystems if runoff occurs. The pH change that would result from liming of a watercourse through runoff would severely affect many aquatic ecosystems. Therefore mitigation measures need to be outlined as has been done with other pollutants i.e. liming should not occur within 10 metres of a watercourse etc.

## **9. Chartered Institution of Water and Environmental Management**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): The document is rather bulky and perhaps too holistic. It should be shorter and more prescriptive. There is a need for better distinction between statutory requirements and advice.

Other comments: For the Code to be effective, it should be well publicised and distributed to all farmers. The environment guidance in the Code is in general very good, but there is a missed opportunity in the omission of clear guidance on the protection of the public from sprays and odours, for example references to appropriate distances of manure piles from dwellings. There is also a need for clear references to statutory nuisance.

## **10. Country, Land & Business Association**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? The proposed layout is helpful and clear, but see detailed comments.

Comments on the detail of the Code (**Q3**): Too long, not well tuned to intended audience, too much detail, confusing in places, likely to be unread, should be targeted to sectors. Needs radical reorder and restructure to remove duplication.

Other comments: Many suggestions on “about this Code”; main introduction; soil fertility and plant nutrients; management plans; farm buildings and structures. Disappointed with text on anaerobic digestion. Alternative suggestions for organising advice – putting all advice on managing manures in one section.

## **11. Defense Estates**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): No comment

Other comments: None

## **12. Devon County Council**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Welcome the inclusion of archaeological considerations. Sensitive archaeological sites should be included in overviews where other environmental resources are defined. Sites not designated as SMs should be emphasised, as these do not have statutory protection. Impacts of cultivation, sub soiling and drainage operations are the same whether or not the site has statutory protection. Mention could also be made of the multiple benefits to both historic and natural assets. It is important to recognise that the archaeological resource is non-renewable, and that a single unsympathetic act, whether intentional or not, can cause permanent damage.

Would like to see some reference to the archaeological consequences of soil erosion and compaction, which can damage underlying archaeological deposits. Archaeological implications of soil management techniques should be considered when drawing up a soil management plan.

### **13. Dorset Area of Outstanding Natural Beauty**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**):

Other comments: The structure of the codes in distinguishing between obligations and good practice is useful to ensure farmers know what is legally required, and are aware of how practices can be further improved where there is scope. Support this move away from very prescriptive recommendations, putting instead the onus on the land manager to act on best practice recommendations wherever appropriate.

### **14. Environment Agency**

Agree with the consolidation into one overarching Code (**Q1**)? Agree strongly, but some loss of detail. Balance between comprehensive coverage and length of the document is about right

Agree with integration of advice (**Q2**)? Agree, largely successful

Comments on the detail of the Code (**Q3**): Suggest re-ordering of early sections

Other comments: Detailed comments on introduction; soil fertility and nutrients, management plans (should include water management); farm buildings & structures; field work and minor comments on waste and water supply. Use more EA documents as references.

### **15. Eurinco**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: The Code should focus on the positive benefits of certain agricultural practices, not just on damage limitation. It is more accurate to say that agriculture is responsible for “about a third” of methane emissions than “nearly half”. Due to the importance of methane, the Code should contain more extensive advice, or at least references to more information, for example on reducing methane emissions by managing the animal’s diet. The current statement on anaerobic digestion greatly understates the importance of this technique.

## **16. Hampshire County Council**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): No comment

Other comments: No comment

## **17. Horticultural Development Council**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): No comment

Other comments: No comment

## **18. Individual 1**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**):

Other comments: Assessing crop fertiliser requirements and recording applications is done every time a crop is grown. The suggestions in the Code are not practical. The amount of nitrogen to use on a crop needs fine tuning up to the day of application to take into account for example soil and weather conditions. Good soil management is crucial to economic, sustainable yields, but some of the proposals in the Code are detrimental to this sensible practice. For

example, we would not be able to use nitrogen in the autumn to establish a second wheat crop.

Cover crops before spring sown crops can only work on limited soil types, and not for all crops.

### **19. Individual 2**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): Would prefer some examples and templates. Code is too long.

Other comments: None

### **20. Individual 3**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): Structure and layout is ok, draft is easy to read.

Other comments: The content and scope of the code in general satisfactory, and with regard to erosion and runoff the scope covered is good. Agree that the Code should have statutory approval, as this may encourage land managers to comply with it. More monitoring of compliance with the Code should be carried out.

### **21. Individual 4**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Practical issues relating to cover crops

## **22. Institute of Agricultural Management**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): Some references should be replaced with direct web links to the information. The Code should focus on the positive benefits of certain agricultural practices, not just damage limitation.

Other comments: The Code should be made accessible in other forms, for instance through the Whole Farm Approach. The Code is right to focus on methane and nitrous oxide. The Code should contain more extensive advice on methane, or at least references to more information. There should also be more information on anaerobic digestion. The advice on manure incorporation must be consistent throughout. It should also be made clear where the regulations for renewing slurry storage can be accessed.

## **23. Joint Nature Conservation Council**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Need to make clear that ammonia contributes to acidification to freshwaters and semi-natural habitats, and that it is toxic in low concentrations to sensitive vegetation. There should also be mention of the requirements under the Habitats Regulation, and some more ambition in relation to instructions on spreading manures and slurries near SSSIs. Advice is needed on spreading near sensitive areas and ideally this should prescribe distances where this should not be done.

## **24. Linking Environment And Farming**

Agree with the consolidation into one overarching Code (**Q1**)? Agree, but makes document too long and not user friendly.

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): Code should contain worked examples and templates. Defra must recognize that there are a lot of other publications and support out there for farmers.

Other comments: Lack of images makes the document look very bland. Could colour code the sections so the farmer can identify each topic clearly. Welcome reference to LEAF audit, but suggest clearer wording and inclusion of a web reference. Important to cross-reference to highlight that industry and government are working together, for example the work on nutrient management. It should be emphasised that if the “Tried and Tested” plan is completed, all advice and criteria will have been met. Welcome the reference to Waterwise, but should be mentioned throughout Section.

## **25. Meat and Livestock Commission**

Agree with the consolidation into one overarching Code (Q1)? Agree, but some loss of details, for example on greenhouse gases, odours and ammonia.

Agree with integration of advice (Q2)? Agree

Comments on the detail of the Code (Q3): No comment on structure

Other comments: Central source of reference documentation should be developed – a web page and/or a CD. More information needed regarding greenhouse gases and their polluting potential, atmospheric emissions (especially odours and ammonia), the Habitats directive and environmental impact assessments and modeling. There should be a new section covering the legal and regulatory framework and the role, purpose and remit of various bodies such as Natural England, Environment Agency, Environmental Health Officers and planners. Would like to see information about slurry store covers and alternative energy expanded.

## **26. National Association of Agricultural Contractors**

Agree with the consolidation into one overarching Code (Q1)? Broadly agree, but makes document long and sometimes difficult to read.

Agree with integration of advice (Q2)?

Comments on the detail of the Code (Q3): References not complete – need information on where to find them.

Other comments: Would be useful to add a specific section for contractors. Should be made clear if management plans are compulsory or advisory. A template would help. Comments on sheep dip.

## **27. National Farmer's Union**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): Ensure clear distinction between legal obligation and advice. Need section on energy efficiency (climate change) or at least greater emphasis and advice on mitigating climate change. Web-based references should also include a paper or telephone alternative, especially for Statutory Instruments or Government Acts.

Other comments: Many detailed suggestions on "About this Code"; introduction; soil fertility and plant nutrients; management plans; farm buildings and structures; field work and wastes. Also comments on the production of the Code – including using a ring binder system to facilitate updates. Code should be available in both paper and electronic format, and be free of charge.

## **28. Natural England**

Agree with the consolidation into one overarching Code (**Q1**)? Agree, but document now very long. Must make sure information is not lost.

Agree with integration of advice (**Q2**)?; Agree, but causes overlap.

Comments on the detail of the Code (**Q3**): A summary at the end of each section of the "Minimum legal requirement", "Good practice" and "Best practice" would help. More examples should be provided. The structure and layout is clear and logical. Unique referencing or paragraph numbering would help cross referencing. The drafting style is good, generally easy to read and comes across as helpful advice.

Other comments: Not enough reference to key policy drivers relating to protected sites and biodiversity. Some references to sheep dip are out of date, and the advice with regard to other veterinary medicines is unsatisfactory. A text box should be included under each heading directing farmers to further advice.

A large number of specific edits are suggested, on water courses, soil fertility and plant nutrients, management plans, soils (include a soil texture table), farm buildings and structures, field work, managing livestock and pesticide storage and handling.

## **29. Portsmouth Water**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Support the proposal that the Code retains its statutory status.

## **30. Royal Association of British Dairy Farmers**

Agree with the consolidation into one overarching Code (**Q1**)? Agree, highly supportive

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): No comment on structure

Other comments: More advice preferred on greenhouse gases. Current text greatly under estimates the importance of anaerobic digestion. Need consistent advice on soil incorporation of slurry. There is a need for references on cover crops.

## **31. Royal Society for the Protection of Birds**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): The scope is adequate, but there should be more cross referencing between the sections. The structure of the chapters is helpful, and the layout is welcomed. Colour coding of key advisory messages, actions to take etc. would add searchability. Care must be taken to summarise specific regulatory guidance.

Other comments: The botanical composition of permanent pasture will not improve unless there is a reduction in nutrient inputs. Stubble should be prioritised over a cover crop.

Recommend that soil compaction is added as an example of a problem to be minimised. Recommend that the value of manures and dirty water as a resource is highlighted. Would like to highlight and caution farmers and landowners against abuse and misuse of pesticides and biocides, as this has significant

impacts on wild birds. Would be useful to emphasise the economic value of Integrated Farm Management when planning field work and input usage. The best solution for severe erosion is to change land management practices completely. Object to the use of the word “waste” within Section 5.5 to refer to valuable organic resources and recommend that it be changed to “materials”.

### **32. Society of General Microbiology**

Agree with the consolidation into one overarching Code (**Q1**)? Agree, but cumbersome and repetitive.

Agree with integration of advice (**Q2**)? Spoilt by repetition.

Comments on the detail of the Code (**Q3**): Much repetition of advice and references.

Other comments: Comments on sheep dip (should not be spread with slurry), cryptosporidium, slurry spreading

### **33. Soil Management Initiative**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): More references should be made to existing documents rather than repeating facts

Other comments: None

### **34. South Staffordshire Water**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): Agree with structure and layout

Other comments: Content and scope covered appear appropriate. Linkage to other farming initiatives (e.g. the Voluntary Initiative and National sprayer Testing Scheme) is particularly useful. The document style is effective and appears to be well constructed as a reference document for farmers and other land users.

### **35. Suffolk Coastal District Council**

Agree with the consolidation into one overarching Code (**Q1**)? No comment, but now reduced attention to odours compared to old “Air” Code

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Odour is severely neglected – edits needed in Section 5. Foul smelling liquids should not be spread unless they can be incorporated or injected. Solids should also be incorporated to minimise odour. There is also need for guidance on how to avoid odour when collecting, storing and treating manure and dirty water. Need guidance on a reasonable separation distance between residential property and storage areas for these materials, and for the keeping of outdoor pig and poultry units.

### **36. Thames Water**

Agree with the consolidation into one overarching Code (**Q1**)? Agree, but some loss of detail

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): Use sequential numbering of references.

Other comments: Technical sections could be moved to appendices – this would make the Code shorter and easier to read. Use picture diagrams illustrating good and bad practices. More background information is needed about pesticides and about the impacts of different types of pollution. Some clarification needed about the sewage sludge regulations.

### **37. United Utilities**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree. Section 2 is divided by issues rather than management actions, which dilutes the message about manure spreading. Cross-referencing could be clearer.

Comments on the detail of the Code (**Q3**): The code clearly explains what is a statutory requirement under cross compliance and other legislation and what is

guidance for good practice. The useful section on accident and emergency plans could be moved to the very front as an easily located reference.

Other comments: Section on farm buildings and structures is very clear and the proposed layout highlights the importance of each management structure and clearly directs the farmer how to check for compliance and where to look for more detailed information if required. In section 5, management of peat soils, it would be helpful to mention stocking levels to reduce poaching.

### **38. Veterinary Laboratories Agency**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: Change *Cryptosporidium parva* to *C. parvum*.

### **39. Vitacress Salads**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment

Other comments: By classifying green waste compost as organic manure, along with farm yard manure it would have to be incorporated into the soil within 24 hours of spreading. The risk of gaseous emissions and surface run-off is much reduced with green compost compared to farm-yard manures, and it is not always practical to incorporate the compost within 24 hours of spreading.

### **40. Waste and Resources Action Programme**

Agree with the consolidation into one overarching Code (**Q1**)? No comment

Agree with integration of advice (**Q2**)? No comment

Comments on the detail of the Code (**Q3**): No comment on structure

Other comments: Pleased that composts are featured. The term organic manures should include all kinds of compost, green waste derived compost as

well compost made from other biodegradable wastes (food, biopolymers, manures etc.) and anaerobic digestate. Suggest replacing “green waste compost” by “compost” only or “recycled compost”. Recommend the inclusion of a reference to BSI PAS 100.

#### **41. Water UK**

Agree with the consolidation into one overarching Code (**Q1**)? Agree

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): Agree, but should focus on widely applicable generic best practice, while stressing need for additional risk based measures tailored to local catchments.

Other comments: The Code should more fully recognise industry derived advice such as that produced by the pesticides voluntary initiative. Important to recognise the differences between treated sludges and farm yard manures.

#### **42. Wigan Council**

Agree with the consolidation into one overarching Code (**Q1**)? No mention of how farming activity can give rise to statutory nuisance.

Agree with integration of advice (**Q2**)? Agree

Comments on the detail of the Code (**Q3**): Content severely lacking in advice for land managers/farmers in dealing with problems of odours and nuisance complaints.

Other comments: More information needed to assist Local Authorities in resolving statutory nuisance complaints relating to odours from sewage sludge disposal in agriculture, especially in proximity to residential areas.