

## Area Board Briefing Note – Odours from agricultural spreading

<b>Service:</b>	<b>Public Protection</b>
<b>Date prepared:</b>	<b>8 September 2022</b>
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During the spring and in the summer after harvesting, Wiltshire Council occasionally receives complaints concerning agricultural odours. Generally, the most common source of odour complaints relate to the storing and spreading bio-solids (sewage sludge), animal manures (such as chicken manure) and slurries (muck spreading). Prevailing winds can carry these odours some distance across fields and into residential areas.

Most people recognise the smell of animal slurry and will generally accept it as a part of being in the countryside. What concerns many however is the use, and in particular the smell, of sewage sludge. Sewage sludge is the semi-solid material left over from the sewage treatment process. It is a readily available and sustainable resource, which contains valuable nutrients and trace elements essential to plants and animals. The spreading of sewage sludge onto agricultural land is a perfectly legal and is recognised as a sustainable agricultural practice as it reduces the use of chemical fertilisers. Without recycling in this way, these wastewater by-products would need to be disposed of in much less sustainable ways, for example by being sent to landfill.

The process of spreading is a key factor in successful farming; unfortunately, the weather and positions of their fields/crops dictate when farmers can spread. The Department for Environment, Food and Rural Affairs (DEFRA) has published a [Code of Good Agricultural Practice](#). The code is a practical guide to help farmers protect the environment in which they operate. Whilst the code in itself is not law, compliance with it can help farmers meet their legal obligations. The code provides advice to farmers on how to carry out their activities, such as spreading, whilst causing minimum nuisance to neighbouring properties.

Best practice advice from DEFRA includes the following:-

If possible, to reduce odour and ammonia loss:-

- use a band spreader or injector to apply slurry.
- otherwise, use broadcast equipment with a low trajectory and large droplets. Broadcast slurry (by splash plate) should be incorporated immediately, and at the latest within 6 hours.
- if solid manure, it should be incorporated as soon as possible and at the latest within 24 hours.

Livestock manures should not be applied when:-

- the soil is waterlogged; or
- the soil is frozen hard; or the field is snow covered; or
- heavy rain is forecast within the next 48 hours.

Farmers are also advised to avoid spreading at weekends, bank holidays, in the evening or in fields close to and upwind of houses, unless it is solid manure that has been well composted, or slurry that is to be band spread, injected or has been treated to reduce odour.

The practice of stockpiling and spreading of treated sewage sludge and bio-solids on agricultural land is controlled by the [Sludge \(Use in Agriculture\) Regulations 1989](#) and regulated by the Environment Agency. Queries relating to spreading should initially be raised with the EA using the contacts below

Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk) Telephone: 03708 506 506

As there is a great deal of working farmland within Wiltshire agricultural odours can be a problem, resulting in short term agricultural odours within the area. The duration and intensity of the odour is often difficult to predict depending on weather conditions.

In instances of significant odour over a prolonged period, an officer from Public Protection Services will contact the farmer and visit the area to assess the extent and severity of the odour. They will also try to establish if the odour is the result of any bad agricultural practice. Where farmers are spreading without regard to the code then they will be advised as to what best practice is and encouraged to use it.

It is unlikely that legal action under the statutory nuisance powers contained in the Environmental Protection Act 1990 will be taken against agricultural odours in a countryside location, unless the odour:

- is unreasonably excessive,
- has persisted for a prolonged period,
- the source is identifiable, and
- is affecting resident's homes

If the Council is satisfied that, despite having received appropriate advice, agricultural material is continuing to be spread in a manner which does not follow the Code, and this in turn is resulting in unacceptable levels of odour, then it may be possible to take legal action.

It is also recognised that there may be circumstances where a household is subject to repeated odours, either simultaneously or consecutively from several different locations over a number of days. We can only hold each landowner responsible for activities on their land and cannot take into account the cumulative impact of other spreading activities carried out on land not within their ownership.