



WORSHIPFUL COMPANY OF WATER CONSERVATORS

Promoting a diverse and sustainable environment

BRIEFING ON THE RESPONSE TO THE DEFRA CONSULTATION ON REGULATORY REFORM FOR FERTILISERS MAY 2026

1 The Worshipful Company of Water Conservators (WCWC) is a City of London Livery Company focussed on the long-term health of our water resources and the broader related industries and their regulators, along with others who share our concern for water and the environment. Our experience and knowledge ranges from the complexities of environmental sciences, through the application of engineering to deliver the goals identified by those sciences, and the subsequent management of assets created. The WCWC's purpose is *promoting a diverse and sustainable environment*.

2 As part of that purpose, the WCWC has been responding to relevant Consultations particularly on matters relating to water conservation. These are archived on its website. It has been active in offering views and responding to regulatory consultations on the use of treated sewage sludge (known commonly as biosolids) in agriculture.

<https://waterconservators.org/wp-content/uploads/filr/4346/MAR-2026-BIORESOURCES-Response-to-Defra-fin2.pdf>

<https://waterconservators.org/wp-content/uploads/filr/4364/MAR-2026-BIORESOURCES-Response-to-Defra-Supp3.pdf>

<https://waterconservators.org/wp-content/uploads/filr/4368/MAR-2026-BIORESOURCES-WG-Response.pdf>

3 It has done so not only because of its care for the wider environment, but because it recognises that the costs of managing sewage sludge are a significant proportion of the cost of sewage treatment and it is essential that the option of recycling to agricultural land is able to continue successfully.

THE PROPOSALS

4 The United Kingdom (UK) government, Scottish Government, Welsh Government and the Northern Ireland Executive (referred to collectively as 'all four governments') have worked together on a consultation and call for evidence, which focuses on proposals to repeal existing fertilisers legislation and replace it with a new regulatory framework (the 'UK Fertilising Product Regulations' ("UK FPR")) for placing fertilising products on the market in the UK.

5 The Consultation states that *reform of UK fertilisers legislation aims to support innovation in the fertiliser sector, by smoothing the route to market for newer and novel fertilising*

products which are less polluting to the environment or are less resource intensive in their creation. As well as increasing user confidence in a more diverse range of safe and effective fertilising products.

UK fertilisers: regulatory reform - Defra - Citizen Space

6 The current 1991 Fertiliser Regulations define what is a Fertiliser (and do not contain biosolids).

<https://www.legislation.gov.uk/ukxi/1991/2197/schedule/1/made>

SUMMARY OF THE RESPONSE

7 The full response is stored on the Company website.

<https://waterconservators.org/wp-content/uploads/filr/4601/MAY-26-BIORESOURCES-FERTILISERS-Response-to-Defra-Consultation.pdf>

8 The WCWC notes the proposed changes to the regulation of inorganic fertilisers. It offers no commentary.

9 The current Regulations include some biowastes, and only then if they are offered as marketable products. And they do not include biosolids in any form. It notes that there is a possibility of extending the Framework to include more biowastes including biosolids. The water industry does not provide for biosolids as marketable products, in the sense of the Regulations now, and is unlikely to do so in future. Like the Government, it awaits the accumulation of evidence, but from the content and intent of the Framework, it suggests that, in general, adding biosolids to the Framework will add no benefit to practical operational services to agriculture or provide any further protection of crops, soils and customers beyond that envisaged in the current review of biosolids regulations.

10 However, with the innovation envisaged in the Consultation, circumstances may change. For example biochar produced from sewage sludge and used in agriculture will still be deemed biosolids and subject to reformed Regulations, but may lend itself more easily to marketing as a product. In such circumstances if these materials are designated as products under the Framework and dealt with the same as all other products, then the reformed Regulations on biosolids use should exclude them subject to regulation under the Framework and equally the Framework should be explicit in excluding direct services to agriculture for such materials. This principle of mutual exclusivity could apply to other biowastes, such as farmyard manures.

11 If inorganic fertilisers are produced from sewage, sewage sludge and its liquors, such as struvite, they are not biowastes per se, and these should be covered equally by the Framework.

12 The WCWC repeats its suggestions for much better coordination of policy and a particular point on syntax. It agrees with the thrust of the Consultation that more clarity is needed, it is not sure that the hints on the direction of travel with respect to biowastes will provide that.