



European Union Network for
the Implementation and Enforcement
of Environmental Law

Achieving better compliance in the agricultural sector through networking and partnership working of environmental and agricultural inspectorates

Report on the two field based exchanges that took place in 2013 looking at the
Nitrates Directive and diffuse pollution.

Holbæk, Denmark 9-10 September 2013
Edinburgh, Scotland 8-9 October 2013

<p>Title report: Achieving better compliance in the agricultural sector through networking and partnership working of environmental and agricultural inspectorates</p>	<p>Number report: 2013/16</p>
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<p>Executive summary:</p> <p>The European Commission identified this project area as a priority to IMPEL during a joint meeting in Brussels on 14/09/12. They highlighted that there are poor levels of compliance with the Water Framework Directive (diffuse pollution & illegal abstraction) and the Nitrates Directive and that a gap has been identified between “environmental” and “agricultural” inspectorates. As a result they wished to see how enhanced networking of different regulatory agencies could be carried out to achieve higher levels of compliance in the agricultural sector through the exchange of pertinent information and current best practice with respect to diffuse pollution and the control of nitrates.</p> <p>In most member countries there are often multiple organisations carrying out compliance inspections on sites within the agricultural sector. Although the agencies are usually different there is often a common overlapping goal to achieve compliance and protect the environment.</p> <p>This project aimed to bring regulatory experts from both environmental inspectorates and agricultural inspectorates together with the explicit aim of improving compliance levels in the agricultural sector and most notably in the areas of diffuse pollution (WFD) and the control of nitrates.</p> <p>The initial aim of bringing the two different types of inspectorates was achieved through the means of two joint field visits. The first visit was held in Holbæk in Denmark and was designed to study how the Nitrates Directive is implemented in Denmark. The second visit was based in Edinburgh, Scotland and looked at agricultural diffuse pollution as regulated by the Water Framework Directive.</p>	
<p>Disclaimer: This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations.</p>	

Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years, IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation. Information on the IMPEL Network is also available through its website at www.impel.eu.

Executive Summary

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In most member countries there are often multiple organisations carrying out compliance inspections on sites within the agricultural sector. Although the agencies are usually different there is often a common overlapping goal to achieve compliance and protect the environment.

This project aimed to bring regulatory experts from both environmental inspectorates and agricultural inspectorates together with the explicit aim of improving compliance levels in the agricultural sector and most notably in the areas of diffuse pollution (WFD) and the control of nitrates.

The initial aim of bringing the two different types of inspectorates was achieved through the means of two joint field visits. The first visit was held in Holbæk in Denmark and was designed to study how the Nitrates Directive is implemented in Denmark. The second visit was based in Edinburgh, Scotland and looked at agricultural diffuse pollution as regulated by the Water Framework Directive.

Introduction

Two site visits were held with the primary aim of bringing together inspectors from environmental and agricultural inspectorates together so that they can share experiences and help work towards closing the implementation gap. The next two sections detail these two visits.

Hoalbæk, Denmark 9-10 September 2013

The IMPEL-meeting in Holbæk, Denmark, consisted of presentations of how the Nitrates Directive is implemented in Danish legislation and a field trip with a local supervisory authority (the municipality of Holbæk) carrying out inspections on a dairy cattle farm.

Introduction

In Denmark controlling of the legislation that implements the Nitrates Directive is shared between the Ministry of Agriculture and the local councils of the municipalities.

The Ministry of Agriculture controls for example fertilizer accounts and catch crops and administrates cross-compliance. The councils of the Danish municipalities are the supervisory authority for environmental inspections on agricultural farms.

The municipalities' inspections include for example capacity of manure storages, construction of manure and silage storages, application periods for manure and other restrictions when applying manure. Where cross-compliance applies, the municipalities are responsible for the inspections and must report infringements to the Ministry of Agriculture.

With the presentations the aim was to begin sharing experiences on implementation and controlling the Nitrates Directive, and to show some mechanisms behind implementation and compliance. The presentations focused on examples of how implementation can give incentives for compliance.

Day 1

Session 1

Presentation - Implementation of the Nitrates Directive in Denmark; legal framework and competent authorities & overview of control activities (by Henriette Hossy)

The Danish Action Plans for the Aquatic Environment (APAEs) encompass comprehensive regulations regarding the aquatic environment and have been the key tools in reducing the load of nitrogen from diffuse pollution on the environment. They precede the implementation of the Nitrates Directive, as the first plan was adopted in 1987. For each APAE a number of strict goals were set for the reduction of nitrogen and phosphorous discharges.

The regulatory measures applied include nutrient-related measures e.g. mandatory fertilizer plans and improved utilization of nitrogen in manure as well as area-related measures such as e.g. wetlands and afforestation. In 1987 the Danish parliament agreed on the first Action Plan for the Aquatic Environment I and in 1998 on the APAE II, which was recognised as the implementation of the Nitrates Directive as announced by the Commission in November 1998. The final evaluation of the APAE II in December 2003 showed that measures already implemented in addition to measures already agreed upon and financed would result in a reduction of the total nitrogen discharges from agriculture of around 149,000 tonnes N per year. This corresponds to a reduction of around 48% of the calculated 311,000 tonnes N in 1985.

In 2004, new goals were set, as the Danish parliament agreed upon APAE III 2005-2015. APAE III includes a stronger focus on surplus phosphor in agriculture, which must be halved, compared to 37,700 tonnes P in 2001/2002, with 2015 as the target year. For nitrogen the aim is to reduce leaching from agriculture by a minimum of 13% by 2015 compared to 2003. In 2009 the Danish government launched the Green Growth Agreement – a plan that ensures better conditions for the nature and environment while allowing agriculture to develop. The Green Growth Agreement also deals with the problems formerly encountered in achieving expected goals in the APAE III. The measures in Green Growth Agreement will continue ensuring the achieving of the objective of the Nitrates Directive with the targets on reducing the loads of nitrogen and phosphorus. A change from the former APAEs is the switch from a target in N leaching from the root zone to a target in N discharge to the aquatic environment. As the GGA also implements the WFD, some measures are targeted sub-catchments and some measures are general rules.

Fertilizer plan

All farm holdings that are covered by the law on fertilizer and plant cover are yearly obliged to make a plan for all fields, that shows the use of nitrogen in fertilizer and manure, and calculate a nitrogen quota based on the standard nitrogen norms for crops. For each individual farm holding the allowed fertilizer use is based on the types of soil and on crops

grown. Every type of crop and soil has a fertilizer application standard, which is the economically optimal dosage, as determined by research, minus at least 10 %. The calculation also includes nitrogen supply from previous crops on the field and precipitation, as this also determines the nitrogen content in the field.

Fertilizer account

The farmer must account for actual use at the end of the season by reporting the fertilizer account to the Danish AgriFish Agency: 1) how much nitrogen in manure or fertilizer has been bought, produced and received and 2) how much has been sold, stored or transferred to another farm. The difference between the two is recorded as nitrogen used on the fields, and this amount must not exceed the farm holding nitrogen quota. The information in the fertilizer accounts is also used to monitor violations of the harmony rules and rules concerning catch crops. Businesses or persons which sell fertilizers (including plants where manure is processed and bio gassed) are obliged to control whether the buyer is registered as a “user of manure and fertilizer” in the national register and has to report the sale in kg N to the Danish AgriFish Agency. Information about purchased fertilizer and received manure (incl. processed and bio gassed manure) is pre-printed in the fertilizer account. If the farm holding has applied for single payment by using the internet, information about summarized field size, catch crops - and in some cases - also the calculated nitrogen quota, are transferred to the system where the farmer must submit the fertilizer account and are pre-printed in the fertilizer account.

Registration of manure production

A part of the fertilizer account is a calculation of the manure production for the farm holding. Information from the Central Husbandry Register is transferred to the fertilizer account system, showing information about number of cows, cattle (and the number of days at the farm holding) etc. in the planning period.

In the fertilizer account the farm holding has to give information about the stable system and number of produced animals for the reporting period (plan period), and weight (in/out) or days at the farm. By using standardized norms for nitrogen in manure, the production of nitrogen from manure is calculated.

If manure is delivered to another farm holding, it must be reported in the account, giving information about the central registration number of the farm holding, location, type, utilization percent and the amount of manure (kg N and LU). It is only allowed to deliver manure to a farm holding, which is covered by the law on fertilizer and plant cover. Otherwise it will be caught in the electronic control and cannot be submitted. The farm holding that receives manure, must likewise account for the received manure.

The fertilizer account can be submitted electronically and in special situations by paper. If the farmer uses the electronic submitting system, the account will be validated in the process. Hereby the farmer avoids sending accounts that don't make sense. 94% of the farmers submit the account electronically, which gives data a high quality. Accounts that are submitted by paper are typed manually into the file processing system.

Control and inspection of the farmers

Nearly all Danish farmers must submit a yearly fertilization status account to the Danish AgriFish Agency. In 2011 42,000 farmers were obliged to submit a fertilizer account. All fertilizer accounts go through an administrative control. In 2010 the administrative control showed that 46 farms corresponding to 0.1% exceed the nitrogen quota by up to 9 kg N/ha and 21 farms corresponding to 0.05% exceed the nitrogen quota by more than 9 kg N/ha. About 2% (ca.900) of the holdings are controlled “on the spot”. 93 of these were not complying with the rules.

Effect of the APAEs

The effect of the APAEs is shown in the results from the monitoring, where in the period from 1990-2011 there has been a reduction of discharge of nitrogen to the sea from more than 100,000 t N to about 56-59,000 t N/year the last couple of years. Of this is the diffuse pollution (primary from agriculture) declined from 55-61,000 t N in 2001/02-2006/07 to 50-53,000 t N in 2006/07-2010/11. The general conclusion to be drawn from the Agricultural Catchment Monitoring Programme is that nitrate concentrations in soil water (1.0 m below soil surface) have decreased steadily from 1990 to 2004, approaching the limit of 50 mg nitrate l⁻¹. Since 2004 this trend has levelled out. And nitrate concentrations in the upper groundwater (1.5-5.0 m below soil surface) are reduced to a level below the limit of 50 mg nitrate l⁻¹.

When it comes to groundwater and comparing the monitoring points that are common for each reporting period the overall tendency is a decrease in nitrate concentrations in the groundwater. The major part - about 75% - of the monitoring points has an average nitrate concentration below 40 mg/l. A far larger fraction of monitoring points has decreasing nitrate content than the fraction with increasing content. In general downward trends are to be found all over the country, while upward trends mostly are found in western parts of Denmark. A statistical analysis only on toxic groundwater dated with CFC gave a strong indication of a trend reversal of nitrate in Danish groundwater due to reduced nitrogen surplus in Danish agriculture since the 1980ies. It shows that groundwater older than 25 years generally has more upward trends, than younger groundwater with ages below 15 years, and that younger groundwater generally has more downward nitrate trends than older groundwater.

Highlights from the discussion in groups:

The CC-rules are linked to the general rules, but the degree of detail differs from country to country.

In some countries two different authorities do the control which makes it more confusing.

When it comes to the nitrates directive the MS can choose to designate nitrate vulnerable zones or choose to let the action plan cover the whole area. For some countries, which have chosen to designate vulnerable zones, the transports of manure across the zones are very difficult to control. In the end it makes the amount of manure applied per hectare difficult to control, as the control authorities are not aware of the total applied amount and the export and import to the holding is difficult to follow.

Even though there are differences in the implementation of the nitrates directive the principles for controlling are the same.

In some member countries control of aspects of the Action Program are mixed with the CC control. In other countries more than one authority is involved in controlling both. The consequences of non-compliance vary from instant economic penalty to a somewhat higher tolerance and accept of postponements.

It was generally agreed that controlling the actual allocation of nitrogen on the each farm is a challenge and the best solution on how to do so has yet to be determined.

In some countries the percentage controlled pr year varies.

Why a low percentage controlled, if compliance is wanted?

Denmark controls 100 % administratively.

By using campaigns, word spreads and thereby higher level of compliance is reached. It means putting in more effort in the beginning. The perceived risk becomes higher.

Session 2

Presentation - How the Danish local authorities carry out inspections and enforcement of legislation that implements the Nitrates Directive (by Anette Dodensig Pedersen)

The presentation focused on the control on the parts of the Nitrates Directive that the Danish municipalities are the supervisory authority for. These parts are implemented in the Livestock Manure Order.

Environmental inspections

The councils of the Danish municipalities are the supervisory authority for environmental inspections on agricultural farms.

The municipalities must inspect all livestock farms of more than 3 Livestock Units regularly. Larger livestock farms are inspected about every 3rd year, smaller livestock farms about every 6th year. A small farm is below approximately 75 Livestock Units, but the limit varies according to the type of livestock and which type of permit the farm holds.

After implementing the Industrial Emissions Directive in 2013 the frequency of inspections should be based on risk assessment as. In Denmark it has been decided to base the inspection frequency on not only farms covered by the Industrial Emissions Directive but also on other types of livestock and smaller units as well. The frequency of inspections with non IE-farms will be lower though.

In general inspections are announced in advance. This gives the farmer the opportunity to sort things out before the inspection, which of course may mean that fewer infringements are caught. On the other hand the purpose of compliance is reached anyway.

At one visit the inspector will check compliance with all the environmental regulation of which the council of the municipality is supervisory authority. The Nitrates Directive

Preparing for the inspection

The inspector will typically use the following in the preparation for the inspection:

- Previous inspection report
- Permitted animal stock as registered by the municipality
- Airphoto of the property (to see which buildings to inspect)
- Pending cases, if any
- Environmental approval, if any
- Registered animal stock in the Central Husbandry Register

After the inspection

After the inspection the inspector will gather additional information if necessary. Often it will be necessary to check up on rules to decide whether there has been infringements or not. The inspector will write an inspection report and send a letter to the farmer. The letter will contain any admonitions which the inspection has given reason for.

The farm buildings

The inspector will check that the buildings on the site correspond to what is permitted. Usually not much attention to the design of stables. However attention will be paid to simple stables or pens without solid floors where the risk of leaking is high.

Capacity of manure storage

The storage capacity must correspond to at least 6 months' supply. Sufficient capacity of will normally correspond to at least 9 months' supply. The requirement can be fulfilled by delivery for storage on another property or delivery to common biogas plants etc. Written agreement is necessary as documentation.

Supply is calculated as the quantity of livestock manure produced during the period in question on the basis of the animals being stabled, together with quantities otherwise supplied to the facility, including washing water and silage effluent.

The farmer is responsible for submitting an updated calculation of storage capacity to the local council when changes are made that influence the capacity. Standard form for calculating the capacity is available from the Danish Agricultural Advisory Service. In addition, the capacity is calculated automatically after an inspection on basis when the inspector enters information from the inspection in the municipality's casework system.

Slurry tanks

Slurry tanks shall be made of durable materials that are impermeable to moisture. Slurry tanks shall be appropriately dimensioned in relation to capacity to resist the impacts of stirring, covering and emptying.

The local council shall order remedial measures, or possibly forbid operation of a slurry tank, if the supervisory authority finds a likely risk of a container cracking, rupturing or similar. Stricter rules apply when a slurry tank is located where malfunctions or accidents may entail serious damage to water supply facilities, watercourses, lakes larger than 100 m² or coastal waters.

Slurry tanks shall be inspected at least every 10th year (every 5th year for slurry tanks close to water courses or lakes). The inspection shall be carried out by an authorized inspector. At the inspection the slurry tank's strength and leak-tightness is estimated. The farmer's insurance for the slurry tank will normally demand that the mandatory control of slurry tanks has been completed in due time. The purpose of this control is to create a technically sufficient basis for the local council's decision on whether slurry tanks comply with the requirements in the Livestock Manure Order.

Slurry tanks shall be provided with fixed covering such as a floating fabric membrane, tent roof or the like, or dense cover, such as a natural floating crust or other type of dense cover for the container. The use of ammonia-reducing actions on the liquid livestock manure (e.g. acidification or floating tiles) can replace a fixed cover or natural floating crust. For slurry tanks without a fixed covering, the farmer must make regular records in a logbook about the condition and leak-tightness of the floating crust or other impermeable cover to substantiate the fact that there is a sufficiently dense crust or other impermeable covering. If the supervisory authority finds the cover to be inadequate on two consecutive inspections within a period of three years, the supervisory authority shall order the farmer to establish a fixed cover

Slurry tanks must have submerged intake that is protected against backflow. Pump tubes must swing over the slurry tank and lock into position or be provided with a shutoff valve to the pump tube or a similar arrangement when the pump is not in use and not supervised. Pumps used for emptying slurry tanks shall be provided with a timer or similar arrangement which ensures that the amount of manure pumped from the container at once does not exceed the capacity of the slurry tanker. Pumping from one container to another container may be done without a timer if it can be ensured that leakage is avoided in another manner such as manual monitoring or an alarm system. Pumps must be provided

with a switch which ensures that the pump cannot be started inadvertently. Electric pumps are to be switched off at the master control panel when not in use and unattended. The switch must be locked or kept under locked conditions.

Solid manure

Various rules apply about the construction of manure yards to prevent leaking and ensure that manure effluent is led through drain into a storage tank.

Manure can be stored in field stacks if the dry matter content of at least 30% (compost). Field stacks may not be stored at the same location for longer than 12 months. Field stacks may not be placed at the same location again for 5 years. The farmer must keep annual records of the field stacks. The records shall include information on storage periods and locations, e.g. via specifications on a map.

Storage of silage

Effluent silage shall be stored in silage sites or silage tanks. Various rules apply about the construction of sites or tanks to ensure that silage effluent is led through drain into a storage tank. Silage tank floors shall be made of a material impermeable to moisture. Silage tank floors must be constructed of durable materials and be able to resist the impacts of the tank content itself and of filling and emptying.

Manure spreading

Detailed and highly technical rules about:

- Closed spreading periods (depending on type of manure, crop and precipitation)
- Methods of application
- Incorporation
- Areas, where manure may not be applied (e.g. frozen, sloping, near surface water bodies)

Controlling compliance with these rules is difficult for the supervisory authority and is often only controlled when neighbours make a complaint. Thematic campaign at certain times of the year may be a method of more active and targeted controls of manure spreading.

Day 2

Session 3

Field trip with a local authority (the municipality of Holbæk) carrying out inspections on a cattle farm

Introduction to the dairy cattle farm (derogation farm)

The dairy cattle farm "Vorgård", Adellers Allé 208, 4532 Gislinge is owned and run by Reintje and Yke Kloppenburg.

In November 2012 they got an environmental approval for expanding the animal stock from 200 cows and a few heifers and calves to 340 cows, 184 heifers and 73 calves. Converted into Livestock Units (LU) it is an expansion from 283 LU to 584 LU. The annual milk production per cow is approximately 10,000 kg.

The approved project includes increasing the stables by 3,874 m², expanding the silage storage silos by 680 m² and replacing two small slurry tanks with a new tank of 4.000 m³.

The manure consists mainly of slurry. A smaller part (from the calves and a few cows) consists of deep litter.

There is an area of 110.2 ha available for manure spreading on the holding. Most of the fields are placed in the area surrounding the farm buildings. The area is not sufficient for complying with the harmony rules in the Livestock Manure Order. Therefore the owners have agreements on delivering manure to other agricultural holdings.

The inspection

The inspectors from the municipality mainly controlled compliance with the rules in the Livestock Manure Order and conditions in the environmental approval. Compliance with other rules of which the council of the municipality is supervisory authority was also checked at this same inspection. Not all rules and conditions can be controlled by the routine on-site inspection.

List of the main focuses of the inspection:

- Manure storages
- Silage storages
- Drains
- Number and types of livestock
- Conditions in environmental approval
- Storage of oil and chemicals
- Storage and disposal of waste

Session 4

Discussion and conclusions

It is important to meet and discuss the implementation of the nitrates directive as all countries hear stories about other countries, doing things differently. It is important – even though – it is difficult that the implementation is similar to some degree – as similar as it gets with different climates from north to south.

It is difficult to control the amount of manure applied to the area. Meaning it is difficult to control that this specific amount is applied.

Ideas for future collaborative projects:

- Recommendations on how to handle manure transport (between holdings)
- Recommendations on how to make a systematic control or campaigns at the right time during the year
- Practical examples with certain technical information about the controls. That is examples with numbers to make everyone understand how the control is done, what the cost of the control is (money and time) and what are the true results of the control
- The climatic parameters of each country. It is not possible to have a certain way of controlling the Nitrates Directive for all countries or even for all regions, if you have

to deal with a big country. The climatic parameters are so important, that we can only discuss the way of dealing with the Directive with countries with similar temperatures and rainfalls or even with similar size of parcels.

Edinburgh, Scotland 8-9 October 2013

The meeting in Edinburgh, Scotland consisted of field visits and presentations on rural diffuse pollution from a Scottish perspective. This 2-day meeting brought regulatory experts from both environmental and agricultural inspectorates together with the explicit aim of improving compliance levels in the agricultural sector, and in particular control of nitrates and other types of rural diffuse pollution. This Umbrella project ran alongside the Danish project solely looking at nitrates. Although we have an overarching project these two cases ran as separate mini projects.

Introduction

In Scotland we introduce minimum regulations based on good farming practice to control pollution runoff from land based activities. These General Binding rules set minimum levels of compliance for land managers, when storing and applying fertiliser (organic or inorganic) to land, control livestock access to water environment and feeding of livestock near water, cultivation of land in proximity to the water environment, pollution from field tile drains, pesticide use on land and also sheep dipping facilities. The new GBR came into force in 2008.

Also within Scotland they set up a stakeholder lead body the diffuse pollution management Advisory Group to oversee rural diffuse pollution within Scotland. DPMAG developed Scotland's rural diffuse pollution Plan, which detailed evidence of the issues needed captured and set out to produce farmer friendly guidance with the farming sector.

Day 1

A visit to the River Eye Priority Catchment started at 13:00. This is one of the 14 catchments selected as Scotland's priority for 2009-2015 (in total 103 catchments have been identified; 32 catchments will become priorities in 2015-2021; further 57 will be targeted in 2021-2027).

Action in priority catchments has three phases:

- desk based study, catchment walks and ongoing monitoring;
- awareness raising;
- 1 to 1 visits with land managers and advice on solutions.

The visit focused on alternative watering systems for field grazing livestock: solar PV pump, ram pump, and pasture pump (leaflets available in my office).

As explained during the next day presentations, 75 % of incidents of non-compliance with the WFD was related to **livestock access to watercourses**, 22 % in relation to cultivations with 2m of top of bank (**buffer strips**). Fencing and providing alternative watering systems prevents animals from watercourses.

Interesting to note (also for the Nitrates Dir.): animals also shelter under trees near watercourses, so it is important to provide them also with shelter/trees at distance from watercourses.

Day 2

The Scottish participants (from [SEPA](#) and Scottish Government) presented:

- Scotland's Rural Diffuse Pollution Mitigation Plan;
- Putting the Plan in Place – Priority Catchment Work from West and East Scotland;
- Innovation-use of technology to improve efficiency;
- Effectiveness of measures and SRDP;
- Farmers Perspective of Priority Catchment Work (by representative of the National Farmers Union);
- Scottish Government Perspective;
- Scottish Water's Sustainable Land Management Scheme.

Highlights

Research on **tramline wheelings** within fields could reduce diffuse pollution. Significant part of over-winter losses of P and N in surface runoff can be associated with un-vegetated and compacted tramline wheelings. Eradicating tramlines once in the autumn is potentially a highly effective method for reducing runoff.

Catchment walks in Scotland: started in March 2010 – completed August 2011. 5835 km walked with 5169 instances of non-compliance with GBRs. All information digitized on GIS (total software costs £ 313,025).

Communication and awareness raising is an very important factor: most non-compliances were remedied during the re-visit to the farm. There have been no fines applied.

Conclusions

At the end of the workshop, the following priority issues have been identified:

- 1) Targeting/prioritizing (how to prioritize catchments, also versus local communities who often have different priorities within the catchment);
- 2) On the ground;
- 3) Partnership (between different gov't agencies, but also with NFU);
- 4) Awareness raising + site visits crucial.

Follow up

The meeting discussed briefly possible IMPEL project on water in 2014. Most participants indicated that **sharing best practices**, based on case studies from different MSs on how compliance at farm level has been achieved with regard to different measures would be a very useful follow up of the 2013 IMPEL project. These best practices should include cost-effectiveness of the measures and also enable participants to discuss results of studies carried out in this area, as research in this field is lacking in some MSs.

Annex 1 Invite & draft agenda



Invitation
Better Compliance in Agriculture
(an IMPEL Cluster i Project)

Nitrates - 9th & 10th September 2013 – Holbæk, Denmark

&

Diffuse Pollution - 8th & 9th October 2013 – Edinburgh, Scotland

What is the project about?

The Member States of the European Union show a large variation in agricultural practices, institutional organisation and environmental conditions. This diversity is reflected in the measures taken and their control within the framework of the relevant Directives by Member States. The key relevant Directives being the Nitrates Directive concerning the protection of waters against pollution caused by nitrates from agricultural sources together with the broader approach of the Water Framework Directive's aim at reducing diffuse water pollution from agricultural sources and, further, at preventing such pollution.

This project will bring regulatory experts from both environmental inspectorates and agricultural inspectorates together with the explicit aim of improving compliance levels in the agricultural sector and most notably in the areas of diffuse pollution and the control of nitrates.

In most member countries there are often multiple organisations carrying out compliance inspections on sites within the agricultural sector. Although the agencies are usually different there is often a common overlapping goal to achieve compliance and protect the environment. This project aims to reduce this gap and kick start other collaborative projects.

Who should come?

You should be an inspector, manager or policy maker covering Nitrates Directive &/or diffuse pollution aspects of the Water Framework Directive.

We are particularly interested in a mix of delegates from both environmental and agricultural authorities to explore partnership working and to develop networking both intra state and interstate. Where multiple authorities exist within a country ideally we would like to see both attend the meetings. The meetings will be in English only so delegates will be required to converse in this language.

Do I have to come to both meetings?

No, we realise that delegates may be involved in only one aspect of the project. We do also welcome those who want to attend both meetings.

How much will it cost?

IMPEL aim to cover the cost of flights/train fares and accommodation for the first 18 people to register (per meeting). Depending on actual costs of flights this number may be reduced or increased. Those names already received will have priority via National Coordinators. The hosts of the meetings are aiming to provide lunches and an evening meal at both events. There may be some additional money for extra hotel nights depending on delegate numbers but you should assume that all taxis, sundry expenses and extra hotel nights must be paid for by your authority.

Buses will be provided free of charge for any site visits and transfers from Copenhagen airport/train station.

How do I register?

Please send an e-mail to Linda VanHeusden to confirm your attendance placing either DENMARK, SCOTLAND or BOTH in the header of the mail depending on which meeting you plan to attend.

You will need to indentify your own transport arrangements and add your flight/train details & costs into the e-mail. We will then book them centrally. Flights should arrive before 1200 on the first day and ideally leave after 1600 on the second day.

- Date – Airline – flight number – flight time departure & arrival (for each flight or leg)
- Total cost of transport (flight or train only)
- Travel document (e.g. Passport): Name as it appears on document, number, valid from & valid to dates, country where issued and country where born (quite a lot I know but different airlines need different things).
- E-mail address to sign acceptance of flights.

You must be available in the first two weeks of August to confirm your flight (from our travel agency VCK) or supply an e-mail address of someone who has the authority to do this for you. Where this is a problem let me know and I will agree it for you. You should know that non-attendance once booked is likely to lead IMPEL to recover costs from your authority.

Note: You should choose cheaper airlines wherever possible to minimise costs to the project.

Once flight details are sorted arrangements for both meetings will be dealt with at a local level for the respective meetings from Denmark & Scotland.

Agenda

Both meetings do not have their exact timings yet but you should be prepared to work late and start early to maximise time available.

Holbaek, Denmark 9th & 10th September

The meeting venue is approximately 65km's west of Copenhagen and there will therefore be a pick-up at the airport & train station at 1230 by bus to get you to the venue. Any arrivals after this time will be required to make their own way to the venue at their own cost.

Day 1 (Sep. 9th)

Arrival and transport to accommodation near Holbæk. With lunch on arrival.

Session 1: Presentation - Implementation of the Nitrates Directive in Denmark; legal framework and competent authorities & overview of control activities. (by Henriette Hossy) This will be followed by a discussion in small groups about the topics of the presentation. Specific questions will be sent to the participants in advance.

Coffee break

Session 2: Presentation - How the Danish local authorities carry out inspections and enforcement of legislation that implements the Nitrates Directive (by Anette Dodensig Pedersen). This will be followed by a discussion in small groups in the same format as described above.

Dinner followed by social/networking activities

Day 2 (Sep 10th)

Session 3: Field trip with a local authority (the municipality of Holbæk) carrying out inspections on a cattle farm.

Coffee

Session 4: Discussion and conclusions. Looking at what we experienced at the field trip and relating it to the presentations from the previous day. Ideas for future collaborative projects.

Lunch

1400 depart – bus to the airport or central station taking approximately 1 hour.

Edinburgh, Scotland 8th & 9th October

The meeting venue is in Edinburgh city centre at the edge of the old town (at the same venue as the Cluster meeting for those of you who were there). Airport buses run every 10 mins to the centre (for a few euros) and arrive at the central station from where it is a

15min walk. You should allow at least an hour from the airport to the venue and vice versa.

Day 1 (Oct. 8th)

Delegates assemble at hotel with buffet lunch at 1330.

Session 1: Field trip, bus departs at 14:00 for a visit to a WFD priority catchment in the South East of Scotland called the river Eye catchment. The visit will highlight diffuse pollution issues on the river bank and how Scotland is dealing with them. We will also stop at salient points on route and visit SRUC (Scotland's Rural College) alternative livestock watering sites. There will be a brief stop for refreshments.

Dinner followed by social/networking activities

Day 2 (Oct. 9th)

Session 2: Overview of the Scottish Environment Protection Agencies diffuse pollution strategy & catchment coordinators presentations for livestock and arable catchment. The use of technology in the field. Including time for discussion.

Coffee

Session 3: Partnership working – setting up a partnership - Scottish Government perspective - Farmers Perspective. Including time for discussion.

Session 4: The future. Where we are going in Scotland. Where should we be going in IMPEL? Future projects?

Aim to finish meeting at 13:00 to allow delegates to get flights/trains

Buffet lunch and final networking

Other issues

Field Visits

All field trips will take place regardless of weather, please bring suitable clothing including washed footwear. There will be disinfection requirements before going onto site.

Annex 2 - TOR

Terms Of Reference (TOR) for an IMPEL project

Notes: Please read the supporting notes before filling in each section indicated with an *. This is a smart document, to move to the next section press the tab key

1. Project title & version control

1.1 Name of project			
Achieving better compliance in the agricultural sector through networking and partnership working of environmental and agricultural inspectorates			
1.2 Abbreviated project name (where deemed required)			
Better compliance in agriculture			
1.3 Version Control (enter current version number of TOR & date e.g. V1 03/03/13)			V1.4 22/11/12
1.4 Where was this TOR amended to current version (e.g. Spring cluster 2013)?		Autumn Cluster 2013, Utrecht	
1.5 How many years do you foresee this project lasting?			1 in this format
1.6 Current year of project?	1	1.7 Approved at which G.A?	-
1.8 Which Cluster will review this TOR (I or TFS)?			I / Board

2. Outline business case (why this project?)

2.1 Legislative driver(s) (name the Directive, Regulation etc)	
Water Framework Directive 2000/60/EC & Nitrates Directive 91/676/EEC & Recommendation providing for minimum criteria for environmental inspections (RMCEI) 2001/331/EC	
2.2 Link to MASP priority work areas (indicate which of the following apply)	
Assist members to implement new legislation.	No
Build capacities in member organisations including through the IMPEL review initiatives.	Yes
Work on trans-frontier shipment of waste.	N/A

Work on 'problem' areas of implementation identified by IMPEL and the European Commission.	Yes
2.3 Description of the project (include reasons why the project is needed)	
<p>The Member States of the European Union show a large variation in agricultural practices, institutional organisation and environmental conditions. This diversity is reflected in the measures taken and their control within the framework of the relevant Directives by Member States. The key relevant Directives being the Nitrates Directive concerning the protection of waters against pollution caused by nitrates from agricultural sources together with the broader approach of the Water Framework Directive's aim at reducing diffuse water pollution from agricultural sources and, further, at preventing such pollution.</p> <p>This project will bring regulatory experts from both environmental inspectorates and agricultural inspectorates together with the explicit aim of improving compliance levels in the agricultural sector and most notably in the areas of diffuse pollution (WFD) and the control of nitrates.</p> <p>In most member countries there are often multiple organisations carrying out compliance inspections on sites within the agricultural sector. Although the agencies are usually different there is often a common overlapping goal to achieve compliance and protect the environment.</p> <p>IMPEL has historically worked on more industrialised areas of regulation like IPPC; SEVESO and waste and have developed useful tools and approaches to tackle issues and help support the legislative framework. Many of these approaches which have been shown to achieve good results in terms of better implementation for those sectors may be usefully used here.</p> <p>Why this project? The Commission identified this project area as a priority to IMPEL during a joint meeting in Brussels on 14/09/12. They highlighted that there are poor levels of compliance with the Water Framework Directive (diffuse pollution & illegal abstraction) and the Nitrates Directive and that a gap has been identified between "environmental" and "agricultural" inspectorates.</p> <p>The recently adopted Blueprint to Safeguard Europe's Water Resources has identified diffuse and point-source pollution as still causing significant pressures on the water environment in about 38% and 22% of EU water bodies respectively. Over-abstraction of water was documented as the second most common pressure on EU ecological status (in 16 Member States) and may also be covered in discussion if time allows.</p>	
2.4 Desired outcome of the project (what do you want to achieve?)	
<p>Enhanced networking of different regulatory agencies</p> <ul style="list-style-type: none"> • to achieve higher levels of compliance in the agricultural sector • to develop more efficient and homogenous forms of control • to develop a model based on the creation of action plans • to exchange pertinent information (better data flow) • to exchange current best practice with respect to diffuse pollution and the control of nitrates. 	

3. Structure of the project

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<p>3.1 Describe the activities of the project (What are you going to do?)</p> <p>We plan to hold two field study visits one in Scotland and the other in Denmark and develop a report of the two visits to kick start a virtual web space (Basecamp/Linkedin etc) to allow interaction of the two communities.</p> <p>Visit 1: Scotland 2 days –How to develop positive networks. Using the SEARS partnership model to highlight the benefits of working together. Opportunity for direct networking at event. Field visit & workshop to discuss the prevention of diffuse pollution using pragmatic solutions and partnership working.</p> <p>Visit 2: Denmark 2 days – A practical view on best practice for controlling the implementation of the Nitrates Directive. How to make the control simple, efficient and transparent allowing less uncertainty for both authorities and farmers about whether cross compliance requirements are met. If possible the meeting will include a field trip with a local authority (municipality) carrying out inspections on a farm.</p> <p>Project team review meeting with the CION in Autumn 2013 to discuss the findings and future work areas.</p>
<p>3.2 Describe the products of the project (What are you going to produce?)</p> <ul style="list-style-type: none"> • Development of an informal network with a centralised web space for ongoing sharing of best practice. • The transfer of knowledge on current best practice with respect to diffuse pollution and nitrates. • Report documenting the benefits of networking in this area. • The report will also capture the findings of the two site visits detailing good practice where identified.
<p>3.3 Describe the milestones of this project (How will you know you are on track to complete the project on time?)</p> <ul style="list-style-type: none"> • Two field visits prior to Summer 2013 • Completed report available for Cluster in Autumn 2013 • Web space being used prior to submission of report at cluster with further feedback prior to Autumn G.A.

4. Organisation of the project

<p>4.1 Lead (Who will lead the project: name, organisation & country)</p> <p>Simon Bingham, Scottish Environment Protection Agency, Scotland (UK)</p>
<p>4.2 Project team (Who will take part: name, organisation & country)</p> <p>Simon Bingham, Scottish Environment Protection Agency, Scotland (UK) Anette Dodensig Pedersen, Danish Environment Protection Agency, Denmark</p>
<p>4.3 Other IMPEL participants (name, organisation & country)</p> <p>Various to be invited through the G.A. Room for a maximum of 20 delegates paid for by the project at each of the two meetings (it may be possible for other delegates to pay for themselves).</p>

4.4 Other non-IMPEL participants (name, organisation & country)
Various other agricultural agencies/inspectionates to be invited via the G.A. participants. The CION. Room for a maximum of 18 delegates at each of the two meetings.

5. High level project budget projection (where required) over life of project

	Year 1	Year 2	Year 3	Year 4	Year 5
Year eg.2013	2013	n/a			
How much money do you require from IMPEL?	23690				
How much money is to be co-financed?	3000				
Total cost	26,690				

6. Detailed cost of the project during 1st year (subsequent years see annex1)

6.1 Meeting costs	Event 1			Event 2		
	<i>Edinburgh workshop</i>			<i>Copenhagen workshop</i>		
	<i>May</i>			<i>June</i>		
	<i>Scotland (UK)</i>			<i>Denmark</i>		
	No. of delegates	Item Cost	Total €	No. of delegates	Item Cost	Total €
Travel costs	18	360	6480	18	360	6480
Catering costs	23 ¹	25	1150	23 ¹	25 ¹	1150
Hotel costs	18	90*2	3240	18	90*2	3240
Other costs where required	Bus hire		500	Bus hire		500
Total costs (per event)			11370	11370		
6.1 Meeting costs	Event 3			Event 4		
	<i>CION Meeting</i>					
	<i>September</i>					
	<i>Brussels</i>					
	No. of delegates	Item Cost	Total €	No. of delegates	Item Cost	Total €
Travel costs	2	360	720			
Catering costs	2	25	50			
	2	90	180			

Hotel costs					
Other costs where required	None		-		
Total costs (per event)			950		
6.2 Where there are more than 4 events us annex. Are there additional events?				No	
6.3 If you use a consultant what is the total cost?				n/a	
6.4 What is the total amount of any other costs?				1000	
6.5 Where there are other costs (as per 6.1 & 6.4) what will they be spent on?					
Bus hire required for field visits					
6.6 Where a consultant is used what will they do?					
n/a					
6.7 Where money is co-financed detail which organisation(s) will provide the money?					
SEPA & DEPA					
6.8 Where money is co-financed describe how that money will be spent?					
Lunches, teas & coffees and additional transport and venue costs where required.					
6.9 Additional notes re-financing					
1 – 5 extra catering places for local presenters					

7. Communication & follow-up (ensuring value for money)

7.1 How will you communicate the outputs of the project?	
<ul style="list-style-type: none"> • Basecamp • IMPEL website • M.S. agricultural journals • Direct to CION • IMPEL Conference 	
7.2 Who will you communicate the outputs of the project to?	
<ul style="list-style-type: none"> • IMPEL members • Agricultural inspectorates • CION 	

- Public

7.3 What follow-up will you undertake to ensure the outputs of the project are embedded? (Include how & when you intend to carry out the follow-up)

- Questionnaire for all participants
- Meeting with CION
- Hits on web space
- Follow-up 12 months later

8. Review & approval

8.1 Which cluster meeting(s) will you discuss the project? (Include what you plan to discuss e.g. progress reports and/or draft documents)?

- Progress Spring Cluster 2013
- Draft report on basecamp summer 2013
- Final report Autumn Cluster 2013

8.2 Which General assembly will you seek to get final approval by?

Autumn 2013

Annex 3 – Participants (fly in – not including local)

	Andreas	
DK	Mousouliotis	Cyprus
	Andreas	
DK	Athanasiades	Cyprus
DK	Melanie Audois	France
DK	Emma Dousset	France
	Barabara	
DK	Lazzaro	Italy
	Bernhard	
DK	Osterburg	Germany
DK	Margaret Keegan	Ireland
DK	Tiago Sameiro	Portugal
DK	Neil Henderson	Scotland
DK	Josefin Walden	Sweden
DK	Simon Crabbe	England
	Leonardo	
DK	Palumbo	Italy
DK	Ewa Chetniak	Poland
	Anna	
UK	Szajkowska	COM
UK	Ewa Chetniak	Poland
	Barabara	
UK	Lazzaro	Italy
UK	Josefin Walden	Sweden
UK	Christof Planitzer	Austria
UK	Antonio Correia	Portugal
UK	Paul Bryson	England
UK	Margaret Keegan	Ireland
UK	Anette Pedersen	Denmark
UK	Ray Spain	Ireland
	Leonardo	
UK	Palumbo	Italy
UK	Michal Radomski	Poland



Hoalbæk participants.

End