

EPR intensive farming

Pig and Poultry Assurance Scheme

Version 5, February 2012

This factsheet describes the Pig and Poultry Assurance Scheme and how a farm can join

Background

The Pig and Poultry Assurance Scheme has been introduced to cut red tape and reduce charges for farmers. The scheme began on 1 April 2010. It's for pig and poultry producers who are achieving a high standard of compliance with their environmental permit, issued under the Environmental Permitting Regulations (EPR, previously known as the Pollution Prevention and Control Regulations, PPC). Every farm that joins will annually save £880 of Environment Agency charges and will have only one Environment Agency visit every three years.

The scheme has been developed with the NFU and Red Tractor Farm Assurance (previously known as Assured Food Standards), with the support of the National Pig Association, the British Poultry Council and the British Egg Industry Council. Certification Bodies (CB) will inspect and collect data for us and, whenever possible, they will do so when carrying out audits for the Red Tractor scheme to further decrease the number of visits to farms.

How does the scheme work?

Once a farm has joined the scheme we'll give its nominated CB a copy of the permit and any variations, enforcement positions and formal notices relevant to permit compliance. The CB will carry out one visit every year that the farm remains in the scheme. We will visit once in every three years. Farms that are not in the scheme will be inspected by us at least once each year.

We remain responsible for regulation but the information the CB collects on our behalf will help us to assess whether a farm is complying with its permit. Immediately after the inspection the CB will provide us with the information they have collected; they will leave the same information with the farmer. The Environment Agency's national scheme coordinator will write to you with our assessment of the findings. If the farm is complying with its permit, no further action will be taken until the subsequent inspection (unless a complaint or an incident is reported that requires a visit).

You're always welcome to contact your local Environment Officer (EO) at any time for advice.

What if a farm has areas of non-compliance?

If you've already agreed a correction plan for all the non-compliances with your EO, you need not take additional action as a result of the CB's visit. We'll write to confirm this. If there are any areas of non-compliance that are not already dealt with in a correction plan, we'll write specifying the information that's needed. After assessing the information collected by the CB we may decide it's necessary to visit the farm, for example, to address urgent non-compliances and potential/actual incidents.

What are the benefits of joining the scheme?

The first benefit is a reduction in the number of annual visits to a farm leading to fewer disruptions for you. The second is that, by reducing the number of visits we need to make, we can reduce the permit subsistence charge by £880 per year. The CB will charge you for carrying out their visit. It's up to each CB how much they charge for their visit but it's likely to be significantly less than our charge reduction.

Criteria for eligibility for the scheme

To be eligible for the scheme a farm must:

- have had at least two inspections since being permitted;
- be well managed, demonstrating compliance with permit condition 1.1;
- be implementing all improvement conditions in accordance with the approved timescale;

...and must not

- have an improvement condition relating to ammonia emissions;
- be the subject of any outstanding enforcement action by the Environment Agency;
- be operated by someone who has, in relation to that farm, received a conviction in the previous three years for a case brought by the Environment Agency, or have accepted a formal caution in relation to such an offence in the previous two years;
- have more than ten Compliance Classification Scheme (CCS) points in the previous calendar year;
- have any unresolved amenity issues;
- be in arrears for EPR charges.

Definition of outstanding enforcement action

Outstanding enforcement action is:

- any formal cautions that have been offered but not accepted;
- any prosecutions that are pending or which have begun but which have either:
 - a) not yet gone to court or
 - b) have gone to court but the judgement is being appealed;
- any notices which have been issued and which have not yet been fully complied with;

- activities that led to a warning letter being received including awaiting a decision in respect of enforcement action;
- the carrying out of an enforcement response;
- carrying out a post-conviction plan.

It is not:

- any prosecution that has gone before the court and any fines and costs have been accepted and the verdict of which is not subject to an appeal;
- any formal caution that has been offered and accepted;
- any notices that have been issued and the conditions contained within them have been fully complied with.

If my farm meets the entrance criteria, do I have to join the scheme?

No, the scheme is voluntary. If you choose not to join the scheme we'll continue to inspect and charge as normal. You can decline to join but join in a subsequent year if your farm remains eligible.

How and when can I join the scheme?

We assess permitted farms that are not members of the scheme in January each year to see if they are eligible to join. In February/March we'll write to the operators of eligible farms to invite them to join the next scheme year beginning in April. If you wish to join the scheme, you'll need to enter into a contract with one of the approved CBs specified in the invitation letter. Contact the CBs for further details of their procedures and the charges that will apply.

Do I need to be an existing member of a farm assurance scheme to join this one?

No. You need to contact a CB to join our scheme but you don't need to join any Red Tractor scheme.

Can a farm join or leave the scheme part way through the year?

A farm can only join in February/March of the year that it's eligible so it's ready for the next scheme year beginning in April.

You can choose to leave the scheme part way through the year. You'll be liable to pay the higher non-accredited subsistence charge, pro-rata to the date of leaving the scheme.

Can a farm be expelled from the scheme part way through the year?

Yes, a farm may be expelled if you:

- fail to comply with an enforcement notice;
- are prosecuted by the Environment Agency;

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- accept a formal caution for a breach;
- fail to pay your EPR charges;
- fail to cooperate reasonably with the CB to arrange visits or provide access to all relevant areas and records, for example, if you refuse to pay for the CB visit;
- fail to make improvements to rectify non-compliance within agreed timescales (the Environment Agency may exercise discretion where there are extenuating circumstances) or refuse to agree reasonable timescales;
- or if the farm scores more than 30 CCS points during a CB or EO visit, or has more than 10 breaches in a visit or there is gross failure of permit condition 1.1;
- or if we designate the farm as a Site of High Public Interest as it's generating a lot of public interest (whether for environmental, legal or political reasons);
- or if after a farm has been transferred to another operator the farm scores more than 10 CCS points per visit for the next two visits (one by the CB, one by the EO).

If a farm is expelled from the scheme part way through the year, the farm will revert to the higher non-accredited subsistence charge from the date of expulsion. The farm will not be able to be considered eligible to rejoin the scheme until the EO has carried out two more visits and is satisfied that the farm is suitable to return.

Will inspection information be placed on the public register?

Yes, the results of any inspection will be placed on the public register.

Do I have to renew my scheme membership every year?

No, your farm remains in the scheme so long as it does not meet any of the criteria for expulsion. However, each year you will need to renew your contract with a CB to carry out the visit.

The farm has been transferred to me - can the farm remain in the scheme?

Yes, so long as the next two inspections both have a CCS score of less than 10 points.

What will happen if I temporarily close the farm?

This will be a business decision for you. If you wish the farm to remain in the scheme then the CB will still need to visit the farm. There will be no livestock on-farm but other structures will still be present and may still hold materials including oil, which are potentially polluting.

Where can I get further information and advice?

Please contact your EO if you wish to find out more about joining the scheme. You can download the scheme module standards questionnaire that the CBs will use on your visit and a pre-inspection guide of what you need to have ready for the visit from our webpages at <http://www.environment-agency.gov.uk/business/sectors/116186.aspx>.

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