Background

1. In its report on pesticides published in September 2005 the Royal Commission on Environmental Pollution (RCEP) recommended that pesticide spray records “... should be directly available from the persons responsible for crop spraying upon request to any resident and bystander.”

2. In its response to the RCEP report the Government stated that it believed that most farmers would be willing to engage in a dialogue with residents to address their concerns and provide them with appropriate information if requested, and that a statutory requirement for “direct” disclosure was not therefore necessary or appropriate. However, the Government did undertake to consider a pilot study using a central bureau acting to accept and reply to inquiries by gathering data from farmers.

Proposed Pilot study

3. It is intended that the procedures for farmers to make available their spray records would form part of the wider arrangements in the industry–led “Voluntary Approach” described in the related paper tabled at today’s meeting. We would therefore anticipate that in the majority of cases farmers and neighbours would be able to make mutually agreeable arrangements for the provision of this information.

4. However, pesticides can be an emotive subject and we are aware that there may be situations where farmers and/or residents may need or prefer the request to be handled by an ‘independent’ third party. For this exercise we would propose that the independent body carrying out this role would be a central bureau set up within a Government Department or Agency. It is proposed that the Information Services Branch of the Pesticides Safety Directorate house such a bureau.

5. The purpose and aims of the pilot study are:

- to gather information on how such a central bureau would be run;
- to allow an accurate assessment of the level of demand to be made;
- what the likely problems would be;
- the likely levels of compliance by farmers;
- what, if any, enforcement provisions might be necessary;
• to identify the potential administrative resources (and costs) required to provide such a service; and
• to provide the opportunity to explore some of the practical issues involved were a national scheme to be set up.

6. We believe that it is of paramount importance for the pilot study to be as truly representative as possible in all respects so that Ministers can make fully informed decisions on the best way forward once the pilot scheme is completed. To this end it is vitally important to avoid claims of interference or skewed results.

7. Ideally we would like the pilot to run throughout the first half of 2007 as this period includes the spring spraying season when the Pesticides Safety Directorate receives most enquiries relating to actual spray operations. However this does not leave a great deal of time for planning and for stakeholder participation so we would be grateful for the Forum’s views on the proposal at this stage in its development. The lessons learnt from the exercise will of course be shared with Forum members following the pilot scheme’s completion.

Representative area

8. ADAS have been asked to identify a suitable area in which to carry out the project. We envisage this to be an area that is as representative as possible of the national profile. As such it would contain a representative mix of urban/rural household classifications and a mix of urban and rural farms. As resources within the Pesticides Safety Directorate to run the bureau will be limited ADAS have been asked to identify the minimum area the study could be kept to that would still be representative and provide robust data. The area identified for the pilot is a mixed farming area in Derbyshire containing 144 farms (116 arable) and 122869 properties (8009 within 25 metres of farmland).

Publicity

9. We believe that the publicity measures that we employ must be representative of what happen were a scheme to be rolled out nationally. Therefore, since we would not write to every individual household in the country, we will not be writing to every house in the study area to advise them of the study taking place. We would, instead, envisage employing the same means for the pilot that we would employ on a national basis, scaled down where appropriate.

10. The types of publicity mechanisms employed for the pilot may include regionally targeted news releases, use of government and non-government websites, PSD regulatory updates, and farming publications. We would also be keen for the relevant organisations on the Forum such as NFU and PAN-UK to explore whether they would be willing to publicise the pilot study to their members within the study area in the same way that they would on a national scale.
Identifying farms and fields

11. In some instances the owner or tenant of a parcel of land where spray operations are taking place may not be instantly recognisable. To help us identify these we are investigating the possibility of using Defra’s shared rural information resource which provides access to Ordnance Survey maps, aerial photography, and a number of shared rural datasets. This system should enable us to pinpoint individual fields adjacent to residential properties in the pilot study location and we are currently investigating just how suitable it would be for that purpose.

Dealing with requests

12. PSD will publicise a telephone number which members of the public can call in order to ask us to approach a farmer to request spray records. We would suggest that an appropriate timescale to give a farmer to respond to a request would be 14 days, after which we would issue a reminder. As mentioned above part of the purpose of the study would be to see what levels of compliance we can expect from farmers. We will therefore make it clear in our publicity material that the purpose of this study is two-fold; not only to provide people with information, but just as importantly, to see how any such system would work in practice, including what problems we can expect and what enforcement measures will be necessary.

13. We will also make it clear that this scheme (and any that might follow it) is not intended to replace or divert attention from the existing arrangements for reporting spraying incidents that effect people or the environment (the Pesticides Incident Appraisal Scheme – PIAP) or wildlife (the Wildlife Incident Investigation scheme – WIIS).

Issues for the Forum

Are Forum members’ able to identify any aims for the pilot exercise above and beyond those already identified in this paper?

Do Forum members’ have comments on with the period (i.e. from approximately January to June next year) over which the bureau is to be run; the proposed study area or any other aspects of the study decision?

Where and how do Forum members feel their organisations could assist in publicising the pilot scheme?