

Control of Agricultural Pollution Regulations compliance delivery report

November 2023 – March 2025

Background

Welsh Government introduced the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR) to reduce losses of pollutants from agriculture to the environment by setting regulations for certain farming practices and apply them to all farm businesses in Wales.

In summary the requirements include:

- construction and capacity requirements for the storage of silage, organic manures including slurry and temporary field heaps.
- notify NRW prior to the construction of any new substantially enlarged or reconstructed silo or slurry storage system.
- controls for the spreading of organic manures and manufactured nitrogen fertiliser, including no spread areas and time periods.
- requirement for a spreading risk map to be maintained.
- incorporation of organic manures into bare soil or stubble
- requirement to maintain a nitrogen management plan and record all applications.
- limits total nitrogen (farm and individual hectares)
- associated record keeping requirements including import/export of livestock manure.

CoAPR is included within the requirements of Cross Compliance as Statutory Management Requirement 1 Water Protection. All farmers and land managers in Wales applying for Welsh Governments Basic Payment Scheme (BPS) and/or certain land-based rural investment schemes, are responsible for meeting the Cross Compliance requirements. Any identified failures to meet these will result in Cross Compliance penalties being applied to claims by Rural Payments Wales. Further details can be found [Cross compliance | Sub-topic | GOV.WALES](#)

Implementation of the regulations has been transitioned over a four-year period. The final set of measures, relating to closed periods for spreading, and associated storage requirements came into force on 1st August 2024.

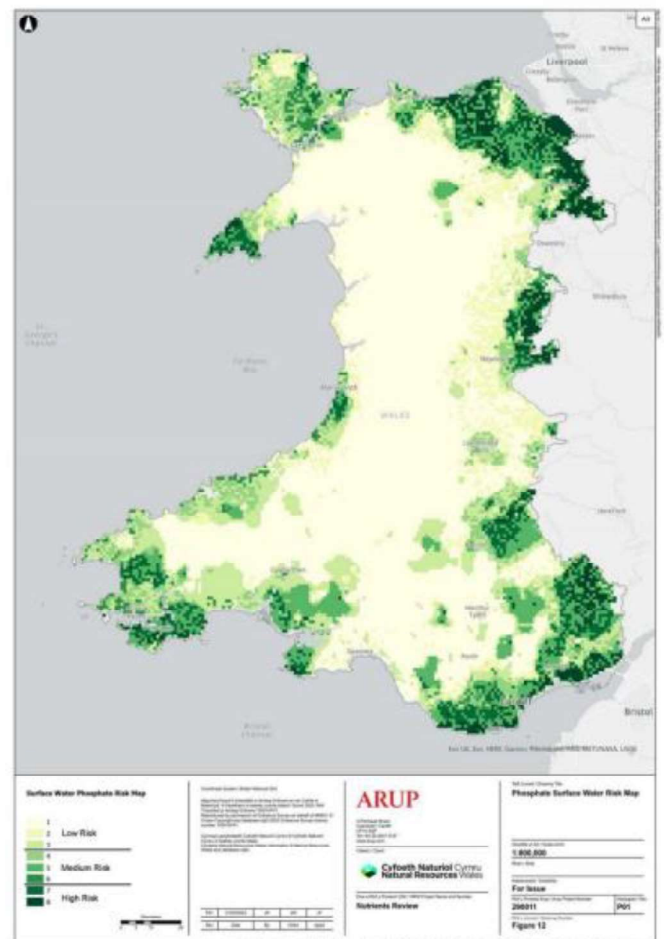
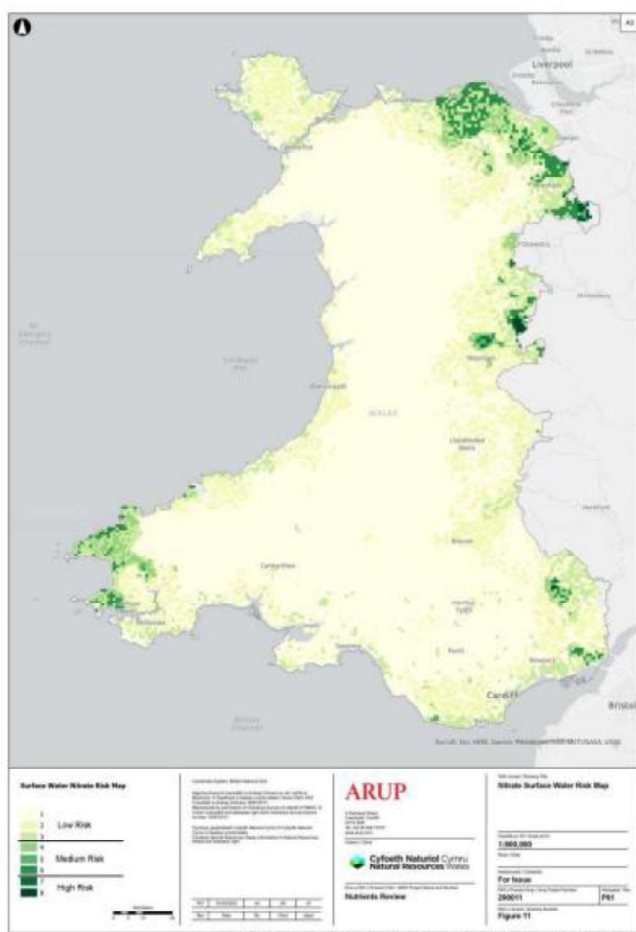
The silage and slurry storage construction requirements remain unchanged since first introduced in 1991. Many of the other requirements eg nutrient management planning, utilisation of organic materials for agricultural benefit, spreading risk maps, no spread areas against water features and sources have been included within the [Welsh Governments Code of Good Agricultural Practice](#) and are included with agricultural Quality Assurance Schemes.

CoAPR review

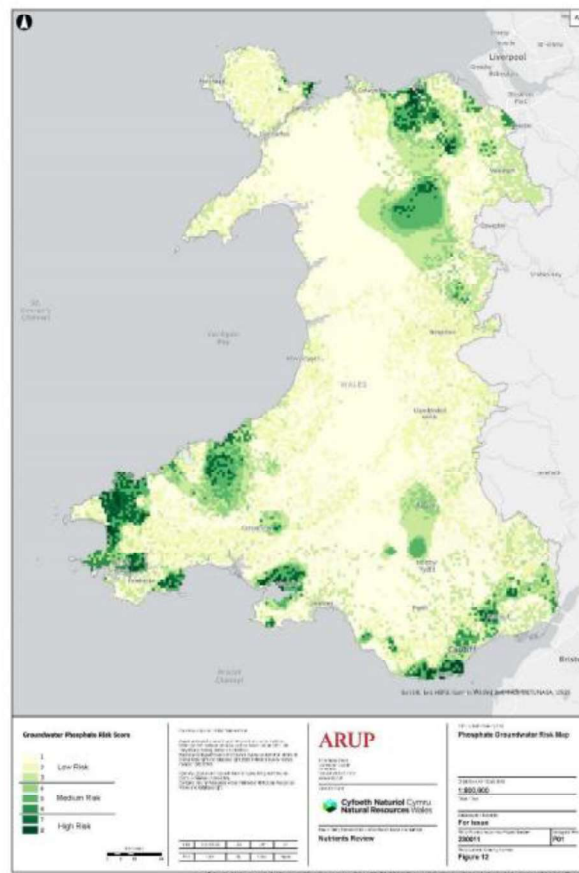
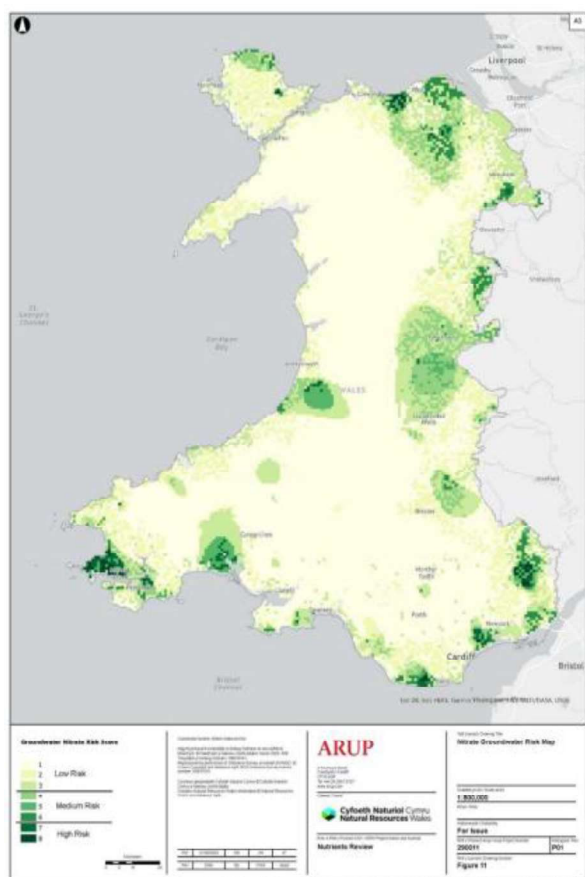
The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR) include a requirement to review their effectiveness. The review recommendations can be found [Statutory review of the Control of Agricultural Pollution Regulations: 2025 review | GOV.WALES](#)

NRW provided evidence to Welsh Government which included but not limited to, inspection outcomes and a review of nitrate and phosphate in groundwater, surface water (rivers), lakes and transitional and coastal (TraC) waters. The nutrient review outputs principally comprise a series of spatial datasets, culminating in a map indicating potential nutrient risk at a national scale for nitrate and phosphate. For full results please see [Nutrient Review 2023 | Wales Environmental Information Portal](#)

The maps below show surface water nitrate (left) and surface water phosphate (right) taken from [Statutory review of the Control of Agricultural Pollution Regulations: evidence pack](#)



The maps below show groundwater nitrate (left) and groundwater phosphate (right) [Statutory review of the Control of Agricultural Pollution Regulations: evidence pack](#)



Compliance programme

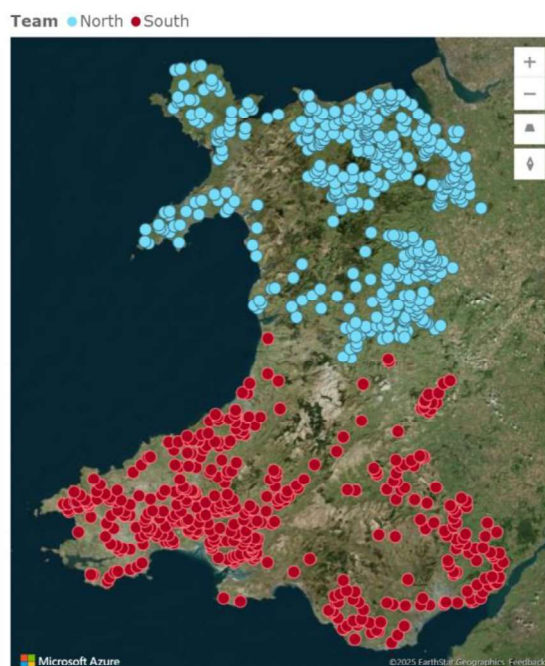
NRW are funded by Welsh Government to undertake a prioritised programme of compliance inspections and associated enforcement of higher risk agricultural activities across Wales. Due to recruitment timings, required notice periods and training only small number of staff started inspections in 2023 with all team members conducting inspections from January 2024.

For CoAPR inspections higher risk activities are considered to be,

- livestock numbers -cattle farms with over 200 cattle (dairy and beef), poultry units with over 1000 birds, pig units over 50,
- any farms importing organic manures as defined under CoAPR which includes, livestock manures, digestate, biosolids and wastes recovered to land,
- farms who have notified NRW of intention to adopt the Enhanced Nutrient Management approach, and
- farms which have been identified as a result of a recent pollution incident investigation and pose a risk to the environment.

Farms are selected for inspection using the data available to NRW. We have two teams of trained officers dedicated to undertaking this prioritised programme of circa 800 compliance inspections per year. All inspections are pre-arranged with details of what the officer will require to see during the inspection.

Below is a map indicating the distribution of farms inspected for compliance with CoAPR across Wales



NRW is aware of the stress a compliance inspection and possible enforcement action has on the farming community. We continue to work with farming representatives and agricultural mental health organisations to ensure all inspecting officers are fully aware of the potential stress the inspection could cause and how to reduce this as far as possible while performing their duties.

Officers will wherever possible discuss the inspection outcome before leaving the farm but may not be able to relay the full extent of any non-compliances until they have completed the assessments of the required records and calculations. Careful consideration is taken when communicating any non-compliances either in writing or verbally.

Inspections

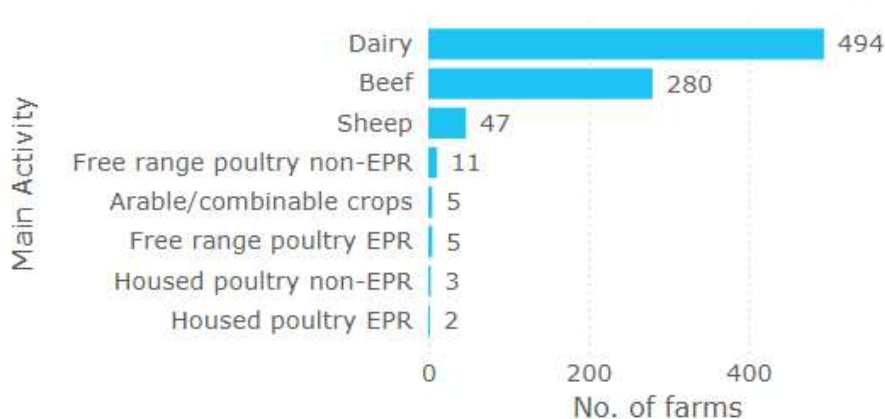
The inspection programme began in November 2023. The following report is for initial inspections and does not include follow up visits. As of 31st March 2025, a total of 847 farms have been inspected. Inspections were undertaken where higher risk activities are believed to be conducted across Wales and included a range of farm sizes, occupancy, and main farm types.

Farm business size in hectares	Farm business count
Over 500	41
201-500	269
101-200	305
51-100	172
Under 50	60

Count of Farms by Farm Ownership



Count of farms by main farm business activity



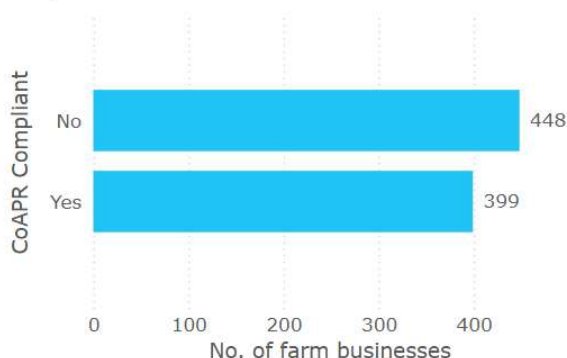
The introduction of the Avian Influenza Prevention Zone across Wales by Welsh Government with increased biosecurity and limited visitor access to poultry farms has resulted in a reduced number of poultry farms inspected to date

Inspection outcomes

Of the 847 farms inspected 53% were found to be non-compliant with one or more of the regulatory requirements on the first visit, whilst 47 % were fully compliant with the regulations.

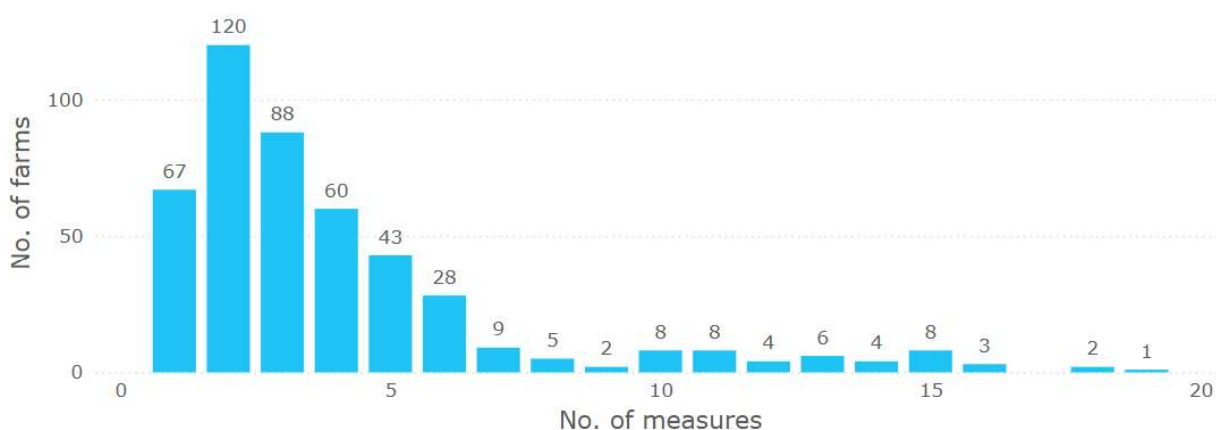
At the end of March 2025, 91 of the non-compliant farms had been brought into full compliance. Please note that some non-compliances can take considerable time to rectify as may be reliant on securing planning permission, landlord's agreement and or finances. Please see [Enforcement](#) section below for NRW's enforcement response.

Compliance status of farm businesses inspected



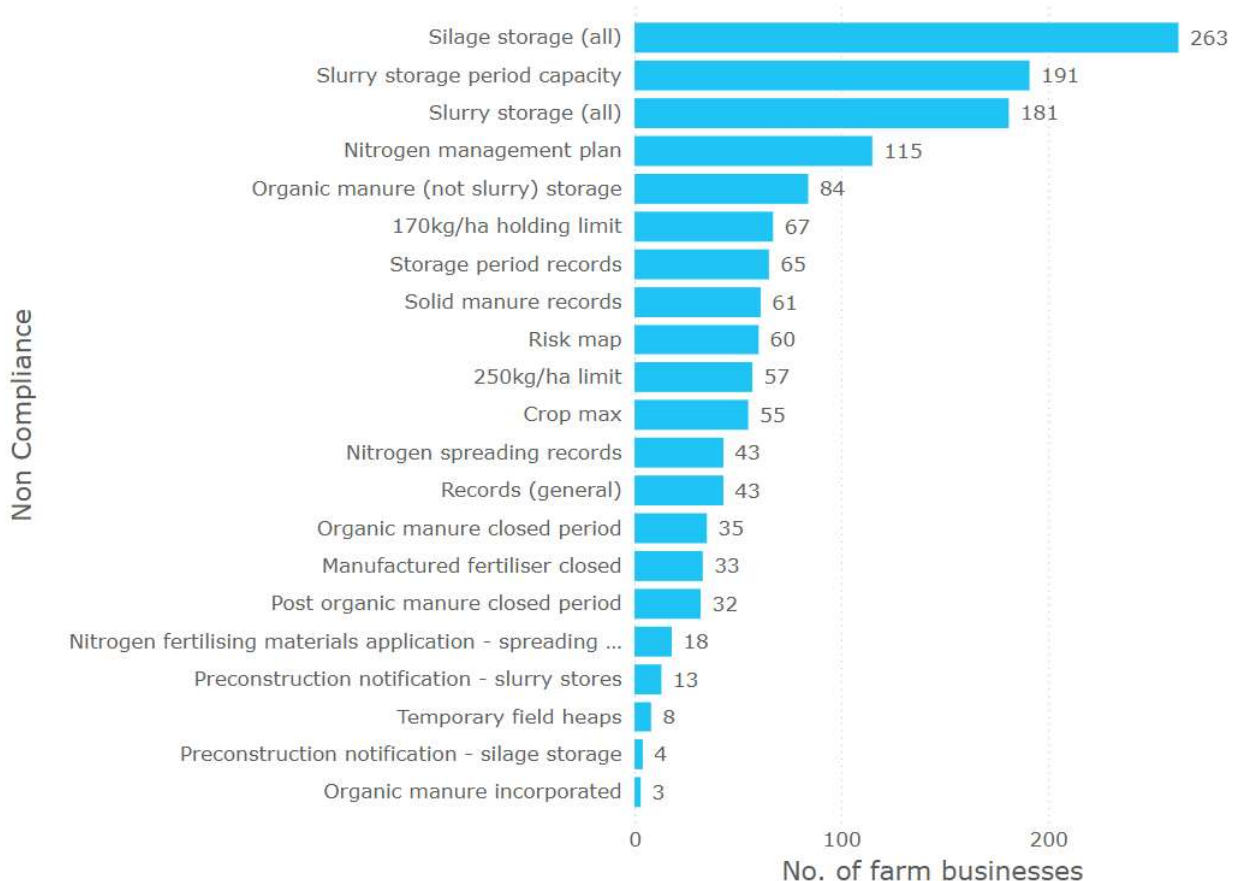
32% of farms inspected did not meet the regulatory requirements for 3 or less of the regulations. 5% of farms inspected did not meet the regulatory requirements for 10 or more of the regulations.

Number of farms by number of non-compliances



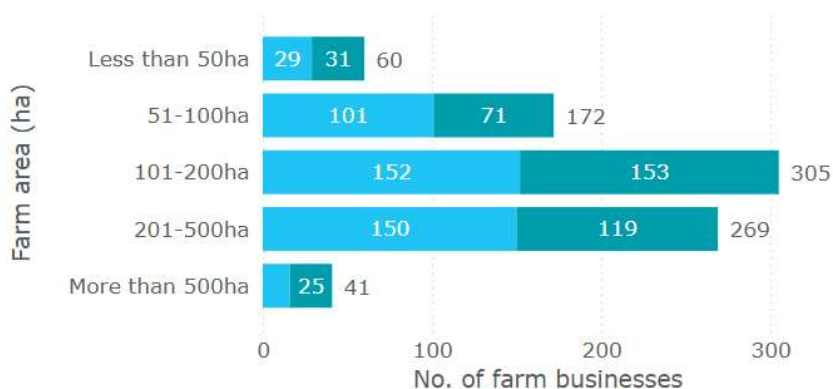
The most frequently recorded non-compliance was for the silage storage requirements with 263 non-compliances. The second most frequently recorded non-compliance was with the slurry storage period capacity with 191 non-compliances recorded, but 109 of these were prior to the introduction of the requirement and should not be taken as an indication of noncompliance now as action may have been taken to resolve.

Non-compliances on farms on first CoAPR inspection

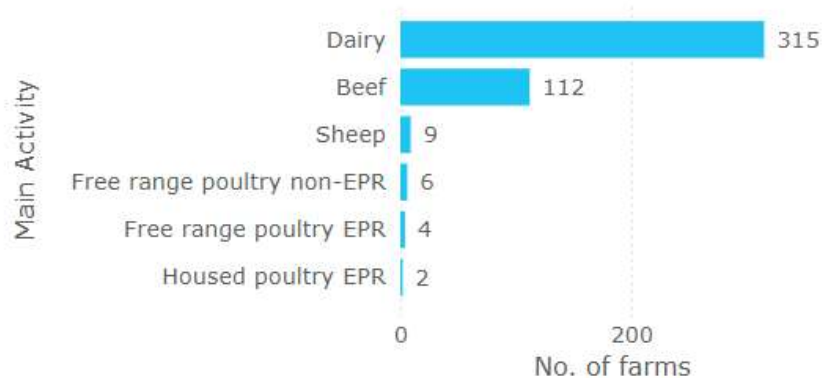


Farm inspections by size and compliance status

CoAPR Compliant ● No ● Yes

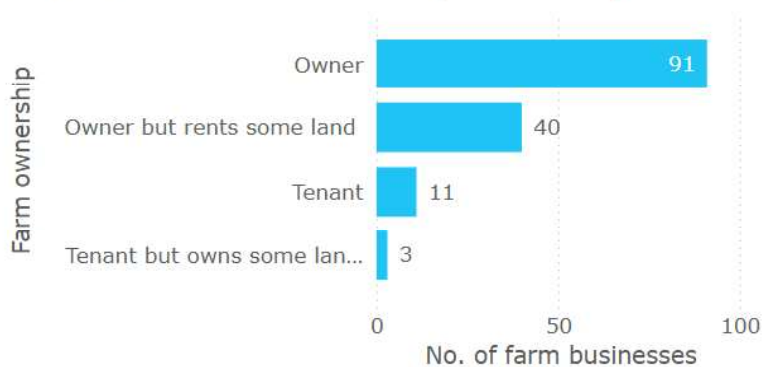


Non-compliant farms by main business type

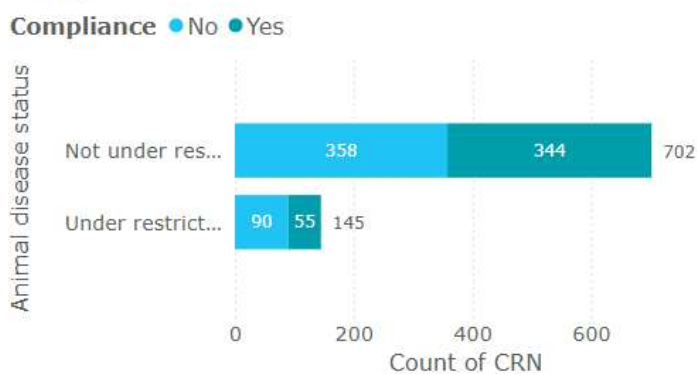


Of the farms inspected between November 2023 and 31st March 2025, 145 were under animal health restrictions, 14 of which were tenanted farms.

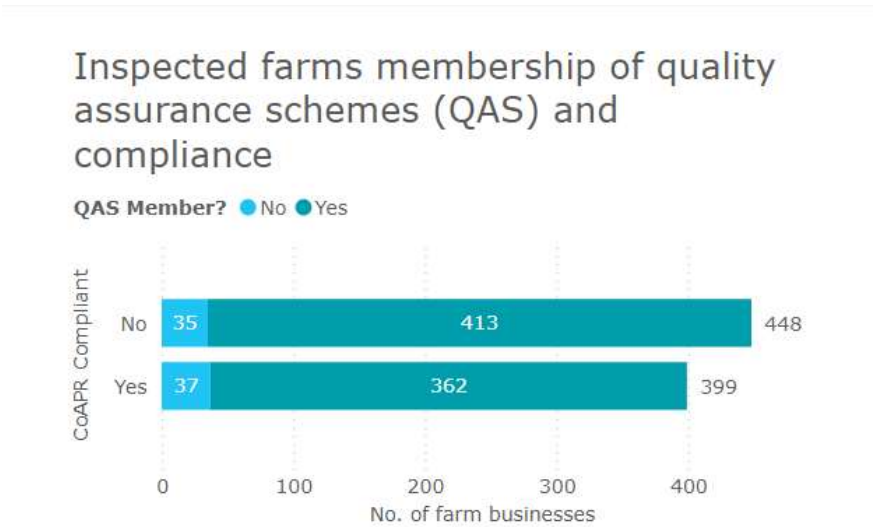
Farms under restrictions by ownership



Count of farms by animal disease status and Compliance



Of the 847 farms inspected from November 2023 to 31st March 2025, 49% of CoAPR non-compliant farms were members of a farm assurance scheme

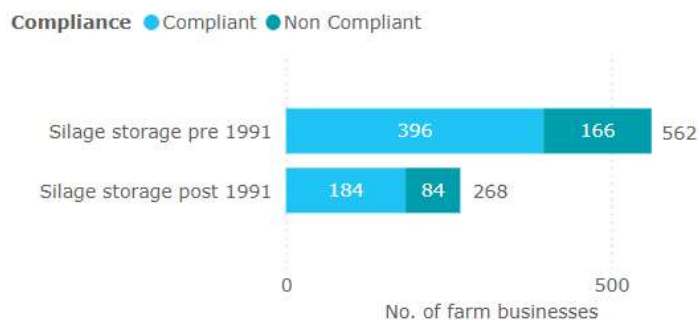


Silage storage

CoAPR regulation 24 introduced 1st April 2021 (originally in 1991) Silage clamps constructed, in use prior to the introduction of construction standards in 1991 and which have not been significantly enlarged or reconstructed are exempt from the CoAPR regulatory requirements.

- 263 farms had one or more non-compliant silage clamps.
- 166 farms with non-compliant silage clamps originally constructed prior to 1991 but had been significantly reconstructed or posed a significant risk of causing pollution,
- 84 farms had non-compliant clamps constructed after 1991.
- Note some farms had non-compliant clamps constructed pre and post 1991.
- 39 farms were non-compliant with the baled silage storage requirements and 4 farms were non-compliant with the bagged/field silage storage requirements.
- Common not compliances found included the lack of external perimeter drains and effluent tanks.

Silage store compliance, pre and post 1991 construction



Slurry containment

CoAPR regulation 25 The regulatory requirements for the containment of slurry remained within the Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010 (SSAFO) until 1st August 2024 when transitioned into CoAPR. Farms inspected prior to 1st August 2024 were assessed for compliance with both SSAFO and CoAPR slurry requirements. With enforcement action by NRW and reports to RIW only taken for the legislation in place at time of inspection.

- 181 farms failed to meet the slurry containment and storage construction requirements on the first visit,
- Inspections found 70 non-compliant farms with slurry stores constructed after 1991 when the original storage requirements were introduced.
- Inspections found 73 non-compliant farms with slurry stores constructed before 1991 when the original storage requirements were introduced but had been substantially enlarged or reconstructed or posed a significant risk of causing a pollution to water.
- 10 farms had both pre and post 1991 constructed stores which were non-compliant.
- 48 farms did not collect and store all slurry produced as required.

Storage period capacity

CoAPR regulation 29 requires from 1st August 2024. increased slurry storage capacity from the SSAFO requirement of 4 months to 5 months for cattle slurry and 6 months for pig slurry and poultry manure. This requirement applies to all stores regardless of the date of construction.

- 191 farms were calculated as being non compliances on the first inspection, but 109 of these were prior to the introduction of the requirement and should not be taken as an indication of noncompliance now.
- Of the farms under animal disease restrictions 38 were non-compliant with the slurry storage capacity of which 4 were tenant farmers.

Closed periods.

CoAPR regulation 18 introduced on 1st August 2024 prohibits spreading of organic manures with high readily nitrogen to land.

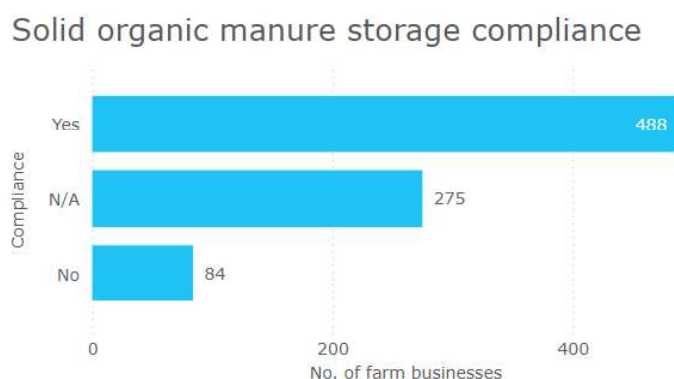
Reports of spreading received during the closed period were considered as potential pollution incidents and recorded on Wales Incident Reporting System (WIRS). Only a small number had sufficient information to enable identification of the farm, these have been prioritised for a full CoAPR inspection and outcomes included within this report.

- Of the farms where a planned inspection has taken place 35 were non-compliant with the closed period for high readily available nitrogen containing organic manures

Solid manure storage

CoAPR regulation 23 introduced on 1st January 2023 solid manure construction standards for stores.

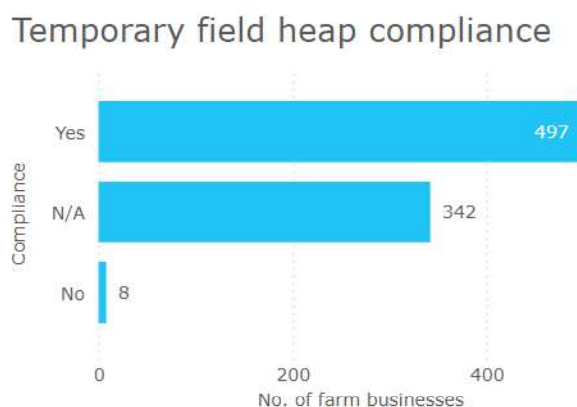
- 84 farms were found to have non-compliant solid manure stores.



Temporary field heaps

CoAPR regulation 27 introduced on 1st January 2023 states requirements for location and time limitations.

- 8 farms were found to have non-compliant solid manure stores.



Risk maps

CoAPR regulation 11 introduced 1st January 2023 and are also required under some agricultural quality assurances schemes.

- 60 farms (7%) did not have a risk map which met the CoAPR requirements.

Spreading restrictions –

CoAPR Regulations 12,13,14 introduced 1 April 2021.

Nitrogen fertilising materials must not be spread on land if there is a significant risk of pollution, taking into account the slope of the land, particularly if the slope, ground cover, proximity to surface water; weather conditions; soil type; and the presence of land drains.

Manufactured nitrogen fertiliser must not be spread within 2 metres of surface water. Organic manure must not be spread within 50 metres of a borehole, spring or well or within 10 metres of surface water (6m if precision spreading),

- 18 farms were found to be non-compliant spreading controls

Nitrogen Management Plan

CoAPR regulation 6 introduced 1st January 2023

- 115 farms had non-compliant nitrogen management plans, ranging from minor errors to not having produced a nitrogen management plan.

Nitrogen application records

CoAPR Regulation 40 introduced 1st January 2023 required the recording the applications of nitrogen fertilising materials.

- 43 farms found to be non-compliant with nitrogen spreading records requirement.

Maximum nitrogen (N) limit by crop

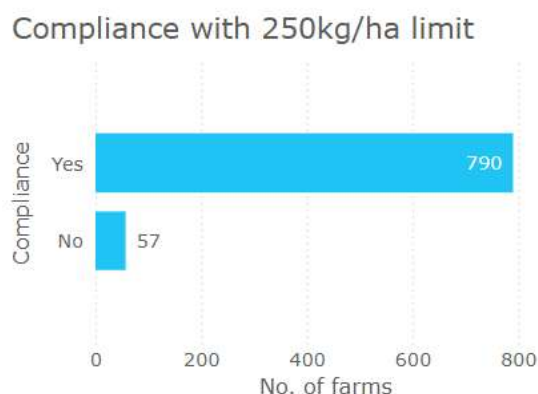
CoAPR regulation 10 introduced 1st January 2023 sets crop limits for manufactured and available nitrogen in organic manure limits.

- 55 farms were found to be non-compliant with maximum N limit.

250kg/ha limit nitrogen spreading limit.

CoAPR regulation 5 introduced from 1st January 2023 limits organic manures applied to per hectare over a rolling 12 month period.

- 57 farms were found to be non-compliant on inspection.



170kg/ha whole holding limit.

CoAPR Regulation 4 introduced 1st January 2024 unless farm notified NRW of undertaking the Enhanced Nutrient Management approach during 2024 when the limit applies from 1st January 2025. Associated record keeping required by 30 April 2025 for previous 12 months so given the limited data set we are not reporting here.

Preconstruction notifications inspection outcome

CoAPR regulation 32 introduced on 28th April 2021 requirement to notify NRW 14 days before construction starts.

- 4 farms inspected failed to notify us of a new or altered silage clamp and
- 13 farms inspected failed to notify us of a new or significantly altered slurry store.

These have now all been received. In total NRW have received 41 preconstruction notifications for slurry/organic manure stores or silage clamps between November 2023 and 31st March 2025.

Enhanced Nutrient Management approach (2024)

9 farms have notified NRW that they intend to adopt the Enhanced Nutrient Management Approach (ENMA) and comply with the additional requirements to those originally included with CoAPR.

- All farms have been inspected and compliant with the ENMA requirements.

Enforcement

NRW are required to comply with the [Regulators' Code](#) and apply our own Regulatory Principles [Natural Resources Wales / Our Regulatory Principles](#) when we undertake our regulatory work.

Officers will take into account of site history, actual or potential for environmental impact, and the severity of the non-compliance, in line with our Regulatory Principles. We take a proportionate approach when considering which of a range of enforcement options to use. This can range from issuing written advice and guidance with time limits to comply through to serving works notices or criminal sanctions when deemed appropriate by NRW enforcement governance.

As delegated agents for Cross Compliance SMR1 NRW is obliged to report the outcome of any CoAPR inspection to RPW. Breaches are scored using the Verifiable Standards found [Cross compliance | Sub-topic | GOV.WALES](#) and reported to Rural Inspectorate Wales, the inspecting body for Rural Payments Wales

Any enforcement response to non-compliances with CoAPR taken by NRW is in parallel to Cross Compliance breaches and penalties considered by RPW.

Table below provides enforcement by NRW relating to details by CoAPR teams and other NRW members of staff. In addition to the table below there are 134 farms where the enforcement decision is still under consideration.

Calendar Year	Advice and Guidance with timescales for improvements	Notice issued	Notice complied with	Warning Issued	Caution accepted
2021	3		1	1	
2022	3				
2023	70			5	1
2024	222	2	2	8	
2025*	3	4		5	

*Data for January, February and March 2025 only.

Please note that caution should be taken if measuring our enforcement performance on the number of actions recorded in this report. Specifically, NRW wishes to highlight:

The increased number of recorded enforcement actions since 2024 reflects NRW's new resource to deliver the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR) compliance inspection programme.

Please note that this report covers time periods where NRW has changed data recording practices. For example, since 2024, NRW only records formal advice and guidance issued under CoAPR once a case is closed. This means that NRW only record the issuance of advice and guidance as an enforcement action once a follow up visit is completed. This is part of our commitment to work constructively with all inspected farms and move them into compliance within agreed timescales while taking into account the actual or potential environmental damage.

In addition, our enforcement data excludes the issuance of informal advice that might be offered by NRW officers, and any other type of advice or guidance that does not form part of an enforcement action, for example if it is offered proactively or pre-emptively. This approach emphasises the importance of collaborating with people and businesses to prevent environmental

offences from occurring in the first place or ensure an environmentally protective response to any offence committed. It is worth noting that our success in offering proactive responses and early engagement is less obvious and harder to measure.

The nature of our investigative and enforcement activities mean that it can take time to investigate an incident, identify potential offenders, obtain legal opinion, and update our systems on progress and enforcement outcomes. This lag becomes more evident when officers are drawn into complex investigations.

We are unable to provide further details on these cases or highlight our recommended enforcement actions, to not prejudice our investigations.

Local Authority Planning Consultations

NRW are a statutory consultee in the planning process including on farm developments. Our consultation topics list sets out when we want to be consulted by planning authorities and applicants. This includes proposals for the structures required to comply with CoAPR eg slurry stores. Received planning consultations are processed through our Development Planning Advice teams who, where necessary, consult a range of internal technical specialists for their advice.

Between November 2023 and 31st March 2025 there have been 615 occasions where the CoAPR teams' advice has been sought to ensure that planning applications are meeting the requirements of the regulations.