

UTASS Briefing: 29th September 2015

COMMON LAND

A recent judicial ruling has made it necessary for DEFRA to reconsider the way it administered the Single Payment Scheme on registered commons and “privately owned shared grazing” (Raby and Strathmore fells). To be compliant with the EU regulations they now need to pay on the whole eligible area of a common which includes the area associated with unclaimed rights. This means that they have to review the allocation of SPS entitlements in 2005 and subsequent payments from 2009 (EU regulations only allow them to go back 6 years). This could also include Hill Farm Allowance 2010 and the subsequent Upland Transitional Payment as they were miscalculated in the same way.

The RPA are sending letters and forms to all claimants on commons where they suspect there has been an under payment. It is necessary to return this form by 31st December 2015 if you want to apply for the extra entitlements and payments which this process may produce. There is no risk in submitting a claim even if an award is not made. Most applicants should tick boxes B1, B2 and B3. To tick B4 it is necessary to show that you have suffered financially due to the miscalculation rather than just having your entitlements and payments being miscalculated. The RPA are intending to verify and pay 2015 BPS claims before carrying out and implementing the re-calculation.

RPA PAYMENTS.

The RPA hope to start making the delayed HLS and ELS payments from mid-October but this is only if the necessary cross checks with the Rural Land Register (RLR) can be completed. The RPA have ruled out early part payments of BPS 2015 but are still hopeful that a significant majority of payments will be made towards the start of the payment window which opens on the 1st December 2015. There is a serious concern that claims including common land and shared grazing may be delayed because of the new requirement under BPS for common land to be mapped on the RLR and all “Permanent Ineligible Features” identified and deducted from the eligible area.

UTASS have made government aware of the stress and strain the RPA’s BPS delivery problems will put on all farmers. This is potentially worse for upland farmers who, after a reduced HLS payment for some this spring, are now experiencing significant delays in their next scheduled HLS payment as well.

For further advice and assistance contact UTASS 01833 641010.
Richard Betton.

UTASS Briefing Sponsored by:

