

# **Guidance: Commons eligibility checks**

*Updated:* Additional commons data added to the 2018 table

RPA regularly checks and [updates its digital maps](#). This includes common land.

## **How commons eligibility checks differ from other land eligibility checks**

Land cover eligibility on common land is checked using the latest enhanced satellite images and a limited number of supplementary physical land checks. These checks are different from RPA's usual land eligibility checks. The main differences are:

- RPA is checking the eligibility of the land cover on commons and not land boundaries which RPA cannot change because they are legally defined
- RPA is surveying the eligible area of a common separately to the enclosed land farmed by the common land graziers who declared rights on the common for BPS
- Graziers claim for a common by declaring their grazing rights rather than applying directly for an area of land. This means that there will be no penalties for over-declaring if RPA discovers the eligible area is less than previously used

## **When and where to check for changes**

RPA needs to make sure that all land data on their systems is up to date. Therefore the eligibility checks are carried out on an ongoing basis.

After a common is checked, if the eligible area has changed, RPA will write to those customers who declare rights on it as part of their BPS application. Natural England and the Forestry Commission will also contact agreement holders if their schemes are affected. RPA will publish the new eligible area value on GOV.UK, the 'Commons eligibility checks updated areas' at the top of this page.

The changes might affect the value of customers' claims and payments for:

- BPS 2018
- stewardship schemes

- forestry schemes

This is because the 'notional area' used to calculate a customer's 2018 BPS payment may be less than last year. Therefore, their 2018 BPS payment may be lower than they are expecting.

Read more information about how the 'notional area' of the common is calculated on page 25 of the [Basic Payment Scheme: rules for 2018](#). The [example calculation](#) shows how the value of the common land part of the BPS payment is calculated.

## **What to do if you do not agree with the updated eligible area values**

Customers who want to query the revised eligible area value need to discuss their query with the other commoners, and relevant Commons Association or equivalent organisation, to reach an agreed view.

It is important that individual customers do not make any changes to the land cover on the common, such as removing scrub, without discussing it with the other graziers/commoners. This is because it might affect the scheme agreements in place with other commoners.

Once customers have reviewed and discussed the revised eligible area values with the other commoners, if they still want to query or disagree with RPA's findings, they can call RPA on 03000 200 301. There is no deadline to call RPA but if customers want to query or disagree with the findings, they should call RPA within 6 weeks of RPA writing to them. This will give RPA the best possible chance to consider mapping update requests before they start to make BPS 2018 payments.

Depending on the customer's query, RPA may email a digital map (PDF) to the customer. This is so that the customer can see the land cover changes.

It's important that customers check their contact details are up to date in the Rural Payments service. In particular, RPA needs their up to date email address.

If RPA cannot email a digital map to the customer, they may send the map on a disc by letter. If the customer will be unable to view the PDF maps sent by email or letter they must tell RPA this when they call to discuss their query. If RPA then send these customers a map, they will make sure that the customer will be able to view it.

When customers receive these maps (PDF or another format), they must check them carefully. If they agree with the updated eligible area shown on these maps they need take no further action.

## **What to do if you do not agree with the updated**

## eligible areas shown on the maps RPA send you

Customers will need to discuss this with the other commoners, and relevant Commons Association or equivalent organisation to reach an agreed view. If they disagree with the information on the maps they will need to take action as a group. They will need to fill in and send an [RLE1 form](#) and sketch maps to RPA. They must send only one set of forms/maps for the common from their group. This is so that RPA does not receive conflicting information. Customers need to show all amendments on their sketch maps with as much detail as possible, including measurement or area size. Information on how to mark changes on sketch maps and how to fill in an RLE1 form is given in the [RLE1 guidance](#).

Requests for changes to your maps and land parcel details could affect your future payments. Only tell RPA about changes if you are sure they need to be made.

If customers need to send an RLE1 form and sketch map(s) to RPA they should check the email or letter they received with their digital map (PDF). It will advise them when they should send their RLE1 form and sketch map(s) to RPA. There is no deadline for sending the RLE1 form and sketch maps but depending on when you send them, RPA's focus may be on making payments using the updated eligible areas they identified and published.

## Example calculation:

How the value of the common land part of the BPS payment is calculated.

The common has:

- an eligible area of 300ha; and
- grazing rights being claimed under BPS for 200 sheep and 70 cattle.

RPA must calculate the livestock unit (LU) value of all the rights being claimed for the common:

- Each sheep is equivalent to 0.15 LU, so the calculation for the sheep grazing rights being claimed is:  
 $200 \text{ sheep} \times 0.15 \text{ LU} = 30 \text{ LU}$
- Each adult cow is 1 LU, so the calculation for the cattle grazing rights being claimed is:  $70 \text{ cattle} \times 1 \text{ LU} = 70 \text{ LU}$

- The total LU being claimed for the common is therefore:  
 $30 \text{ LU} + 70 \text{ LU} = 100 \text{ LU}$
- The area to be allocated for each LU claimed for the common is calculated as:  $300\text{ha} / 100 \text{ LU} = 3.0\text{ha/LU}$
- If the farmer declared 40 LU of rights to activate entitlements on their BPS 2017 application they would be allocated  $3.0\text{ha/LU} \times 40 \text{ LU} = 120\text{ha}$  of the total eligible area of the common.
- This area will be used to activate entitlements in the same way as any other land declared by the farmer on their application. The examples shown above under 'Main BPS payment' and 'Average entitlement value' show how this is done.

The above examples are based on a single common and do not take account of any split rights.

## **Common land eligible area values and total area values**

Find the calculation data for commons with an updated eligible area in the Commons eligibility checks updated area table at the top of this page. Find the calculation data for all other commons in the 'Commons land grazing rights' table. This table is published each year and includes the eligible area and number of rights claimed (in Livestock Units) for each common for that BPS scheme year. The data is taken from the Rural Payments service. The 'Commons land grazing rights' table for BPS 2017 is published on the [BPS 2017 page](#). The eligible area of a common will alter as physical changes take place on the common and the information in this table may be updated to take account of information received from inspections or other sources.