

FARMING AND PROPERTY BULLETIN – OCTOBER 2013

SPS Conversion Rate 2013

The rate for converting the 2013 Single Payment will be €1 = £0.83605. This is the official rate as set on the 30th September which fixes the value for 2013 payments. This figure is an increase of 4.8% on last years figure but is still lower than rates set between 2009 and 2011. The increase in conversion rate this year will help offset the reduction in payments due to Financial Discipline. This is being imposed for the first time to keep spending within the new EU budget. A deduction of 4.98% has been proposed but not yet fixed.

Modulation rates are unchanged in 2013 compared to 2012. Actual payments cannot yet be calculated in England as a further piece of information is required in the form of the annual revaluation of entitlements. The calculation of entitlement values is undertaken from scratch each year and the rate varies depending on how many entitlements are claimed. The RPA usually announce this at the end of October.

Shooting - Importance of Health and Safety Policies

With the shooting season starting all those running shoots should have a health and safety policy in place. It not only demonstrates good practice to ensure the welfare of guns and beaters, but in addition, it may also end up being used in a court of law. For example, in November 2006 seven saboteurs were arrested when disrupting a driven shoot at Brindle in Lancashire and then prosecuted for aggravated trespass. The case was dismissed after legal argument in which their defence successfully contended that:

- for there to be an offence of disrupting a lawful activity, the activity had to be perfectly lawful
- the shoot technically had five or more employees on that day (counting beaters, pickers, helpers, etc)
- thus it fell under the Health and Safety at Work Act and the Management of Health and Safety at Work Regulations
- these require it to have a written health and safety policy and a risk assessment for its activity.

As the shoot did not have these documents its activity was unlawful with the result that those arrested could not be guilty of aggravated trespass as defined under the law.

This could be relevant not only to shoots but also to other operations such as angling syndicates that might be disrupted. It is understood that BASC have templates for health and safety risk assessments and guidance for the formulation of a health and safety policy. See www.basc.org.uk

Reinstatement of Public Rights of Way

Under cross-compliance requirement GAEC 8 farmers are required to reinstate all footpaths and bridleways following cultivations and maintain the minimum widths throughout the year. Both the RPA through SPS inspections, and Oxfordshire County Council will be monitoring this reinstatement. With the RPA, any non-compliance could affect your Single Farm Payment. If the County Council find routes which have not been marked or are of insufficient width enforcement notices may be served on the landowner or land manager. This gives the County Council the power to enter your land to carry out work and bill you for all costs involved if you do not comply with the notice.

To comply, please ensure the following minimum widths are established:

Footpaths: Crossfield – 1m
Field Edge – 1.5m

Bridleways: Crossfield – 2m
Field Edge – 3m

Please remember that field edge paths and all Restricted Byways and Byways must not be cultivated at all.

Adkin Hay and Straw Sale

This is due to be held on the 7th January 2014 at 2.30pm in the Loyd Lindsay Rooms, Ardington. Entry forms will be available shortly. If you have any queries please contact Philip Pocock on (01235) 862888



CAP REFORM

The CAP regulation package has been agreed to take effect from 1st January 2014 with the new direct payment regime starting from 1st January 2015. The current Single Payment regime therefore remains for 2014 with transitional rules to be put in place. Political agreement was reached on the CAP reform package in June 2013 with a formal statement due from DEFRA in November releasing further details.

In response to the statement
Adkin will be holding a CAP Reform seminar on
Thursday 28th November 2013 at 4.30pm
at the Loyd Lindsay Rooms, Ardington, Wantage, Oxon, OX12 8PS

Amongst the topics being covered will be:

Entitlements
Greening and Cross-Compliance
Active Farmer
Contract Farming and Tenancy Implications
New Environmental Land Management Schemes
How Adkin can help

We hope to have representatives from the Farming Advisory Service and Natural England to give presentations on cross-compliance and the new agri-environment schemes. Sarah True and Simon Alden will explain the key features of the new regime and how Adkin can help you prepare for this.

We hope that it will be an informative evening.

We do hope that you will be able to come and look forward to seeing you there. It is anticipated that the meeting will finish at around 6.00pm after which you are invited to join us for a drink.



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