

Farmers' Charter of Rights Monitoring Committee

Minutes of Meeting held at the Killeshin Hotel, Portlaoise, Co. Laois on 20 June 2019

Attendees

Chair: Sean Brady

Farming Bodies

ICMSA:

ICOS:

ICSA:

IFA:

INHFA:

Macra na Feirme:

DAFM

Sonja Maurus	Forestry Grant and Premium Schemes
Michael O'Connor	Organic Farming Scheme
Michael Mackey	Burren Scheme/Article 35
Leonie Ryan	TB and Brucellosis Compensation
Miriam Cadwell	AEOS / GLAS / TAMS II
Eoin O'Brien	Inspectorate
Oliver Molloy	Inspectorate
Josephine Brennan	Inspectorate
Edel Carty	Knowledge Transfer Scheme
Paul McKiernan	Beef Data Genomics Programme/Inspections
Peter Harte	Beef Data Genomics Programme
James Walsh	BPS/Sheep Welfare Scheme
Noel Dinneny	BPS
Brian Alcock	BPS

Larry Cashman	ANC
Fran Morrin	Young Farmers Scheme/ National Reserve
Ursula McMahon	Inspections
Tom Keating	Inspectorate
Guy Mahon	Corporate Affairs
Audrey Lyons	Corporate Affairs
Anna Keenan	Corporate Affairs

The Department presented statistics and information for each of the agenda items in the context of the targets set out in the Charter. There was detailed discussion in relation to these matters. The action points arising are set out in the table below. Further information on the discussions can be found in Appendix 1.

Action Points Summary Table		
	Business Area / Query	Action required
1.	GLAS How many participants left the scheme and incurred a full clawback? How many applicants have left due to change in ownership?	Figures to be provided at next meeting.
2	GLAS Is it possible to give a breakdown of the type of penalties that are applied at inspection?	Overview of main inspection findings that resulted in penalties to be provided when this analysis is complete.
3.	GLAS Can amendments be made to the RDP?	Amendments require formal approval by the EU Commission. Figures on numbers of transfer requests to be provided at the next meeting.

4.	<p>TAMS II</p> <p>Have any of those applicants that have fallen out reapplied under a later tranche?</p>	<p>Figures to be provided when available.</p>
5.	<p>Beef Data & Genomics</p> <p>What is the reason for the shortfall between the number of tags requested and the tags issued?</p>	<p>This is an ICBF issue. Will check the reason and information will be provided at the next meeting.</p>
6.	<p>Basic Payment Scheme / Greening Payment</p> <p>How many applications were received in respect of partnerships and limited companies?</p>	<p>Figures to be provided at next meeting.</p>
7.	<p>National Reserve</p> <p>Can feedback be provided as to why applications are not eligible and are there any major issues?</p>	<p>Details will be provided at the next meeting.</p>

Appendix 1

Item 1 – Previous Minutes of 7 March 2019 and matters arising

Minutes of previous meeting were agreed.

2 – Forestry Grant and Premium Schemes

Issue Raised	Response
What year had the greatest number of hectares of new planting?	In 2018, we had 4,025 hectares of new planting. The figure has been going down for the last number of years. It was more than double the amount under the previous programme. There are more requirements now.
Does the legal requirement to replant only refer to Ireland?	No. It is a requirement linked to the Programme's approval by the EC. The scheme is funded by Ireland but must be approved by the EC.
Can anything be done to speed up the delay in issuing Felling licences? Applicants are receiving requests for additional information 6 to 7 months after applying and can be waiting over 12 months for a decision. There is no information being given as to why additional information is being requested.	There are increased environmental requirements. 100's of submissions are being received. This causes a delay and there has been a need to seek legal advice.
Is there a need for additional ecologists?	There is a competition being run at the moment for an ecologist.

Item 3 – Organic Farming Scheme

Issue Raised	Response
Why if the advance payments are at 98% paid is the balancing payment only	There are a second set of validation checks. Can't bypass checks if

at 92% paid?	inspections need to be completed. There is a refresh of BPS which may pick up errors. Applications also have to be checked against GLAS.
Last year the scheme was opened up. How many applicants got in to the scheme?	225 applications for a licence from 01.01.2019. Eligibility based on RDP rules, available budget and BPS 2019 data. Hopefully applicants will be informed of eligibility by September.
Applicants incur costs. They may not get into the scheme. Can a decision not be issued sooner?	Validations must take place.

Item 4 – Burren Scheme

No issues were raised.

Item 5 – Article 35 Schemes

Issue Raised	Response
When will Call 1 EIP payments issue?	Will be discussed at EIP Advisory Committee meeting in September.

Item 6 – TB and Brucellosis Compensation

Issue Raised	Response
Why is the average removal time for reactors lower in Connacht?	Number of reasons: Timeframe for valuers. Smaller herd sizes. Removal times are being monitored.
Can the removal times get lower?	Removal times are being monitored. The Department is continually driving to get it lower and reviewing the paperwork required.

Why did some hardship grants take between 3 and 8 weeks to be paid?	The Department is always examining and reviewing this. The date is manually added when claims are received. Additional documents may be required and the original date may not be changed at payment stage.
How quickly do documents come in?	There are some delays. The Department is trying to simplify the process. The valuation has also to be accepted.

Item 7 – AEOS

Last payments under this scheme are currently being made. Outstanding issues are not on the Department's side.

No issues were raised.

Item 8 – GLAS

Issue Raised	Response
Is the Department writing to GLAS 3 applicants who have yet to complete GLAS training?	Yes. They have been written to three times. Less than 50 to complete one day training course before year end. It is up to the participant to attend. The Department would prefer to avoid the situation where a full clawback is required.
Is it possible to give a breakdown of penalties at inspection?	Will look at providing a general overview.
Can Force Majeure be applied for cattle accessing drinking water as was the case last year?	Water must be fenced off. Appeals are looked at on a case by case basis.
There were no clear guidelines issued to those that joined partnerships. Why were they thrown out of the scheme?	Where there is a planned change of legal entity, as set out in the scheme T&C's there is a need to contact the GLAS section in advance. There is a

	very small number of refusals involved. It is an EU co-funded scheme and the fund cannot be put at risk.
--	--

Item 9 – TAMS II

Issue Raised	Response
How many applicants have fallen out of the scheme?	2,100 applications have expired to date.
What are the main issues with delay in paperwork?	Tax clearance certs for contractors. Quality of certs from suppliers.
How many have applied under Tranche 13?	3,200 applications received. 1,800 was the average up to then. Ranking and selecting will take place. Those that are not successful will be rolled over into Tranche 14.
How many applications have been received under Tranche 14?	580 so far.
When will Tranche 13 applicants be notified?	Letters will start to issue next week.
Is VAT included for the low emission spreaders?	No. All our calculations are ex VAT.
If an applicant is not chosen this time are they admitted to the next tranche?	Yes. Unless they withdraw.
Is an applicant informed why they are not successful?	Yes. They are told the marking criteria.
Is there a weighting factor. Can an applicant be constantly rolled over?	Selection is made on a non-discriminatory basis. Applications can be withdrawn and resubmitted under a future tranche to improve chances of selection. Potential implications for YF under the YFCIS were outlined.

Is a change of entity allowed for?	Yes. TAMS must be notified in advance. The applicants must register the change.
------------------------------------	---

Item 10 – Knowledge Transfer

Issue Raised	Response
Are penalties being applied for missed obligations?	Yes. There is a scale of penalties.
Are farmers losing out as there are group issues with retiring facilitators and a facilitator on maternity leave?	Group transfers are allowed in force majeure situations. In addition participants can substitute up to two meetings with national events.
The scheme will end in July. Will there be a scheme next year?	This is a subject for another forum as it is a policy matter.

Item 11 – Beef Data & Genomics / Beef Environmental Efficiency Pilot (BEEP)

Issue Raised	Response
What is the average number per application?	The projection is an average of 24 suckler cows.
Are there any issues with scales?	As per the terms and conditions, animals must be weighted on the holding. Mart weighbridges are not allowed for animal health reasons.
When will payments issue?	First week in December.

Item 12 – Basic Payment Scheme / Greening Payment

Issue Raised	Response
What is the situation with Partnership	The graph is going up. Will look at numbers. The advice is to do the

and Limited companies?	change early in the year.
What is the position regarding the wildfire appeals?	No decisions yet. This is a matter for the Agriculture Appeals Office.
If an application is not fully submitted online can the log be checked to allow force majeure?	The log can be checked but it may not change the situation.

Item 13 – Areas of Natural Constraint

Issue Raised	Response
Have appeals commenced for excluded cases?	The process has commenced. 1,536 appeal cases have been received at townland level with 314 full appeals. Appeals will be examined by an independent Appeals Board who will examine all aspects of the appeals.
Will only biophysical aspects be examined?	All aspects for fall out will be examined.
How soon will appeals be paid?	It is a complex process. It is hoped that successful cases will be paid in September.
When will ANC payments issue?	Expected September. Derogation required from Commission.
When looking at appeals can someone now in be put out?	No. It is a one way process.
Will stocking density requirement at appeal be taken into account?	This will be taken into account.
Can there be changes to the rules for townlands put out?	No. Rules agreed with the Commission. Any changes would reopen the whole process.
Will new rates for different areas slow down payments?	No. Subject to derogation payments will issue on time.

Are allowances made for not ticking the ANC box on the BPS application?	Eligible applicants were written to in 2018. This year changes were made to the online system. The 'no change' box has been rectified. BPS applicants were asked to tick a box 'I want to apply' or 'I don't want to apply' for ANC. Error cases will be looked at on merit.
The scheme has had several name changes. Can the scheme be called Disadvantaged Area Scheme?	The name is decided at EU level.

Item 14 – Sheep Welfare Scheme

No issues were raised.

Item 15 - National Reserve/Young Farmers Scheme

Issue Raised	Response
Is there sufficient budget to cover all applicants?	Yes. It is anticipated that there will be adequate budget available.
Is there a timeframe for getting a herdnumber for applicants that used a reference number?	No. There is no timeframe.
What is the position with Transfer of Entitlements?	There is an increase year on year. There is a small number of issues.
Do unused entitlements go back to the National Reserve?	Yes. Approximately 4,000 entitlements with a value of €1.3 million. These were used to fund the National Reserve.
Are herdowners notified that their unused entitlements are going to the National Reserve?	Yes.

BVD

Issue Raised	Response
--------------	----------

How much funding is made available each year for the BVD compensation fund?	Information to be emailed to the farming bodies.
What happens the money that isn't used?	Information to be emailed to the farming bodies.
Could this money (if any) be used to support farmers that received false negative results?	Information to be emailed to the farming bodies.

BSE & Scrapie

No issues were raised

Horticulture

No issues were raised

Item 16 – Inspections

Issue Raised	Response
How many inspections zones are there?	49. 20 when merged.
When will inspections commence?	As soon as possible.
Is the re-digitisation of Louth still ongoing?	There are always changes as part of the application process. Everyone will get maps which will reflect the amendments.
Is there much difference in Louth compared to previous years?	Information has not yet been assessed against last year.

AOB

The Farming Bodies requested an update on the re-digitisation of Louth be provided at the next meeting.

The Farming Bodies requested that an official attend the next meeting to discuss progress in relation to implementation of the recommendations of the Review of the Agriculture Appeals Act.

Item 17 – Date of Next Meeting

Agreed next meeting would be held on 10 October 2019.

The meeting concluded.