



Llywodraeth Cymru
Welsh Government



CPH Common Land Guidance

New Rules

March 2020

Adding Common Land to a CPH

The current CPH rules were introduced in 2016 and are being rolled out to all livestock keepers in Wales. All holdings with access to common land i.e. have allocated registered rights, and use the Common for livestock grazing, will need to be operating under the current CPH rules in order to satisfy animal movement regulations.

Common Land Links allowed animal movements on to Common Land, subject to certain conditions, without the need for licencing/movement recording. **Common Land Links are no longer compatible with the current CPH rules.** Livestock keepers must enter the land they use for keeping livestock, including common land, into Manage My CPH.

Under the current rules movement reporting, standstill and individual species requirements are all dependant on whether the common is contiguous or not to the Primary Production Location (PPL). Common land must be included within a CPH before livestock is moved to the common land.

Identifying the Primary Production Location (PPL)

The identification of the Primary Production Location (PPL) is an important part of CPH mapping process, it will form the basis of if the common land is contiguous or not and how to report the movements of animals to and from the common land.

The identification of the PPL **must** be reflective of the actual use of the holding and **not** located for maintaining contiguous access to the common land.

- The Primary Production Location (PPL) must be identified using the following rules
- The PPL is the location of the livestock buildings/milking parlour/main handling facilities for animal health and welfare/husbandry purposes
- If no buildings/housing is present (i.e. in the case of an extensive holding), the PPL would be the gathering location
- Location of the greatest proportion of owned land/long term let
- In the minority of cases, where the keeper occupies no enclosed land, only common grazing rights, the PPL is the correspondence address

The PPL **must not be** moved once a transition to Manage My CPH has been completed unless there has been a significant change in the use of the holding. Keepers must provide evidence of these changes to RPW for the holding to be reviewed.

Common Land Contiguous to the PPL

A livestock keeper is contiguous where the land within the Primary Production Location is contiguous i.e. shares a direct boundary to the common land. This will be automatically populated once the Point of Origin has been selected online via Manage My CPH.

Primary Production Locations may be split by roads or rivers which will prevent the holding being mapped initially as contiguous to the common land. Where this is the case it can be reviewed by RPW. Land may be linked where it is clear that the track, road, tunnel or river or any other feature is the only barrier preventing the land from being contiguous.

Common Land Not Contiguous to the PPL

Non-contiguous keepers have no direct boundary to the common land and their PPL. Their land is not adjacent to the common in any way and under normal management would have to transport/walk animals to, and from the common. Any situation where the keeper would have to transport/walk the animals to the common land **cannot** be considered to be contiguous.

Where animals are led through land which is not controlled by the livestock keeper to access the common then it cannot be deemed to be contiguous, even if the land is not used for the purposes of agriculture (e.g. forestry).

In these circumstances a species specific commons CPH number must be assigned to the keeper and movements reported, please see below for species specific information. See scenario 2.

Species Specific Movement Information

Sheep/Goat Keepers

Movements to and from **contiguous** common land within the same CPH number will not require movement reporting as it is considered part of the main holding.

Movements to and from **non-contiguous** common land will require movement reporting against a sheep specific CPH number assigned by RPW (00/000/xxxx). Keepers must send RPW an online message or telephone the customer contact centre with details of the non-contiguous common for the grazing to be registered with RPW. A separate commons CPH number will be required for each non-contiguous common.

Movements must be recorded in the flock record and reported via EID Cymru or a movement licence/document (AML1). All animals **must be** tagged before moving to the common land.

Animals returning from both contiguous and non-contiguous common land will trigger a standstill on all movements to anywhere else other than back to the common land. Movements to and from the common land must go via the keeper's CPH.

Cattle Keepers

All cattle moving to and from **all** common land will require a valid Pre-Movement Test. Cattle keepers who graze on common land are required to contact APHA in advance of any movements to discuss the TB testing requirements. All known cattle keepers will be referred to APHA if adding common land to their CPH.

Movements to and from **contiguous** common land within the same CPH number will not require movement reporting as it is considered part of the main holding.

Movements to and from **non-contiguous** common land will require movement reporting against a cattle specific CPH number assigned by RPW (00/000/xxxx), recorded in the holding register and reported to BCMS. A separate commons CPH number will be required for each non-contiguous common.

Animals returning from both contiguous and non-contiguous common land will trigger a standstill on all movements to anywhere else other than back to the common land. Movements to and from the common land must go via the keeper's CPH.

In the event of a TB breakdown on any part of a holding, including contiguous common land, any movement restrictions and associated TB testing requirements will apply to all land within the CPH. APHA will instigate common land TB breakdown assessments as normal.

Sole Grazed Commons

Where a common is sole grazed it must adhere to the sole grazing requirements as outlined within the CPH guidance. The livestock keeper must declare that:

- The section of common land is enclosed by a stock proof boundary which has been in place for 10 years or more, or there is a valid Section 38 (or equivalent) consent in place.
- The enclosed element of the common has only one registered grazier or where there is more than one grazier the declaring keeper is the only grazier that has, or has attempted to, turn out on the enclosed section in the last 10 years.
- The use of the enclosed section of common land remains subject to the number or registered rights on that section.
- The remaining portion of the common outside the identified boundary must be capable of accommodating the remaining registered rights for the common as a whole, with specific reference to the environmental damage from grazing.
- The keeper will be responsible for notifying RPW of any changes in circumstances especially if another grazier turns out or attempts to turn out on the enclosed section.
- The enclosed section will be treated as any other section of land within the CPH business rules for livestock movement reporting to include the definition of 'sole occupancy'.

Where sole-grazed commons are known to RPW they are available to the keeper to be selected in the same way as a regular land parcel. Where the sole grazed common is not known to RPW evidence must be provided to RPW to allow it to be considered for inclusion.

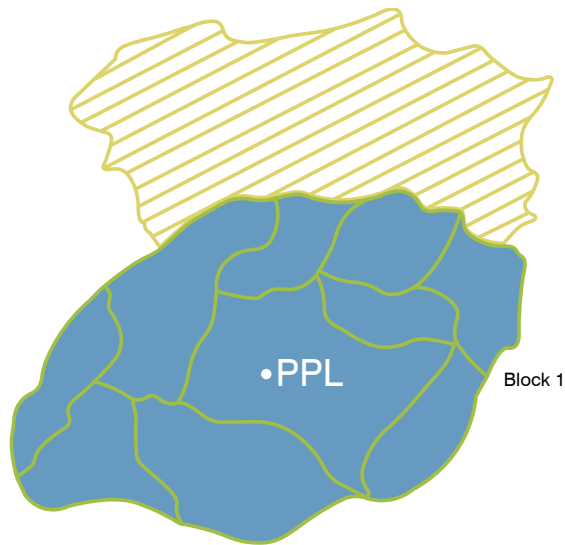
Example Scenarios

Scenario 1 – Contiguous holding

The Primary Production Location (PPL) directly borders the common land and access to the common land is not separated by a road or river.

Movement reporting requirements:

- No movement reporting required for movements to and from the common land.



Scenario 2 – PPL split by road or track

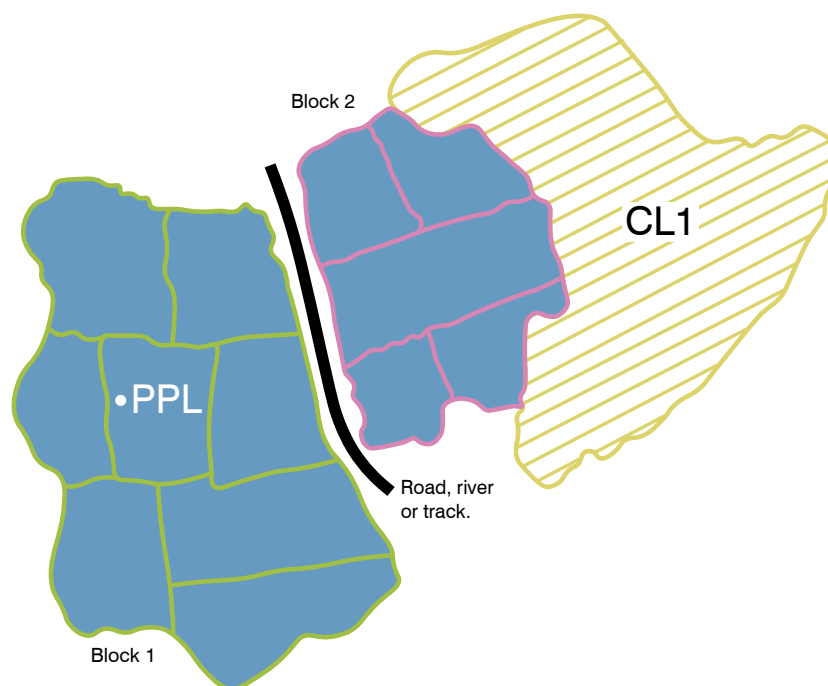
The PPL is located in Block 1 (green border). Block 1 and 2 forms part of the main CPH but are divided by a track. The common land shares a boundary with Block 2 which prevents it from being considered as contiguous under the current rules. RPW can review cases of this nature.

The keeper will need to provide the following details:

- Common Land name and number
- Details of what actually separates the common from the PPL
- Put a message on their RPW on line under the following title- PPL separated by a road track or river.

Movement reporting requirements:

- If reviewed by RPW and deemed contiguous then no movement reporting is required
- If deemed not contiguous movements must be reported against the species specific CPH number.



NO MOVEMENTS CAN TAKE PLACE UNTIL CONFIRMATION IS RECEIVED via your RPW online account confirming the outcome of contiguous common request.

Scenario 3 – PPL separated by a road or track

The Primary Production Location and common land share a boundary which is a road or river which is preventing the common land from being considered as contiguous.

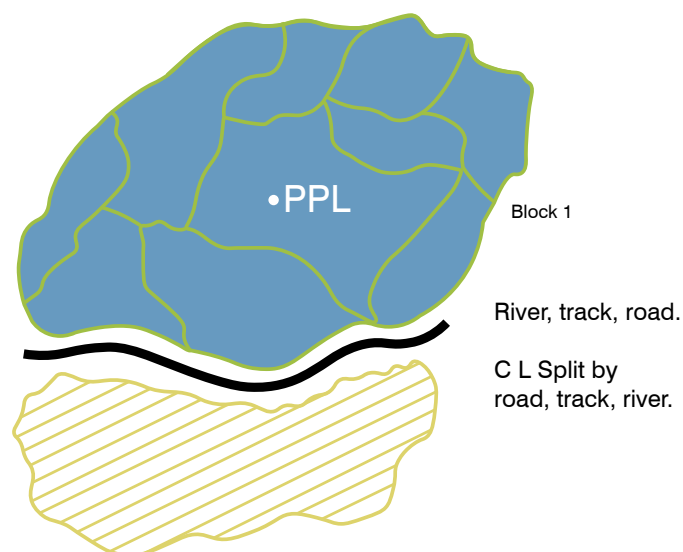
Rural Payments Wales will review the holding to see if it can be deemed contiguous. Consideration will be given to if animals can be safely led. Keepers will need to send RPW a message with details of the common land they wish to consider as being contiguous and any additional information regarding the obstruction.

The keeper will need to provide the following details:

- Common Land name and number
- Details of what actually separates the common from the PPL
- Put a message on their RPW on line under the following title - Common Land separated by a road track or river.

Movement reporting requirements:

- If reviewed by RPW and deemed contiguous then no movement reporting is required,
- If deemed not contiguous movements must be reported against the species specific CPH number.



NO MOVEMENTS CAN TAKE PLACE UNTIL CONFIRMATION IS RECEIVED via your RPW online account confirming the outcome of contiguous common request.

Scenario 4 – Non-contiguous to the PPL

The common land is not contiguous to the Primary Production Location. The common land is contiguous to another block of land but as it is not the PPL then it is not contiguous.

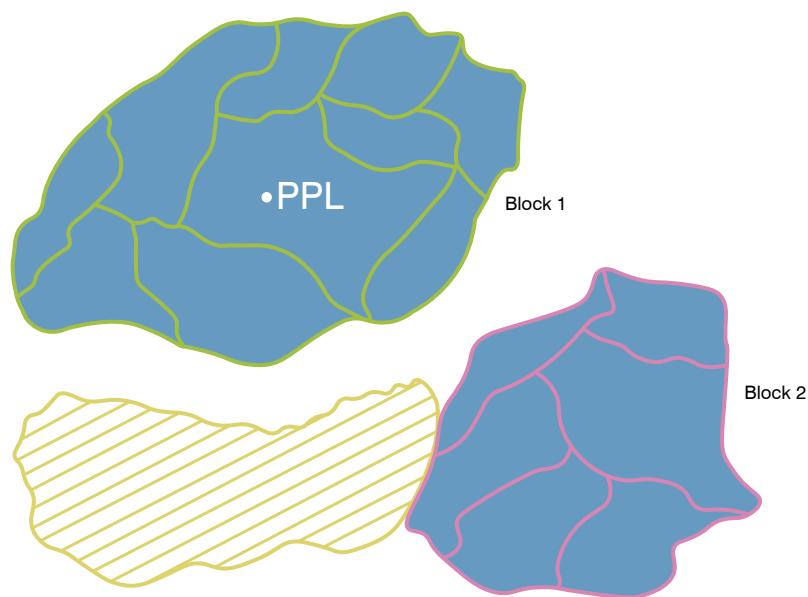
The CPH includes both block 1 which contains the PPL and block 2, all land is within 10 miles. As the common land is contiguous to block 2 and not the PPL it will not be eligible for merging and you will need to obtain a common land CPH by contacting the customer centre via your RPW Online account. Alternatively, if there is a suitable location a separate CPH can be obtained for block 2, however this will affect how you report movements and standstills.

Movement reporting requirements:

- Movements to the common land must be reported against a species specific commons CPH number;

or

- A second CPH can be obtained for block 2 (which is contiguous to the common land) movements to the common land from block 2 would not need to be reported but movements to/from block 1 and 2 must be reported.

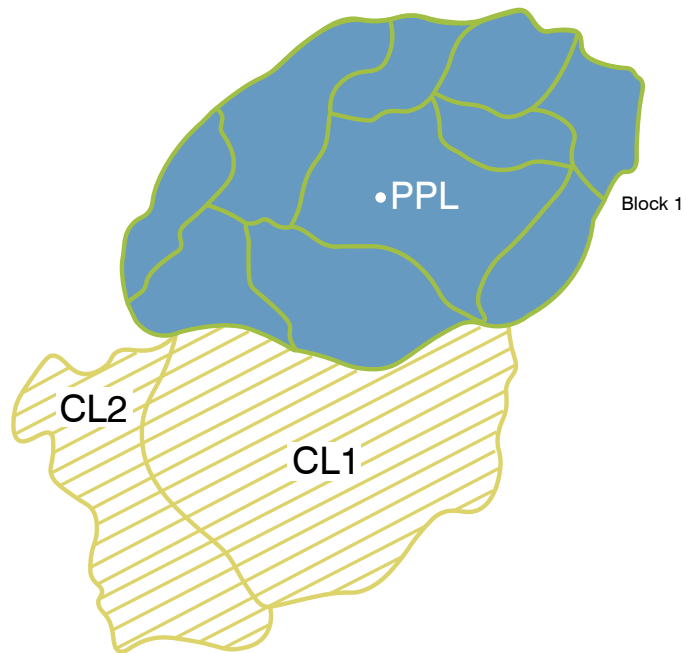


Scenario 5 – Contiguous to additional common land

Primary Production Location is contiguous to common land, which is in turn contiguous to additional common land.

Movement reporting requirements:

- No movement reporting required to the common land as it is contiguous to the common land, if no physical boundary between common land parcels CL1 and CL2.



Scenario 6 – Additional holdings are outside of 10 miles and non-contiguous to multiple commons

Farm consists of 2 holdings more than 10 miles apart requiring separate CPH numbers. Common land is not contiguous to either holding and cannot be merged.

Movement reporting requirements:

- Movement to common land from both CPHs would need to be reported;
- Movement between CPH numbers would also need to be reported;
- Movements between common land must go via the Primary Production Location CPH first.

