



DARTMOOR COMMONERS' COUNCIL

Code of Guidance for Learing Stock on the Commons In pursuance of Regulations 4, 5 and 15 under the Dartmoor Commons Act 1985

1. The Dartmoor Commoners' Council has delegated powers under the Act to Local Commoners' Associations who are responsible for the grazing management and avoidance of stock damage on their commons. In the case of a dispute the Council retains the power of decision. Where there is no Commoners' association, new entrants should consult with the Commoners' Council.
2. No person entitled to use common rights, whether new entrant or practising grazier changing the number of animals grazed, shall turn out animals on the common without first contacting the Local Commoners' Association who will approve an area where the applicant may graze the animals.
3. The Local Association must consult with established graziers before new entrants are given permission to graze on the common. All commoners registered as graziers with the Dartmoor Commoners' Council have a right to graze stock and existing graziers must allow approved new entrants to graze animals on the common. Existing lears may have to be adjusted following consultation in order to accommodate the approved new entrant.
4. Approved new entrants are legally required to notify the Secretary of the Dartmoor Commoners' Council not less than one month before they intend to graze animals on the common and shall provide details of the permanent marks by which the ownership of those animals may be identified. For the avoidance of doubt a permanent mark means an incised earmark or a brand. **N.B. Cattle should be freeze branded as hot branding of cattle is illegal under the Welfare of Livestock (prohibited operations) Regulations 1982.**
5. Commoners should graze animals on the common for a period of two years in order to establish the lear which should be maintained thereafter by consistent grazing of stock. New entrants should allow sufficient time to shepherd their own animals onto the chosen lear and to prevent disruption of approved neighbouring lears.
6. Straying stock should be returned to their lear in a manner considerate of the animals' welfare. Aggressive dogging when moving other graziers' stock is unacceptable in any circumstances.
7. New lears should allow the animals access to water.
8. Commoners should encourage breeding from established leared stock and remove constantly straying animals.
9. In the event of a dispute that cannot be resolved with the Local Commoners' Association, the matter should be referred to the Dartmoor Commoners' Council, which will appoint representatives to negotiate an agreement. As a final resort, where agreement cannot be reached, the Local Commoners' Association may employ an arbitrator appointed by the Royal Institution of Chartered Surveyors to settle the dispute.

DARTMOOR COMMONERS' COUNCIL – REGULATION 4

No person shall allow any animal to be depastured on the commons without taking all reasonable steps to make sure that from the date of that animal's introduction it is hefted or leared or flocked in accordance with the custom and practice of Dartmoor as approved from time to time by the Council.

DARTMOOR COMMONERS' COUNCIL – REGULATION 5

No person shall allow to be depastured on the commons any cattle or ponies exceeding the age of 12 months or sheep exceeding the age of 6 months, which are not permanently, marked in a form that is readily visible for the purpose of identifying their ownership. Sheep should have a permanent incised earmark readily discernible together with a paint mark. The Council may waive the requirement of such permanent marking on application of the person depasturing prior to the commencement of such depasturing where the duration of the depasturing is to be a single period of less than 3 months.

For the purpose of this Regulation the application either of paint or of an ear-tag to a sheep shall not be regarded as forms of permanent marking.

Every person so depasturing an animal shall one month prior to first depasturing any such animal send to the Secretary of the Council a diagram and a description of the mark adopted for this purpose.

The Council may require a person to alter or vary any mark which it considers cannot adequately be distinguished from that employed by another person grazing animals on the commons, and thereafter such person shall ensure that all animals depastured by him are marked in accordance with such requirement.

DARTMOOR COMMONERS' COUNCIL – REGULATION 15

The Council may require the removal of stock from the commons or from a particular part of the commons where stock are being grazed or fed in contravention of any Code of Guidance approved by the Council or in order to prevent or limit damage to the commons.

Welfare of Livestock (prohibited operations) Regulations 1982

(S57) Hot branding of cattle became illegal under the Welfare of Livestock (prohibited operations) Regulations 1982.

Acceptable methods of permanent marking include freeze marking and notching or punching of the ears. Hot irons may not be used for branding cattle.