

## DARTMOOR COMMONERS' COUNCIL

### Minutes of the Meeting of the Dartmoor Commoners' Council held at Two Bridges Hotel, Princetown on Wednesday 22 March 2017.

#### Present:

Mr J Waldon - Chairman	Mr N Cole	Mr G Mortimore
Mrs M Alford – Vice Chairman	Mr J Cooper	Mr M Mudge
Mr R Ashford	Mr P French	Mr M Retallick
Mr J Aylett	Mr G Hill	Mr R Steemson
Mr L Branfield	Mr J Jordan	Mr T Stratton
Mr P Cleave	Mr S Lake	Mr D Webber
Mr A Coaker	Mrs K Little	Mrs A Willcocks

#### In attendance:

Mrs S Sloman	Mrs K McKechnie (DLPO)
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#### 1. Chairman's Remarks

The Chairman welcomed everyone to the meeting.

#### 2. Apologies for Absence

These were received from Mr C Alford, Mr P Cottington, Mr B Lavis & Mr M Reddaway. The Chairman informed Council that Mr Len Jones had resigned from Council due to poor health. A letter has been sent to Mr Jones thanking him for his service to Council & wishing him well.

#### 3. Confirmation of Minutes

The minutes of the Meeting held on 25 January 2017 were confirmed & signed.

#### 4. Matters Arising

##### 4.1 Basic Payment Scheme on Commons

The Chairman reported that Mr Paul Caldwell has been appointed as the new interim Chief Executive of the RPA, following Mr Mark Grimshaw's decision to step down. Paul Caldwell initiated the fortnightly meetings, with the Foundation for Common Land (FCL), in an attempt to overcome some of the commons issues. These meetings have been very constructive & they will continue, but will be led by another senior director within the RPA. Between 80-90% of payment on common land has been made & the FCL will use their regular meetings with the RPA to continue to press for the remaining payments to be made.

Despite Council & other organisations continually pressing the RPA to produce detailed claim statements, there is no headway on this issue. The RPA's position is that it would cost too much to change their computer software to provide a breakdown of how payments are calculated.

The Chairman advised that Council has taken up an offer from the RPA to meet with Glen Portman (head of commons) & Simon Lunniss to talk through some worked up examples of specific issues that Council has on how the RPA treat certain commons & to see if a solution can be found.

The back payment due following the 'Minchinhampton decision' was discussed again. The Chairman reiterated that the bulk of the money to be paid will be a compensation

payment for the years 2009 to 2014 (6 years under Single Payment Scheme), as we understand the 2015 & 2016 BPS payments have been calculated using the post-Minchinhampton formula. Council has written to the RPA requesting some clarification on when the compensation payment will be paid & have yet to receive a response. The matter will be raised at our forthcoming meeting with the RPA. If the response is unsatisfactory, Council will write to the MPs to ask for their help in this matter.

#### **4.2 TB Consultation**

The Chairman thanked Mrs Ann Willcocks & Council's TB Working Party for responding to the recent consultation on introducing a supplementary licence for farmers to continue badger disease control measures after a licensed cull.

Mr Anton Coaker has offered to represent Council at the next Devon TB Eradication Group meeting.

#### **4.3 Livestock Unit Conversion Rates File Note**

This was tabled at the meeting & a copy is attached to the minutes (Appendix A).

#### **5. Matters brought forward**

The Chairman reported that Defra are holding a meeting with various pony organisations from Dartmoor, Exmoor & the New Forest to discuss pony passports & pony regulations. Mr Stuart Lake has kindly agreed to take the lead in drafting Council's position document, once Defra have advised which regulations are likely to change & what consultation processes there will be. Council will also be represented by Mr John Jordan, Chairman of the Pony Working Party & Mrs Mary Alford.

The Chairman advised that due to Mr Len Jones' resignation, Council has a Casual Vacancy for a West Quarter representative for small graziers. It is referred to as a Casual Vacancy because Mr Jones was part way through a 4 year term & the new appointment will serve until the end of that term (30 June 2018). Adverts have been placed in the local papers & sent to the Local Commoners' Associations within the West Quarter for circulation. The cut off date for nominations is Wednesday 5 April 2017.

Mr John Cooper asked what was happening about the number of unmarked ponies that continue to appear outside his farm gate. He has reported it on several occasions in the past & is happy to gather them into his yard if someone could attend with a trailer within a few days of him doing so to take them away. Mr John Jordan offered to arrange for collection once the ponies had been gathered in.

#### **6. Update from Dartmoor National Park Authority**

Mr Rob Steemson reported on the following:-

- Dartmoor National Park Authority recently hosted an agri-environment workshop & has received good feedback regarding excellent presentations & thought provoking discussion. Defra officials were particularly fulsome in their appreciation & it is hoped that they returned to London with some clear ideas for policy & practice, post EU exit, informed by the work being done on Dartmoor & the case studies of the Burren (Ireland) & Yorkshire Dales.
- The closing date for applications for the two vacancies as Secretary of State members to the National Park Authority is 22 March 2017. It is anticipated that the successful candidates will start in June.

- Three new Speed Visors, have been placed near the Warren House Inn, below Haytor & on the Princetown to Yelverton road. Thank you to the Dartmoor Livestock Protection Society for the majority of the funding, along with some from the Dartmoor Forest Parish Council. The downloadable data will be given to the Police to provide ingoing evidence of the requirement for speed limit enforcement by the Police.
- The Speed Watch initiative, led by the Dartmoor Forest Parish Council with their volunteers continues to act as an educational tool in regard to local speed awareness & hopefully as a deterrent to those who have already received a letter as an outcome of being caught.
- National Park Rangers are working closely with the Police after off road 4x4 vehicles & motorbike scramblers caused damage to various parts of common across Dartmoor. Publicity to this problem is being planned over the coming weeks & fixed penalty fines have been issued to those caught.
- As already mentioned by the Chairman, Defra Equine ID are organising a pony meeting which DNPA are hosting at Parke on 11 April. Invites have been sent out & Rob Steemson is co-ordinating responses & facilitating refreshments. Mr John Waldon has been asked to chair the meeting.
- Sue Bishop, Recreation, Rangers & Estates Support Officer is leaving next week. DNPA are advertising for an Assistant Access & Recreation Officer. Two key elements of the job are: Operating the organised recreational events recording & notification systems, including liaison with event organisers & other interested parties as required. Liaise with recreational user groups & event organisers to build relationships & awareness. The Chairman suggested that it might be an idea for the newly appointed person to meet with Council in due course.

Mrs Ann Willcocks raised the issue of the impact that large scale events have on the commons. A general discussion took place on the concerns of erosion, litter, gates being left open etc. following the increasing number of people visiting Dartmoor. The Chairman asked that if a Local Commoners' Association identifies a problem that has been caused by a recreational event then to raise it immediately with the DNPA as there might be some funding available for restoration work & repairs.

- From 1 April, Rob Steemson's new role is Community & Land Management Ranger. He will be part of the Ranger team & contribute to weekend patrol duties. His main roles are:-
  - Co-ordinate the annual erosion survey: analyse the survey, report on trends and work with partners to develop & implement proposals to repair, reduce or manage impact.
  - Co-ordinate attendance at & monitoring of large scale recreation events, reporting issues & facilitating effective communication with landowners & commoners.
  - Act as the Authority's lead officer for the Dartmoor Commoners' Council, Ten Tors, ponies & chair the Pony Action Group, Wildfires.
  - Act as the key contact on military training & attend Dartmoor Working Party meetings.
  - Act as the Authority's Emergency Officer & lead officer for the Community Safety Accreditation Scheme.

The new role will provide additional capacity on some key issues such as large-scale recreation events & erosion repair, which have been highlighted by local communities.

Rob's contacts remain the same – Home Tel: 01626 824526, Mobile: 07711 856206, Email: [rsteemson@dartmoor.gov.uk](mailto:rsteemson@dartmoor.gov.uk).

Mr Neil Cole raised an on-going issue regarding a gate that needed repairing on Huckworthy Common & who is responsible for it. Mr Steemson advised that he had been dealing with this matter today & the infrastructure belongs to the cattle grid scheme that was put in by Highways, therefore they are responsible for its upkeep. Sara confirmed that she had reported the issue to Highways following a telephone call to the office from Mr Cole. It was suggested that Mr Cole contact his local councillor & county councillor regarding this particular matter. Mr Steemson offered to try to find out the points of contact in Highways who is responsible for these types of issues in each area & to pass their details to Sara for future reference.

**7. Council Member's Job Description (Second Draft)**

As requested, the job description was amended, making it generic for all members of Council & the second draft was sent to Council Members for further consideration. Following a brief discussion & suggestions for a few further amendments, it was agreed that the third draft be sent to Council Members for consideration. It is hoped that this will be the final version to be passed at Council's next meeting.

**8. Dartmoor Commoners' Council – Standing Orders**

Mrs Kate Little had kindly offered to look at Council's Standing Orders & convert them into plain English. Her version was tabled at the meeting & it was agreed that Council Members take it away for consideration at the next meeting. The Chairman agreed that if suggestions for any substantive amendments are received prior to the next meeting, a revised version would be circulated beforehand. The Chairman also suggested that he will probably call on the Policy Work Group to progress this after the next Council meeting.

**9. Update from Dartmoor Livestock Protection Officer**

Mrs Karla McKechnie gave her report to Council, a copy of which is attached (Appendix B).

The issue of commercial dog walkers walking dogs on the commons was discussed. The DNPA Bye Law on commercial activities states that *"No person shall on the access land offer for sale or let to hire any commodity or article, or offer any service for reward unless he is authorised to do so in pursuance of an agreement with the Authority and the owner of the land."* However, the DNPA legal advisers have said that because no money is actually being exchanged on the common, this is difficult to pursue. The Chairman advised that he recently had a similar conversation with the New Forest & their Solicitors have come up with a different interpretation. He therefore suggested that this issue needs further clarification.

**10. Date of Next Meeting**

The next meeting of the Council will be held on Wednesday 24 May 2017 at 7:30pm at Two Bridges Hotel, Princetown.

**Signed:**.....

**Date:**.....

Dartmoor Commoners' Council - Note on Livestock Unit Conversion Rates

Council is aware of three different calculations that are used to convert Livestock Units (LU) to specific types of grazing stock (cattle, sheep and ponies) and vice versa.

Council recognises that this can result in the allocation of the number of grazing rights for sheep varying, depending on which formulae is used. In some cases this results in fewer rights than if one of the other formulae was used.

These different calculations are embedded in various procedures including the calculation of payment to register with the Council and the Rural Payments agency (RPA) calculations for the Basic payment scheme (BPS).

Discussions with the RPA have revealed that it would not be possible to change the calculation used on Dartmoor from that used elsewhere.

The calculations used by Council are enshrined in the Council's Regulations.

The "NFU" scale is widely used in other calculations and the effort to recalculate all such cases is seen to be impractical and complex.

For the time being it is Council's decision to recognise the different calculations and should an opportunity become available, to seek one calculation to be adopted and used by all.

The three calculations are:

NFU SCALE - Used in the rights section of Register of Common Land

A Cow	=	1 Grazing Unit	
A Horse	=	1 Grazing Unit	
Cattle 2-3 yrs. old	=	3/4 Grazing Unit	0.75
Cattle 1-2 yrs. old	=	1/2 Grazing Unit	0.50
Cattle < 1 year	=	1/4 Grazing Unit	0.25
Sheep > 1 year	=	1/6 Grazing Unit	0.16
Sheep < 1 year	=	1/12 Grazing Unit	0.08

RPA SCALE

A Cow	=	1 Unit	
A Horse	=	1 Unit	
A Pony	=		0.60
A Sheep	=		0.15

DARTMOOR COMMONERS' COUNCIL SCALE

A Beast	=	1 Unit
A Pony	=	1 Unit
5 Sheep	=	1 Unit

Note provided by John Waldon, Chairman, January 2017

**Dartmoor Livestock Protection Officer – Report to Council**

Road Traffic Accidents (RTAs)

14 RTAs this year so far - 9 ponies & 5 sheep.

2 ponies were hit & tragically killed on the B3212 Dousland to Princetown road on 10 Feb. We had a massive amount of press coverage & air time about this accident. Traffic police were involved & measurements between the dead ponies were taken. The first pony was killed outright & the second pony died after suffering three broken legs. It was a clear night with a full moon, but the roads had been gritted & I had passed ponies licking salt from the road. The driver told the police he had been travelling within the speed limit & that the first pony had run out in front of him causing him to plough into the second pony. However much the farmer & I complained about the severity of the accident, the police were not prepared to prosecute as there were no witnesses. Although, the stopping distance was 37.8 metres between the ponies (1.5 metres over the designated stopping requirements when travelling at the speed limit of 40 mph). The car was a write off, with both air bags blown & had to be recovered. The farmer & I agreed that the ponies would be pulled to a safe place at the side of the road & left for collection on the Monday morning.

The speed monitors are up & running. They have been funded by DLPS, DFPC & DNPA. At the moment they are situated at Haytor, Sharpitor & Warren House Inn (Bennett's Cross). They are all singing & dancing, are solar panelled & therefore do not require battery charging or changing. They record the speed & time of passing drivers & the data is forwarded to the police.

DOGS

A local farmer had a situation where 14 sheep were savaged & had to be put down. The dog owner in question was interviewed & the police are hoping to caution him & issue a dog control order (DCO). He has paid full compensation. Although this is not ideal, it is a stark reminder to dog owners that the police, along with farmers are taking dog attacks very seriously.

Another dog attack at Vennford Reservoir where a lady, who at the time was in possession of 6 dogs, had allowed two big dogs loose that had attacked a ewe. The farmer phoned me & witness statements were taken. The ewe miscarried. The lady is being prosecuted & we are expecting an update from the Crown Prosecution Service. The police have been very supportive with the dog situation & I very often give them information about a dog who has been chasing sheep & they follow it up with a home visit.

MISC.

Just a few of my calls:-

- Plenty of sheep caught in fences or places where they shouldn't be, like people's back gardens or in the middle of rivers.
- A pony with a nasty leg injury at Chagford has been monitored, jabbed with antibiotics & is making a slow recovery.
- A pony with an eye injury at Yelverton was removed & given antibiotics. It has made a full recovery.
- A pony cast in a ditch at Widecombe was pulled out & is fine.
- Problems with ponies & sheep at Lee Moor, Wolf Mineral Site, where ponies are getting through the broken down fencing. I have had long talks with John Briggs, Site Manager, & the fencing is being repaired.....finally.
- We had two ponies turn up at Merrivale with no brand marks, in a very poor condition & on the point of collapse. We had to put the ponies down.
- A very premature & deformed foal was born & that had to be put down.
- There is a pony with a nasty brand mark. I am spraying it & keeping an eye on it.
- A couple of early foals on the moor are doing OK.
- An abandoned lamb was reported to me. The farmer went out, found it & has put it on another ewe.

**Please keep your statistics coming in to me for road traffic accidents & dog worrying incidents.**