

## DARTMOOR COMMONERS' COUNCIL

### Minutes of the Meeting of the Dartmoor Commoners' Council held at Two Bridges Hotel, Princetown on Wednesday 13 September 2023.

#### Participants:

Mr P French – Chairman	Mr K Edwards	Mr M Radmore
Mr L Branfield – Vice-Chairman	Mrs C Faulkner	Mr J Reddaway
Mr P Abel	Mr P Heard	Mr J Shears
Mrs M Alford	Mr E Humber	Mr T Stratton
Mr R Ashford	Mr J Jordan	Mrs P Warren
Mr A Coaker	Mr S Lee	Mrs A Webber
Mr J Cooper	Mr R Leigh	Mrs A Willcocks
Mr W Dracup	Ms T May	
Mrs S Sloman	Mrs K McKechnie (DLPO)	

#### 1. Chairman's Introduction

The chairman welcomed everyone to the meeting.

He read out a statement following the Judgement delivered earlier that day on the **Mary Alford v Dartmoor Commoners' Council Case**:

The complainant (Mary Alford) had appealed against Council's decision not to accept her objection to the registration of Mrs Kate Little as a grazier. The grounds of the complaint had been that Mrs Little was not entitled to be registered as a grazier & that therefore the entry relating to her on the Register should be deleted. The judge disagreed explaining that she accepted all the Council's submissions about Mrs Little's entitlement to be registered as a grazier. She held that the entry in the Register for Mrs Little was not incorrect, that Mrs Little is & was at the material times a grazier & that the Council was correct to record her as such in the Register. The judge therefore dismissed the complainant's appeal. The remaining issue is costs. Costs normally follow the outcome of the litigation so that the unsuccessful party is ordered to pay a substantial part of the successful party's legal bill. The judge will receive written submissions on costs from both sides & will issue her decision on liability for costs in writing on 7 November 2023. No further hearings are scheduled. Today's decision vindicates the Council's conduct of this complaint. A written copy of today's judgment will be issued by the judge shortly & will be made available by email upon request by emailing the Secretary of Dartmoor Commoners' Council.

#### 2. Apologies for Absence

Received from Mr P Cleave, Mr G Hill & Mrs K Little.

#### 3. Confirmation of Minutes

The minutes of the last Council Meeting had been circulated to all Council Members requesting that any comments be made ahead of tonight's meeting. No comments were received & the Minutes of the Annual General Meeting held 12 July 2023 were confirmed & signed.

#### **4. Matters outstanding from previous meetings:**

##### **4.1 Co-opted Position (Vacant)**

At the last meeting, it was suggested that the position be offered to Adrian Colston. The Chairman has spoken to Mr Colston who thanked him for the invitation but declined. If anyone has suggestions of potential candidates for the co-opted position, who would provide good value & guidance to council, please contact the office.

##### **4.2 Stallion Accreditation Day**

The confirmed date for this year's annual Stallion Inspection is Wednesday 8 November 2023. Neil Cole has kindly agreed to hold it at the Prison Farm, Princetown again. Further details will be sent to pony keepers & Local Commoners Associations.

#### **5. Correspondence Received**

A list of correspondence received had been circulated to all Council Members with copies emailed to some Members upon request.

#### **6. Matters brought forward at the discretion of the Chair**

##### **6.1 Natural England Stop Notice: HW&WW Common (unit 61 of South Dartmoor SSSI)**

Council received advanced warning of this Notice to stop ALL grazing on this common from 1 November to 30 April. It is to be noted that this area also includes part of Trowlesworthy (often referred to locally as Area C of CL190). Following a discussion, it was agreed that Council respond to NE, objecting to the Stop Notice, setting out its implications & questioning who would be responsible for stock straying onto the area & how this would be managed.

#### **7. Reports from Members representing Council at meetings:**

- **Peatland Partnership\***: 13 July 2023 – Anton Coaker

Anton Coaker gave a report on the meeting. Formal minutes are available to Council Members upon request from the office. A lengthy discussion followed & Council Members raised a number of questions regarding insurance liability & the exact area of future proposed work. It was agreed that Council formally ask the Peatland Partnership to clarify these points.

##### **Declaration of Interest: Anton Coaker**

It is to be noted that Anton has declared a further potential personal & pecuniary interest as he has tendered to supply stone. This is recorded in Council's Register of Interests.

\*Notes available. If any Council Member wishes to receive copies of these notes, please email [office@dartmoorcommoners.org.uk](mailto:office@dartmoorcommoners.org.uk)

#### **8. Natural England Review Update**

It was reported that the deadline to submit written reviews has been extended to 16 October 2023. Although some Council Members have had an opportunity to engage with members of the Dartmoor Review Panel, Council has yet to respond. A discussion followed around the nature of Council's engagement & Members are invited to send any points to the secretary so they can be incorporated into Council's submission. The Chairman encouraged Council Members to input individually to the Review & suggested that they contact their local MPs to request their continued support by re-engaging with what is going on now. He also reported that he has been in contact with the fire brigade who are concerned about the plans at both local & national level. They intend to meet with the Review Panel.

A meeting will be arranged with the Review Panel instead of the annual Local Commoners' Association for Chairmen & Secretaries. Further details will follow once a date has been set.

## 9. Update from Dartmoor National Park Authority

Simon Lee reported that:

- The **Dartmoor Marshall** project has been a success this year. The purpose of the initiative was to support the work of Dartmoor National Park Rangers engaging, encouraging & educating the public to act responsibly & adhere to the National Park Byelaws.
- **Ranger team update** - after working for the Authority for 19 years, Rob Taylor, who covers a sector in the North West, will be leaving the Ranger team. He will be missed but we wish him well in his new role as a Devon County Council Rights of Way Warden. It is hoped that Rob's replacement will be appointed soon. DNPA are also recruiting for a new Assistant Ranger position, to support the team in the North. This will be a fixed term post until April 2025.
- **FiPL** has been extended by a year until March 2025. All funded work will need to be completed and claimed by then. There is still plenty of funding available in the current financial year & nearly £1m available in the 2024/25 financial year. Any ideas for projects on commons or farms are welcomed & these can be talked through on the phone if helpful, with no obligation to do anything more but help with applications is available if required. Details of grants awarded so far are available on the website <https://www.dartmoor.gov.uk/living-and-working/farming/farming-in-protected-landscapes>.
- The **Byelaw review** is currently on hold while the implications of the potential Supreme Court hearing on **Wild Camping** are being considered.
- DNPA are working with the Police & really trying to crack down on **raves**. The main issue is the aftermath with rubbish etc. There is an emergency number to call DNPA if anything suspected – 07711104541 or call the emergency services.

## 10. Public Safety with Cows

In response to concerns raised by Local Commoners' Associations, a group of Council Members were tasked with looking into how these concerns could be addressed. Anton Coaker reported that the group has considered three elements:

1. What commoners should be considering about cows & the public to minimize risk (not essential but good practice & would help you if there was an incident)
2. A 'risk assessment' checklist to have on file to show what cattle graziers have done
3. An advisory document for the public

Further details of these will be circulated to Council Members & comments appreciated. A further update will then be presented to Council.

## 11. Dartmoor Wide Animal Marks Book – Tracy May

Tracy May is considering putting in a FiPL bid to update the Animal Marks book, currently held for just Forest graziers, to cover all graziers on the Dartmoor commons. She asked for Council's support. Following a discussion, during which it was clarified that the Mark's

Book would be distributed solely to those in the book, plus the Police & Karla, Council Members voted to support this initiative initially by putting an 'opt-out' clause on the Commoners' Council invoices when they are sent out.

**The motion was carried with 20 Members voting in favour, 1 against & 1 abstention.**

**12. Pony Working Party**

John Shears proposed that Council reforms its Pony Working Group. This was seconded by Charlotte Faulkner.

**The motion was carried with 16 Members voting in favour with 6 abstentions.**

The following members volunteered to join: Mark Radmore, Ken Edwards, Ann Willcocks, Karla McKechnie, Charlotte Faulkner, Mary Alford, John Shears & Phil Abel.

The Terms of Reference will be drafted for approval at the next Council meeting.

**13. Date of next meeting**

The next meeting of the Council will be held on Wednesday 18 October 2023 at 7:30pm at Two Bridges Hotel, Princetown.

The Chairman declared the public meeting closed & proposed a motion to go into a closed session. The outcome of these discussions is recorded in the confidential section of the meeting minutes, available to Council Members only.

**Signed: *Philip French***

**Date: *18 October 2023***