

# STATE OF COMMONING IN WALES REPORT

Version 1 - DECEMBER 2015



**Siôn Brackenbury & Gwyn Jones**



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## Document summary

This study set out to investigate the state of commons by grazing management in Wales. A significant element in this was to cast some light on the commonly-held view that there is or has been a decline in the number of active graziers and important and worrying changes in the pattern of succession.

## Key Messages

1. Graziers recognise the value of commoning as an agricultural, cultural and environmental practice.
2. Resilience in commoning is drawn from tradition, practice, knowledge, collective discussion and action.
3. Change on commons is a constant, but the current rate of change in succession to the practice is of significant concern.
4. There are a threshold number of commoners beyond whom management becomes non-economic, which is associated to the size of the common.
5. The size and location of commons affect their ability to be resilient to change, small, but agriculturally viable commons will be the most resilient to environmental and economic uncertainty.
6. The condition of legally registered common land is fundamental in achieving environmental policy commitments within national and European designations
7. Support from Pillar 1 payments requires parity, and should incentivise active practice on the poorest quality land at the highest risk of abandonment.
8. Commoning practice should be evaluated and recognized for its role in natural resource management
9. Communication within the commoning community and with external public and private bodies needs to be improved
10. Fundamental to the commons well-being is the ability to co-produce with partners policy that will positively impact upon commoning practice, within the context of a national vision and strategy which will provide confidence in the practice for the next generation

Report recommendations: (see section 7 – Recommendations)

*(I) Establish a commoners network, with assistance to develop management capacities within the regional hubs, linking the Grazing Associations and Graziers to address communication, regulation and consultation.*

*(II) Establish a vision and charter for commons in Wales, develop a 10-year strategy for the realisation of that vision and incorporate commons into the wider All-Wales Agricultural Strategy*

*(III) Confirm demographic change in commoning through succession via families and the fate of those commons rights in the absence of such succession*

*(IV) Gather evidence and information to inform the All Wales Agricultural Strategy and future commons agricultural policy*

*(V) Evidence the impact of Pillar 1 payments on registered common land and to develop a framework future action*

*(VI) Provide more flexibility and capacity within the Pillar 2 scheme Glastir Commons to accommodate variation in grazing practice, livestock numbers and capital works from commoning practice marginal and in the absence of support through Pillar 1 and voluntary Pillar 2 schemes such as Glastir*

*(VII) Set out a timetable and action plan for the implementation of Part 2 of the Commons Act within Wales and the establishment of Commons Councils*

*(VIII) Develop proposal for Paying for Ecosystem Services (PES) in common land management*

*(IX) Raise the profile of commoning and the role of grazing associations in provide public goods and services*

*(X) Implement a programme targeted to strengthening succession into commoning and to provide opportunities for new entrants to the learn the skills necessary through such mechanisms such as the Venture scheme/Mentor recently launched by Farming Connect*

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## 1.0 INTRODUCTION

The Foundation for Common Land (FCL) undertook a research project in the autumn of 2015 to consider the current state of commoning within Wales. This research is a jointly funded collaboration between FCL and the European Forum for Nature Conservation and Pastoralism (EFNCP), with the latter's contribution coming from the European Commission through the EFNCP 2015 work programme.

The Foundation for Common Land is a registered charity established to promote and safeguard the public benefits from pastoral commoning. FCL's vision is of thriving commoning communities across Great Britain and beyond making real contributions to economic, cultural and environmental wellbeing. Further information on FCL can be found at [www.foundationforcommonland.org.uk](http://www.foundationforcommonland.org.uk)

The European Forum for Nature Conservation and Pastoralism's overall aim is for a viable social and economic future for High Nature Value farming - farming systems which support a high level of biodiversity - across Europe. Further information on EFNCP can be found by visiting [www.efncp.org](http://www.efncp.org)

The purpose of this research is to investigate key issues relating to the viability of active grazing management of commons in Wales.

There were 4 main objectives to the research:

- The undertaking of a Wales wide Survey of Common Land and its management
- Holding a series of meetings with Grazing Associations in Wales
- The production of a research report on the state of commoning in Wales
- Preparing a shared vision for common land in Wales

## 2.0 METHODOLOGY

This study set out to investigate the state of commons by grazing management in Wales. A significant element in this was to cast some light on the commonly-held view that there is or has been a decline in the number of active graziers and important and worrying changes in the pattern of succession. It assessed the factors that motivate or discourage the exercising of common rights. Based on these findings, the report then sets out some broad conclusions on how commoning might best be sustained in the longer term. The research had three distinct stages:

First, a questionnaire was distributed by post and online to 230 Grazing Associations across Wales (Appendix I). The questionnaire was distributed through the Commons Development Officer network operated for the Welsh Government by PLANED, Cadwyn Clwyd and Menter Môn. Over a third of Grazing Associations responded (80, or 35%) covering an area of 54,941ha of common land, which is ~40% of all common land within Wales.

Second, a series of five face-to-face meetings were held with 44 Grazing Associations covering north, east, south and southwest Wales.

Third, the initial findings of the report were presented at the Royal Welsh Agricultural Society Winter Fair at Builth Wells on the 30 November 2015 to the Deputy Agriculture Minister, Natural Resources Wales, Grazing Associations, National Parks and other parties with an interest in the future of commoning within Wales.

Figure 1: Distribution of questionnaire respondents



Map data 2015 ©Geobasis--DE/BKG(©2009), Google



### 3.0 BACKGROUND - THE COMMON LANDS OF WALES

Common land within Wales is widely distributed from coastal sand dune to upland heaths, estuarine salt marshes to extensive peat bogs. Commons vary in altitude from sea level to over 700 metres. Commons are found across a wide range of geological formations, including coal measures in the South Wales Valleys, the shales of south west Wales, limestone of the coast and igneous rocks of the north Wales uplands. The unique interaction between climate, geography, altitude and location has developed some of Wales' most iconic and important landscape for people, biodiversity and the provision of ecosystem goods and services.

#### 3.1 Common land coverage within Wales

Common land within Wales registered under the provisions of the Commons Registration Act (1965) amounts to approximately 8.4% of the landmass of Wales, around 180,418ha (Welsh Government 2015). The map (figure 2) shows legally registered common land. It excludes sites which are common-like, being managed collectively for grazing, but not registered common land such as the Castlemartin Range (2390ha) in Pembrokeshire. There are also local examples of land which although not registered common is considered to be so for the purposes of agri-environment schemes such as Mynydd Epynt (12,229ha), the largest area of extensive common-like grazing within Wales.

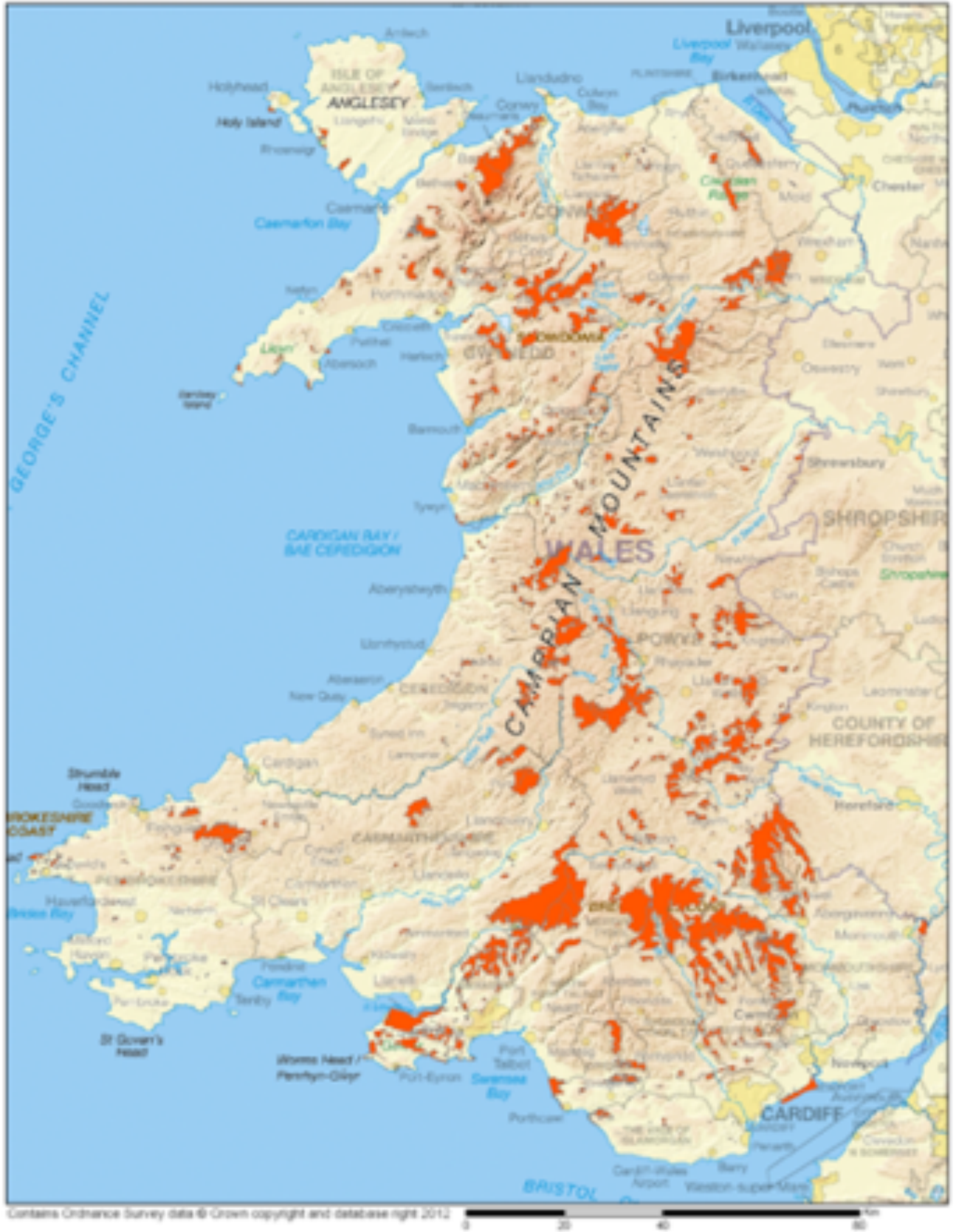
Image 1: Common land in Wales  
From left to right, \*Tywyn Aberffraw Anglesey (CL8), Black Mountains Powys (CL2), Ryers Down Gower (CL3), \*\*Moel Hebog Snowdonia (CL66, CL68)



\*Father Jack, Creative Commons Attribution 2.0 \*\*Ted and Jen Creative Commons Attribution 2.0 <http://creativecommons.org/licenses/by-sa/4.0/legalcode>

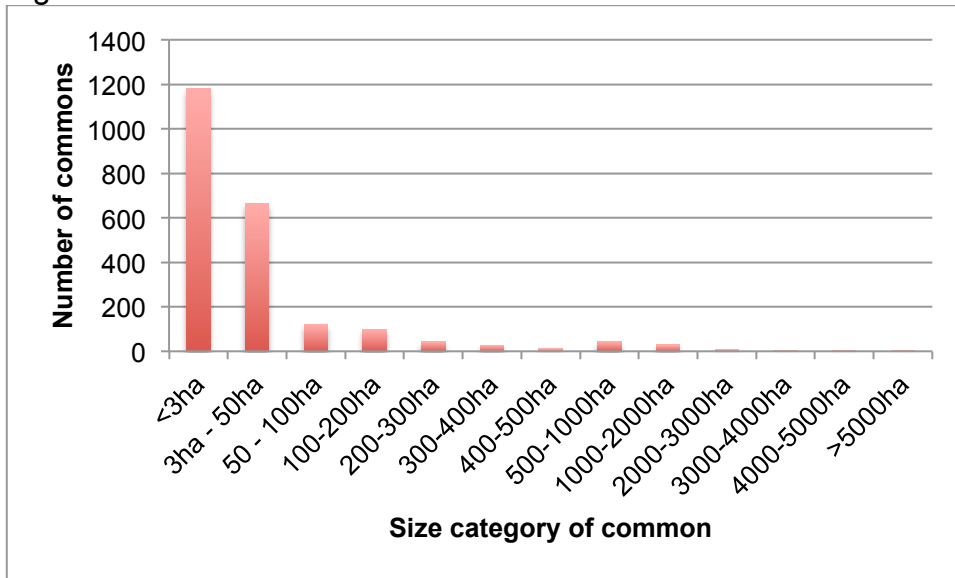


Figure 2 Map of Common land within Wales



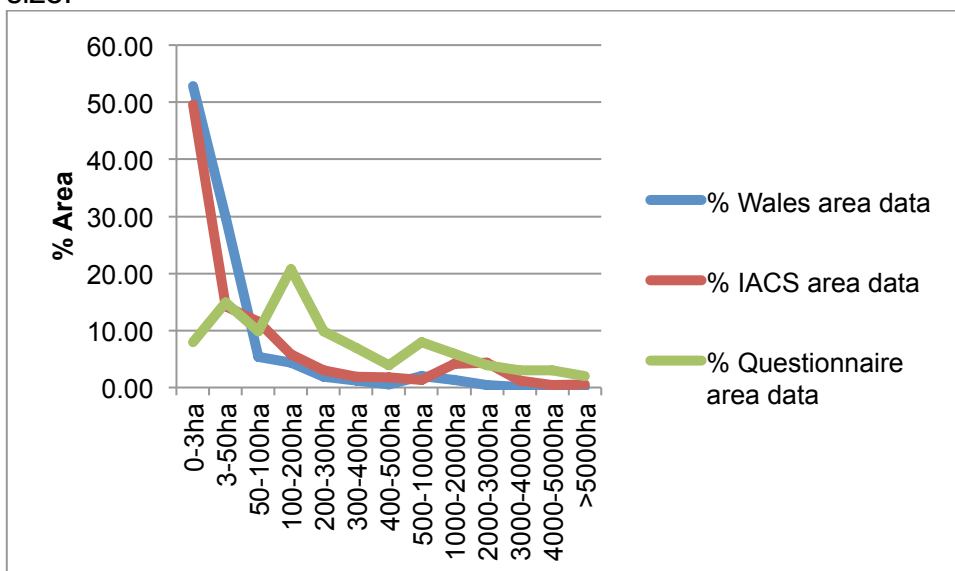
At the Wales level (Figure 3) a total of 2235 Common Land Units (CLs) are recorded (Welsh Government GIS data set, 2010). The smallest recorded registered area within the data being 0.0025ha (25m<sup>2</sup> CL107 Land at Castle Mill Cottage, Wrexham) and the largest recorded area being 7811ha (CL18 Black Mountain, Carmarthenshire).

Figure 3: \*Size distribution of Welsh commons.



\*Welsh Government GIS data 2010

Figure 4: \*Showing a comparison between the distribution of commons within Wales by size category and the distribution of commons within the questionnaire returns by size.



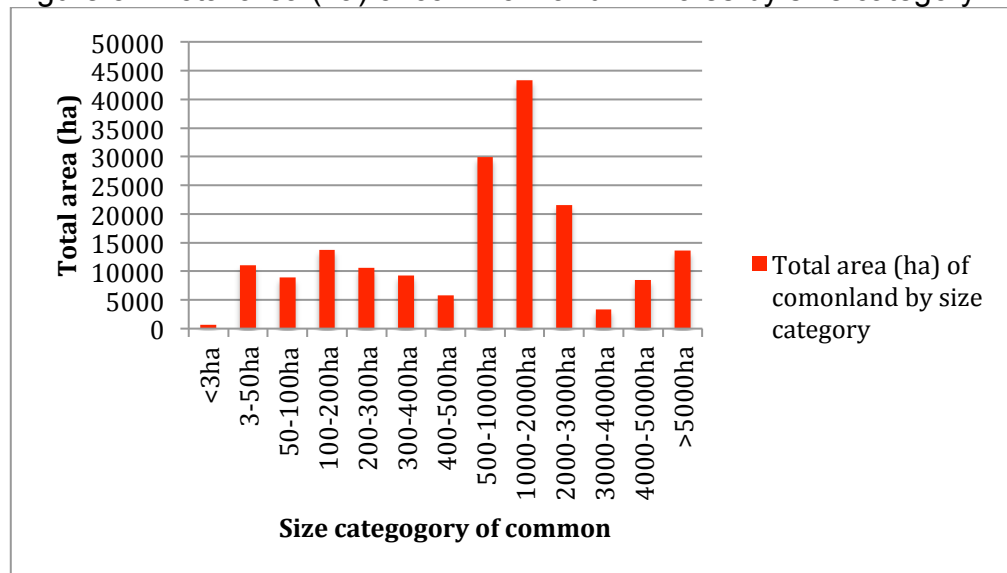
\*Welsh Government GIS data 2015, IACS data 2014

Figure 3 indicates that the majority of commons within Wales are <3ha in size (52% of the Wales total) with a further 30% below 50ha in size accounting for 82% of all

commons within Wales. As might be expected as the size of the common increases the number of commons within the size category decreases. Interestingly, the majority of commons within Wales (96%) are <500ha in size.

When comparing the size distribution data of commons for Wales with the size distribution of commons within the questionnaire sample (Figure 6) the pattern is similar for medium and large scale commons (which make up the majority of the area of common land), but the questionnaire is more unrepresentative of smaller commons, despite 72% of the questionnaire returns being from commons which are below 500ha. This is because the survey group was derived from a subset of smaller commons – those which had either requested information or who had been contacted by a Commons Development Officer and entered Glastir. Commons which are <3ha would not have been included within the survey group as they would not have been eligible for Glastir Commons. As the majority of commons in Wales are <3ha in size it is reasonable to assume that this accounts for the difference.

Figure 5: \*Total area (ha) of common land in Wales by size category



\*Welsh Government GIS data 2010

From figure 5 the importance of the smaller (<500ha) commons within the Welsh landscapes should not be understated. Collectively commons <500ha represent over a third 60,141ha (33%) of the total area of commons within Wales. The area of the very small commons <3ha amounts to 710ha or 0.4% of the total area of commons in Wales but are the most frequent size class, accounting for 52% of registered common land.

The Commons Development Officer (CDO) Programme was established in 2011 to deliver the Pillar 2 scheme, Glastir Common Land Element (latterly known as Glastir Commons) throughout Wales. The CDOs undertook a review of all of the common land registers by County within Wales to identify Glastir eligible commons. Within that review they were able to identify and anecdotally correct information, advising graziers to update their details where there were errors in the registers. Based upon

the data gathered from the Common Land Registers, the total area of common land identified amounts to a total 141,749ha and 1,888 registered CLs.

The area data was then filtered to excluding sole grazier commons, commons where no rights were registered, commons <3ha in size and commons where grazing is no longer possible due to land use change. Following these exclusions a total area of 131,755ha of common land was identified, made up of an estimated 1,284 CL units (57% of all CLs) where collective pastoral management is most likely. This data is likely to be a reasonable estimate, but the data is unverified and should be considered as a working total.

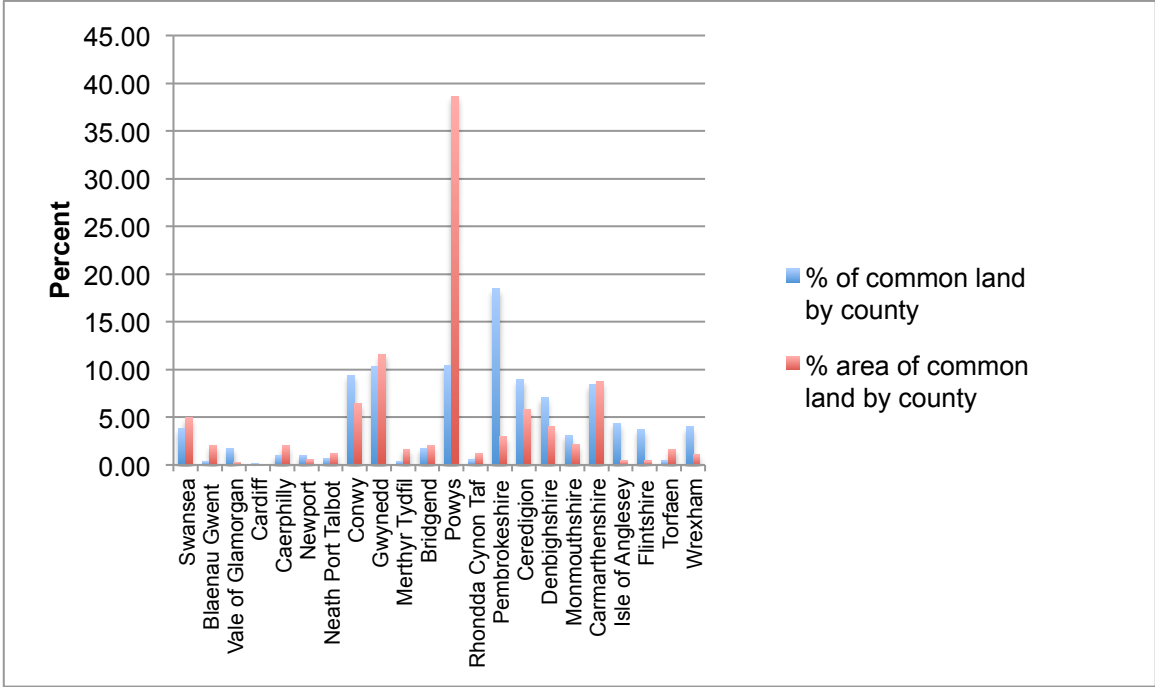
This can be considered in light of BPS data for 2014 which suggests that the total number of commons were BPS can be claimed amounts to 194,211ha. This includes both registered common land and common like-land.

For the purposes of this report the total area of legally registered common is taken as 180,418ha based upon Welsh Government mapping data.

**3.2 Distribution of common land**

Commons are distributed unevenly within Wales

Figure 6: \*Percentage of commons compared with the area of commons by Local Authority Area



\*Welsh Government GIS data 2010

Pembrokeshire, a county of 1,590km<sup>2</sup>, has 244 registered commons covering an area of 5,310ha which is 3.34% of the land area of the county. The majority of these

commons are very small with 218 being below 3ha in size, so unlikely to ever have grazing rights exercised on them.

That contrasts markedly with Powys, the largest county within Wales at 5,179 km<sup>2</sup>, which has 138 registered commons representing 13.34% of the land area of the county and nearly 40% (38.61%) of all common land within Wales by area. Within Powys there are many extensive commons such as the Black Mountains, Brecon Beacons and the large common-like area of Mynydd Epynt. Although not a registered common it is the largest contiguous area of land within Wales managed collectively.

Flintshire has 49 commons covering an area of 794ha which is 1.8% of the land area of the county.

### 3.3 Designations

Dominated as they are by semi-natural vegetation, commons are disproportionately important within the landscape for the habitats and species they support, many of which have arisen due to the unique interplay between the generation stewardship of the commons by active commoners undertaking traditional management practices such as grazing and burning.

There are national and international designations on registered common land within Wales, which include landscape, conservation, and archaeological and cultural designations. Table 1 identifies the principal designations relating to biodiversity and landscape. Note that designated areas overlap, for example Sites of Special Scientific Interest will occur on common land within National Parks and Areas of Outstanding Natural Beauty (for mapping by designation type see Appendix II).

Within Wales nearly 49% of common land lies wholly or partly within protected landscapes (National Parks and Areas of Outstanding Natural Beauty) (DEFRA 2005) and 45% wholly or partly designated as Sites of Special Scientific Interest (SSSI)

Image 2: Rhossli Down SAC and SSSI





Table 1: \*Area and percentage of common land subject to landscape or biodiversity designations within Wales compared to the designated percentage of Welsh land surface

Designation	*Area of legal common land designated	***% of legal common land designated	% of Wales designated
National Park	75,931ha	43.3%	26.6%
Area of Outstanding Natural Beauty	13,179ha	7.5%	5.2%
Special Areas of Conservation	41,045ha	23.5%	5.9%
Special Protection Areas	26,589ha	15.2%	n.a.**
Sites of Special Scientific Interest	79,056ha	45.2%	12%

\*(Data provided by Natural Resources Wales 2015)

\*\* (Available data included marine SPAs)

\*\*\* (WG data total land area of commons within Wales at 180,418ha)

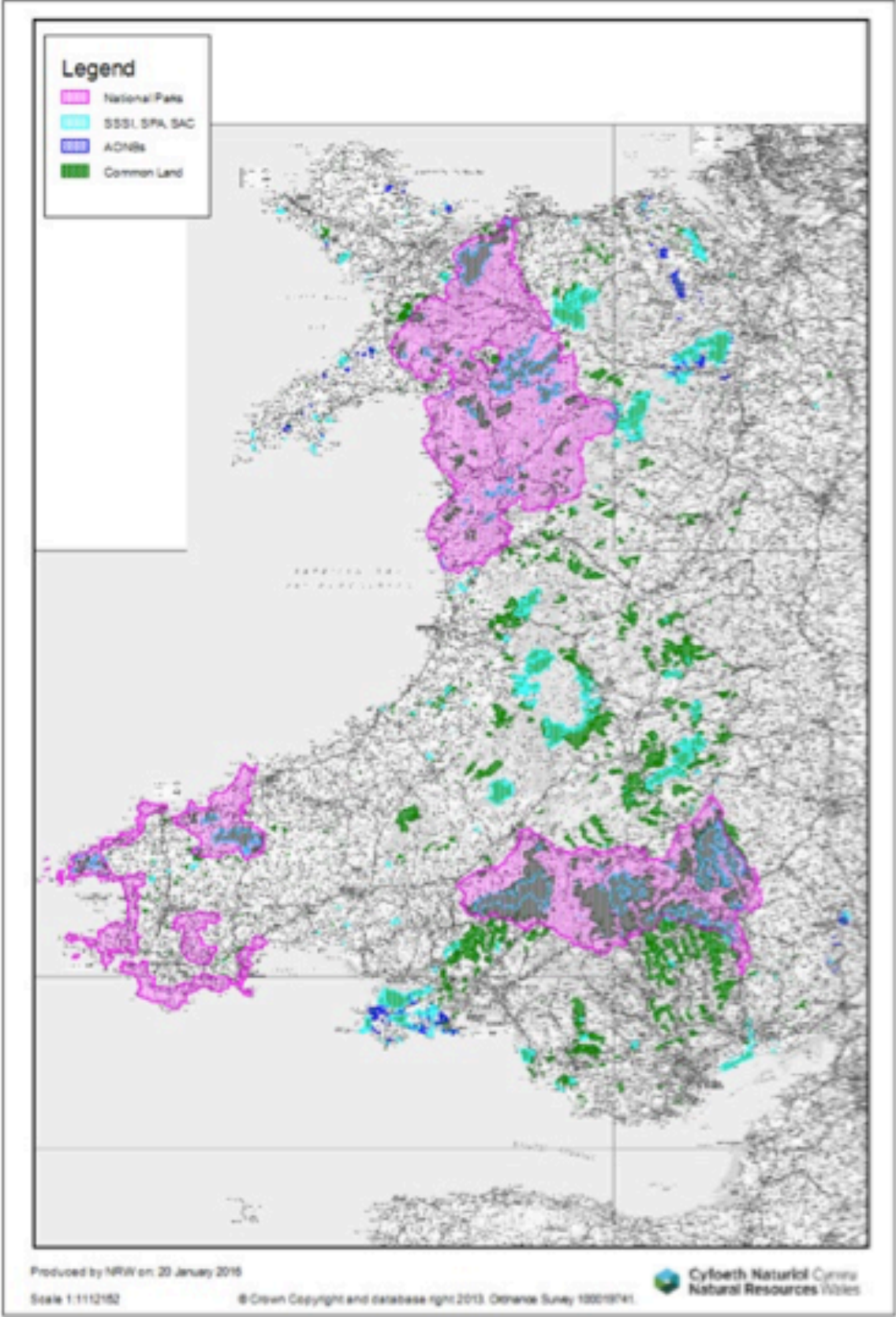
Table 2: Area of common land designated compared to the total area of Welsh Farmland designated

Designation	Area of common land designated	Area of Welsh farmland* designated	% of all designated Welsh farmland which is legally common
Special Areas of Conservation	41,045ha	70,351.81ha	58%
Special Protection Areas	26,589ha	52,783.51ha	50%

\*(SPS claims – Wales RDP 2014-20 data)

The above tables highlight the disproportionate importance of common land within designated landscapes.

Figure 7: Designated land and registered commons within Wales





### 3.4 Commons and Ecosystem Services

Upland commons grazings are most frequently utilised for hill ewes and some hill cattle. In the lowlands, cattle are more frequently grazed with sheep, while ponies are found in both upland and lowland situations (see section 13 Grazing Livestock on Commons). In some cases, pony breeding lines are managed through Pony Improvement Societies; in other cases there are numbers of feral ponies present. Commons, in particular hill land, are perceived by graziers as being significant for the production of hardy breeds of sheep and ponies.

Commons are also increasingly being recognised for the role they play in providing ecosystem services, especially regulating and provisioning services. Within Wales there are programmes which are looking to resolve downstream problems by taking action in the upper catchment for carbon storage and water management. For example, within mid-Wales targeted tree planting within the upper catchment is being undertaken, flood defence infrastructure has been installed on common land within north Swansea, hydro-electric schemes are in operation on commons within the Brecon Beacons and Snowdonia National Parks. Wind turbines are present on several commons within Wales such as Mynydd y Betws Carmarthenshire. Welsh Water has 5 reservoirs located within common land. Across Wales, there are 51 Welsh Water sites (out of 64) where there is common land within the catchment. In total 14 river catchments (all of the major river abstractions) have common land within the catchment. In terms ecosystem services, common land is a very important source of water and offers opportunities for both active and passive management.

Common land also provides access for people and opportunities of air and exercise within the landscape. Of the approximately 450,000 ha of open access land in Wales around 39% is common land (NRW 2015). Common land, being largely unploughed for centuries or even millennia, also have many recorded archaeological sites and a strong link to local culture, history and identity. This importance is affirmed by the multiplicity of designations which are applied to many commons.

Image 3: Wet Heath, Black Mountains Abergavenny



## **4.0 OVERVIEW OF COMMONING IN WALES**

### **4.1 Structures within commons management**

The collective grazing and management of land requires communication and organisation. Across Wales the way in which governance systems have evolved in the late 20<sup>th</sup> and early 21<sup>st</sup> centuries on commons is in part based upon the number of active graziers on the common with registered rights and in part the size of the common, location, the environment, the local context and the challenges and opportunities. The strength of a recent governance tradition may also be a contributory factor.

Although there is some variety in commons governance across Wales, there are four principal scenarios:

#### **(i) Voluntary unincorporated association**

Traditionally commons have functioned well in the absence of an incorporated, Graziers Association or legal personality. Graziers would meet collectively as and when required to discuss issues relating to the common and to coordinate gathering and other tasks which require cooperation. These types of arrangements appear to be more frequent on smaller commons. Such sites have a defined boundary, may be enclosed and do not require extensive shepherding or the settling of hefted flocks into defined areas, as happens on the larger commons.

#### **(ii) Formal but unincorporated associations**

In this situation, groups of graziers act formally in the management of their gatherings. Meeting notes are taken, statements of accounts provided etc. but are not formally incorporated although activity may take place within a set of agreed rules.

#### **(ii) Incorporated associations**

Many constituted Graziers Associations were established prior to Glastir, in many cases, in response to a challenge to some aspect of the practice of commoning. There are a range of possible triggers historic and current and include the Commons Act 1965; the need for a collective response to a proposed development; providing a single voice for the needs of the common where there are multiple interests; or the need to respond to the receipt of funding. The key drivers behind the creation of a Graziers Association are usually the strength of the collective voice and the need for governance rules and majority, collaborative decision-making. Commoners Associations have limited powers under the Commons Act 1908 to regulate the turning out of entire animals on the commons (DEFRA 2005)

The need for incorporation appears to have been more important on large upland commons where graziers may meet infrequently. In such circumstances, the Grazing Association is an important method of enabling governance discussions to take place and decisions to be recorded.

(iv) Incorporated for the purposes of Glastir

More recently, Graziers Associations have been formed or have adopted a second constitution to enable entry into Glastir Commons. Participation requires that each Grazing Association have a standard constitution that sets out roles and responsibilities, enabling them to act as the responsible body for delivering the scheme. Throughout Wales 198 constitutions have been put into place. In some cases, there was no previous constitution, whilst in other cases a constitution was already in existence, but the Association lacked its own separate legal presence. On the completion of the Glastir scheme the Grazing Association can choose whether to revert to the original constitution (pre-Glastir) or to adopt the Glastir constitution as the governing document.

(v) Hierarchical structures

There are examples of hierarchical commons management structures within Wales. For example, on the Gower peninsula there are 28 commons, 14 commons Area Management Committees and 1 Executive Committee. All of the committees work to the same set of mutually agreed rules set out within the constitution. In this structure, each of the 14 groups has the freedom to act individually and to make its own management decisions concerning participation within schemes, application for works, consents etc., they also have recourse to the Executive Committee for decisions which cannot be resolved locally or where an issue might affect all of the participant graziers.

## **4.2 Membership and decision-making**

In the regional discussions with Grazing Associations, broad questions were asked about how the Grazing Associations function and membership requirements.

In the main, membership requires the ownership of land with associated legally registered rights, the lease of registered rights under a five-year agreement, membership of a company or ownership of the common. There is provision within many Grazing Associations constitutions to enable special interest groups to attend with no entitlement to vote.

Systems vary where decision making is concerned, some Grazing Associations membership only entitles each member to a single vote irrespective of the number of commons on which the individual may hold rights; in other systems decisions are made on a pro rata basis on either the number of common land units for which the individual has rights or on the number of rights held by common land unit. In rare cases, Grazing Associations use a combination of the two.

Most Graziers Associations seem to operate on an 80% majority, the chairman having the casting vote in the event of a tied decision.

### 4.3 Composition of Grazing Associations

Sections 4.3 to 4.6 references data from the following questions within the questionnaire (Appendix I):

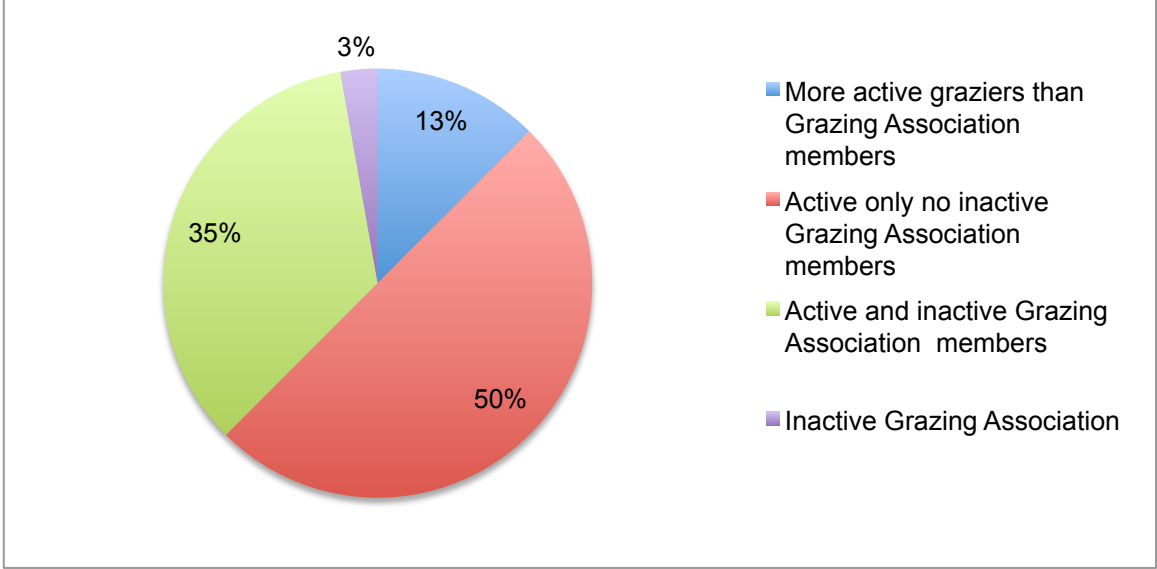
*Question 4. How many graziers are actively exercising rights on your principal common*

*Question 5. How many graziers within your Grazing Association are within the following age groups*

Grazing Associations are often but not always composed of both active and inactive members. Inactive members may have previously exercised rights and now no longer do so, or it may be individuals with rights who have a governance interest but do not wish to exercise those rights. In the majority of cases these individuals are from an agricultural background, examples were cited infrequently of inactive but interested parties with a life style, non-agricultural interest.

In particular, the questionnaire included questions that sought to investigate the proportion of active and non-active graziers within the Grazing Association.

Figure 8: Variation in Grazing Association type based upon the proportion of active and inactive graziers from the questionnaire return



Unfortunately, there is no data on the composition of active/inactive members of Graziers Associations prior to this study for the purpose of comparison.

In considering the data there are a number of factors to consider.

- Grazing Associations would most likely consist of active members as the primary function is active agricultural management.

- It is reasonable to assume that constituted groups for the purposes of Glastir would most likely consist of active members. Inactive graziers who nevertheless hold legal rights would be included within the internal agreement for Glastir in order to regulate the exercise of those rights during the course of the contract.

Interestingly 13% reported that there were more active graziers who were not members of the Grazing Association than were members. This is supported by the BPS data sets which identify some CL numbers with more than 1, and sometimes 3-4 separate groups.

There are three possible reasons for this:

- (i) there are two management groups operating on the same common, the original management group and a sub set group formed for Glastir scheme participation
- (ii) there is an existing privately funded scheme operating on the common to which not all graziers wished to participate..
- (iii) there is disagreement concerning governance with different groups established

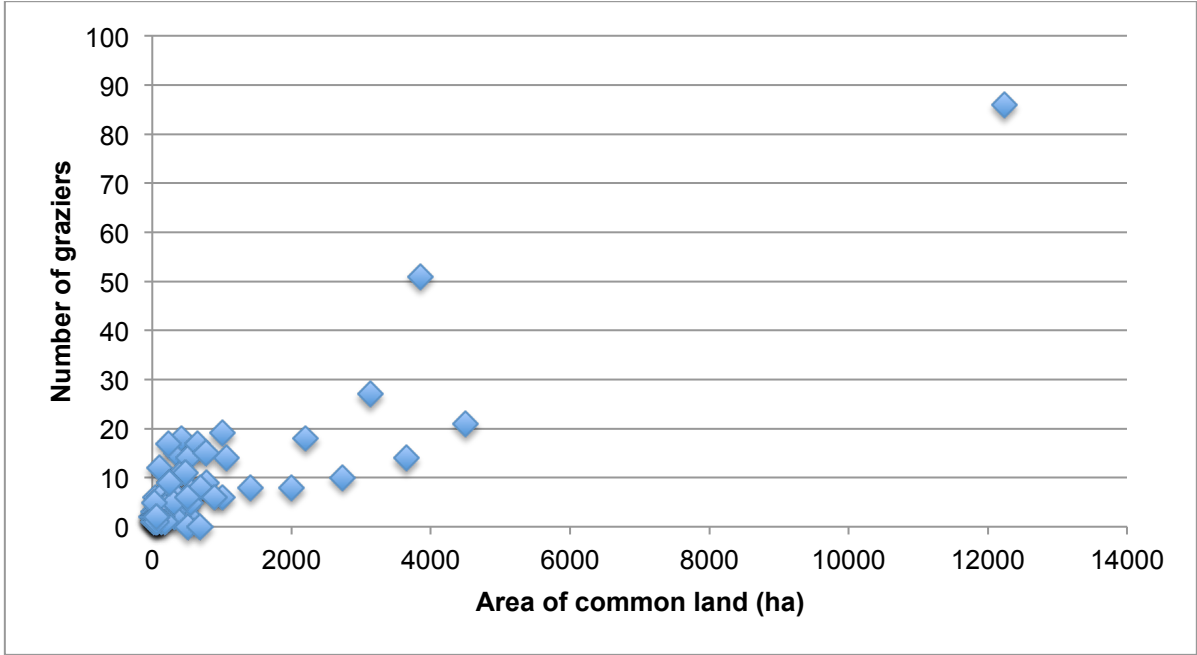
The concern here is that a high proportion of active non members or multiple groups makes it more difficult to manage the grazing, decision making and risk collectively as not all of the graziers are members of the same Grazing Association, and so don't need to abide by its decisions.

Of the total, only 3% of the Grazing Associations were not exercising any rights. These are where the active grazier/s have either retired or the Grazing Association was formed solely to make collective but in practice non-agricultural management decisions concerning the common e.g. scrub control, invasive species management or to raise money to enable works.

#### 4.4 Size distribution of commons and active graziers

From the questionnaire data it is possible to compare the total number of active graziers with the total land area (Figure 9)

Figure 9: Showing the number of active graziers as a function of the total common land area



From the survey return the highest number of active graziers who are exercising rights do so on commons which are <500ha in size. This is also confirmed by looking at SPS data and Glastir claims data produced by Welsh Government. The average size of commons subject to SPS claims is 246ha, nearly half of all CLs are claimed (48.9%).

Within Glastir Common Land the average area of eligible common in scheme is 442.6ha with 44.8% of all eligible CLs participating.

What is striking from the survey return is that 456 graziers are responsible for 42,711ha a ratio of 1:93 excluding Epynt. Including Epynt the ratio increases to 1:101.

Figure 10: Comparing the number of active graziers, size of common and area of responsibility

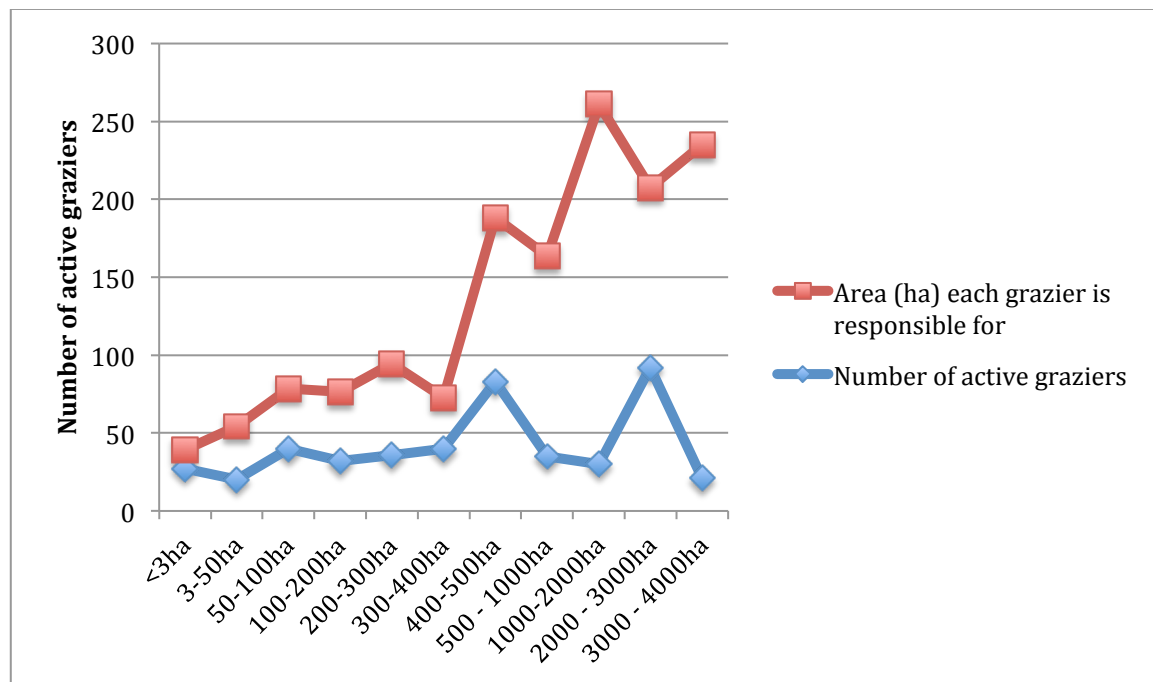


Figure 10 indicates the small number of active graziers relative to the size of common land over which management occurs. This might be as expected as the survey and Wales data, SPS claims data and Glastir Common Land contracts suggests that the majority of commons (96%) are below 500ha in size. The average number of graziers across all size categories is 41, ranging from 21 active graziers in the 3000-4000ha categories to 92 graziers between 2000-3000ha. Commons <500ha collectively account for the majority 278 (61%) of all active graziers. Commons between 500 and 4000ha accounting for the balance (39%).

On commons, which are less than 500ha in size there are twice the number of active graziers as compared to commons of a 1000ha in size. Understandably, on commons <500ha the ratio of grazer to land area is more modest at 1:36.

At the opposite end of the scale commons which are >4000ha are managed by fewer graziers with a significantly higher ratio of graziers to land of 1:156 ha.

Larger commons clearly have the ability to deliver more public goods and ecosystem services than smaller commons. The size, distribution and number of active graziers is a policy challenge for Welsh Government in delivering Natural Resource Management where larger commons offer a potentially lower transaction cost than smaller widely distributed commons, although this is the majority situation. The policy dichotomy being the small number of active graziers, who are exercising rights on the extensive commons and the likely longer term risk in sustaining invested environmental benefits and outcomes.



The historic indivisibility of common and farm is perhaps changing, with farms with access to smaller commons being integrated more into their management systems making more of the land resource available. Changes to soft breeds and crosses have required flexibility in traditional stocking patterns. On the larger upland commons that flexibility between farm and common is not available within the environmental and economic constraints of the business. The generational stocking pattern with the correct types of livestock remains the backbone of the practice.

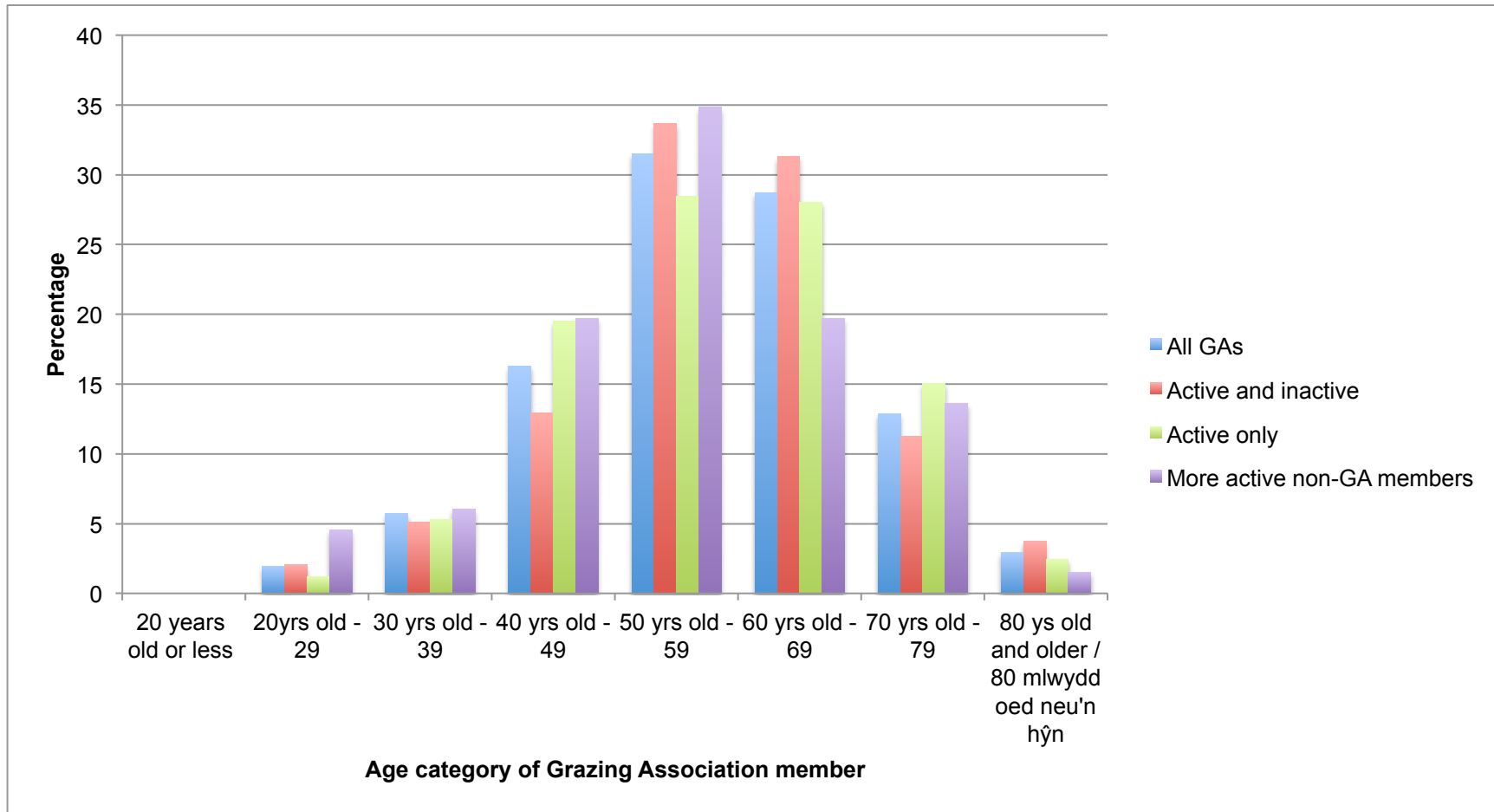
#### **4.5 Age profile of Grazing Association members**

During the meetings with the Grazing Associations, concerns were frequently expressed about the high average age of graziers, the low numbers of younger graziers and whether there is sufficient motivation and incentive to encourage the uptake of commoning as older shareholders retire from the common.

In the questionnaire graziers were asked to identify the age profile of the members of their Grazing Association, the total number of members and those who were actively exercising rights.

The following results were received:

Figure 11: Age of Grazing Associations membership by activity



The data (Figure 11) includes all members of the Grazing Association, whether active or inactive (blue bar). The general distribution is as would be expected with the majority (60%) of members being between 50 and 69 years of age.

A more accurate picture of the age structure of active commoners is available by examining the data of those Grazing Associations where there are only active graziers (green bars). There is a small variation with over half (57%) of the graziers aged between 50 to 69 years old, between 70 to 80 years there is a further reduction by half of graziers continuing to exercise rights within that age category (15%). At the younger end only a small number (6%) of active graziers are exercising rights between 20-39 years old. With a clear increase in the uptake and exercise of commons rights between 40 and 50 years old (20%).

There are a number of reasons for this pattern:

- **Age:** Succession to running a farm does not take place on paper until the parent retires which appears to be between 70 and 80 years of age. In practice, the son or daughter may be running the farm earlier, but don't become the principal occupier until the parents retire.
- **Farm size:** Farm size and its economic performance will determine whether a son or daughter can move straight from school/college back to the farm on a full time basis. It was suggested that the majority of graziers under thirty years old who are exercising rights would be from larger farms that can support a son/daughter within the business or that personal circumstances require them to be there.
- **Opportunities:** It was suggested that there is a pattern of succession to the farm, particularly on the smaller farms where the son or daughter may leave the farm and develop a career elsewhere, returning to take over the farm and common on the retirement of the father/mother. So the child may return in their late 40/50ies to continue the business.
- **Security/Changing Aspirations:** Younger people have to train and develop career skills, not necessarily within agriculture. The decision to develop a career is based upon personal choices, future prospects and confidence in the long-term viability of commons based farming. Again, the lack of opportunities to work alongside the parent, opportunities which tend only to be available on larger holdings – could, when combined with changing aspirations and the growth in opportunities further afield, be putting in place a significant 'demographic time bomb' for smaller farms.

The trend in the age of common land graziers within Wales is similar to the trend across the UK towards an increase in age. In 2000, almost a quarter of right holders were under 45 years old and a further quarter was aged 65 or older. By 2010, almost a third of holders were aged 65 and over whilst only 14% were under 45 years old. In 2010 the median age for holders was 59 years old (Defra 2012)

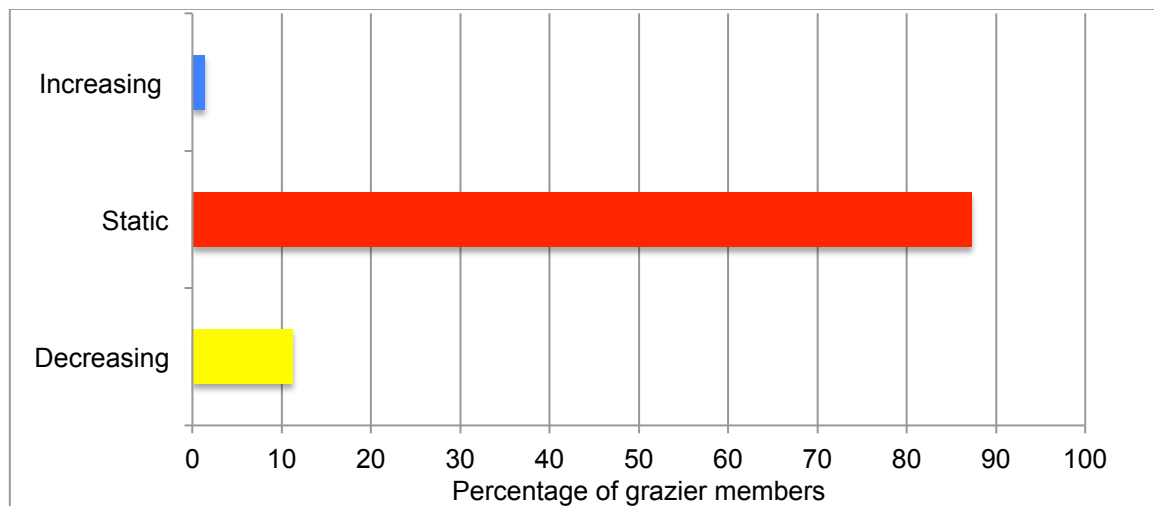
In discussions, it was suggested that graziers do not retire from farming but continue until such time as they are able to pass on the farm to another family member. The graziers were asked how many generations of their families had been exercising rights on the common. In all but one case, it was three generations plus, with many being able to trace their relationship with the farm and the common over multiple generations.

#### 4.6 Trends in number of members in Grazing Association

*Question 13 of the questionnaire – Are the numbers of graziers in your Grazing Association, increasing static or decreasing (Appendix I)*

The graziers were asked in the questionnaire to identify whether the number of graziers within their Graziers Associations had increased, were static or had decreased.

Figure 12: Showing the trend in membership of the Grazing Association



The majority of respondents reported that the number of graziers within their association is static. This may suggest that:

- Graziers remain interested in the Grazing Association for a period after they have retired from active grazing.
- The number of people leaving the Grazing Association is nearly equivalent to the numbers joining. From discussions, this is largely not the case.
- The impact of Glastir as an incentivising scheme in attracting new members to the Grazing Association has had little effect, although it may be that Glastir has influenced the proportion of active to inactive graziers or retirement from the common.

## 4.7 Functions of the Grazing Associations

Conventionally the principal function of a Grazing Association is for, making decisions concerning the agricultural governance and day-to-day management of the common and liaison with the land owner/s. In practice, the activities of Grazing Associations are broader and can include the management of agri-environment schemes, easements and way leaves, development and alternative energy proposals, easements and crossovers, applications for statutory consents, policing and reporting activities, partnership proposals and funding bids.

Grazing Associations operate by collective agreement and as such do not have any legal powers in their own right but can take action as a constituted group through the legal system. Grazing Associations can also enter into agreements with third parties for the improvement of the common, subject to their constitution, for example participation in a conservation scheme. However, for these activities the permission of the owner is required as they would be activities that are undertaken by them.

The relationship between the Grazing Associations and the landowner varies by location, circumstance and ownership. In Wales 21% of commons are wholly in private ownership, 11% are owned by traditional estates, 14% owned by the Crown Estate Commissioners, and 13% owned by the National Trust (DEFRA 2005). In many cases the landlord is in absentia, and there is a limited relationship between the two parties. In other cases, there is a shared responsibility for the common, in particular where the landowner is a national charity with an interest in the management of the land e.g. National Trust. A landowner may have more engagement where there is the management of a sporting interest in a grouse moor such as the Bloreng or Black Mountains. In other cases there are contractual arrangements between landlord and Graziers Association concerning the use of monies raised against the common from compensation claims for easements.

Grazing Associations are also able to work in partnership with other organisations on projects where there are clearly defined, mutual benefits.

In discussions with the Graziers Associations there was a long-standing sense of frustration with regard to reoccurring issues which affect commons governance where there appears to be no means of resolution. In particular the competing and sometimes conflicting uses of common land, which as a Graziers Associations they have no legal ability to regulate, lacking the necessary statutory authority. For example illegal 4x4 uses, dog worrying, fly tipping and animal abandonment. Those Grazing Associations which have been successful in managing such issues on commons have done so through influencing others. In these cases, the Grazing Association is often long established and there is a lead grazier or point of contact with which external bodies can liaise. Here changes occur through consensus or the influence of the Grazing Association on other activities, but there is largely no formal process for this influence to be exercised.

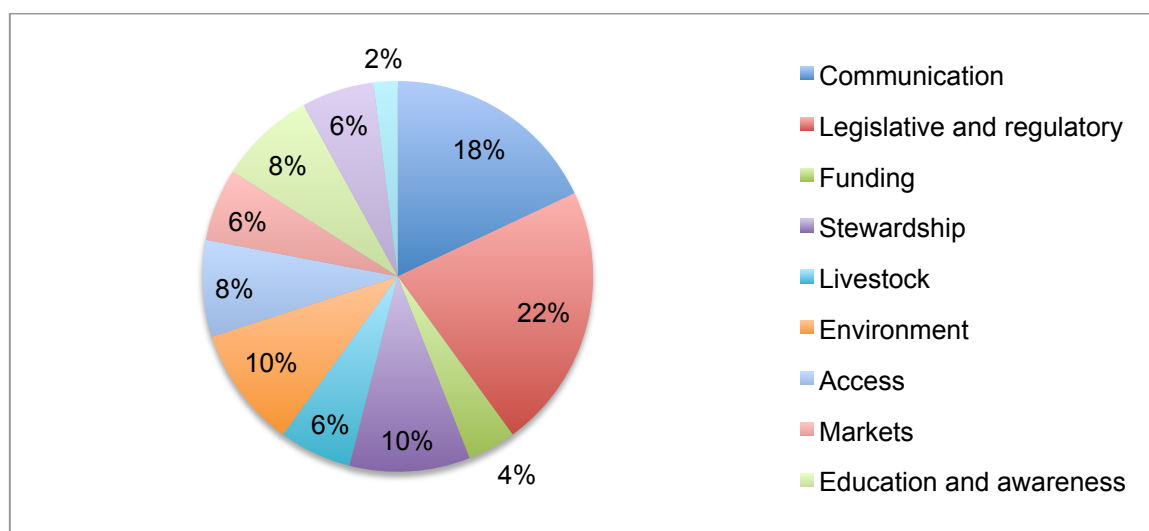
## 5.0 THE EXERCISE OF COMMONS RIGHTS (Motivations And Challenges)

*Question 12: What are the three main disincentives for the exercise of commons rights*

*Question 17: What actions do you feel would secure a viable future for commoning in Wales (Appendix I)*

In the questionnaire, the Grazing Associations were invited to identify those factors, which encouraged or discouraged the grazing of their common. This was an open question and a wide range of responses was received. These have been categorised into 11 broad headings that are shown in Figure 12 and summarised by activity type within Appendix 3

Figure 13: Broad areas of concern or desired action identified by Grazing Associations



The principal categories are considered in further detail as follows:

### 5.1 Legislative and regulatory

#### Legislative

There is a broad range of actions as a result of legislation or policy cited by the graziers as impacting or likely to impact upon their ability to exercise rights. Many of the challenges of the legislation relate to communication with Welsh Government and from the apparent absence early in the legislative process that commons are in practice very different from sole use farmed land and need tailored approaches and mechanisms if policy implementation is to be effective. In particular:

- Widening of the right of access without the graziers having a corresponding capacity to regulate inappropriate use
- The implementation of only parts of the Commons Act 2006, limiting the ability of graziers groups to regulate their own affairs through legal process at the local and regional level through Commons Councils

- Impact of alternative energy policy and the focus on commons as sites for wind and hydroelectric schemes, something in which the commoner has little or no voice or direct stake, but which can impact on commoning
- The relevance of historic SSSI designations where rapid change has occurred coupled to changes in grazing pressure
- Difficulties in securing S38 consent for fencing and gridding schemes
- The Environment Bill and the methodology for the formulation of Natural Resource Management Plans
- A perceived destocking presumption with the application of agri-environment scheme which assumes a reduction in stock numbers and the alteration of existing grazing patterns.
- A presumption in the development of Pillar 2 policy within Wales in that change is always necessary, both to achieve environmental quality and to justify the payment

### **Regulatory**

Commoning takes place within an environment subject to a number of regulatory controls. Some of these controls are long term set out in support of Parliamentary Acts and others are short term relating to scheme participation by contract. These controls fall within three areas:

(i) Protection of the environment: much common land is subject to designation to ensure the conservation and enhancement of the landscape and biodiversity (section 3.3). In the case of National and European conservation designations (SAC and SSSIs) the condition of the common is monitored against set targets.

(ii) Regulation of activities: regulation ranges from site-specific actions to the application of the Code of Good Agricultural Practice (Welsh Government 2013). Frequent activities subject to regulation by Act are the protection of Scheduled Ancient Monuments (Ancient Monuments and Archaeological Areas Act 1979), (Hill Farming Act 1946 and controlled burning The Heather and Grass (Burning) Regulations 2008). In additional local schemes may be in place for particular purposes, for example, controls on the exercise of sporting rights to conserve Black Grouse numbers.

(iii) Regulation within schemes: in particular compliance with BPS requirements for all agricultural land and compliance with any voluntary scheme requirements such as Glastir which is subject to individual scheme and cross compliance rules. Commoners also participate in private funded schemes, by contract with associated outcomes and rules which are agreed at the outset.

## **5.2 Communication**

Issues with communication can be categorised into three groups.

(i) Communication with National and Local Government.

The graziers felt that communication systems could be improved in relation to policy, citing the following:



- Graziers felt that they had valuable insight and experience to offer to policy
- There is a disconnect between the methods by which policy consultations are issued, graziers awareness, accessibility and technical language used
- There is no current mechanism for policy to be flagged which is likely to impact upon communing practice
- Not all graziers are familiar with or have access to information technologies or the knowledge of how to locate policy documents which may impact on their day-to-day practice.
- Early engagement was recommended in any discussions at local and national government level with Grazing Associations
- Conservation objectives within agri-environment schemes need to be explained and the approach and outcomes justified
- Advocacy groups were not adequately disseminating pertinent information to the Grazing Associations through their existing networks

It was recognised that a small number of Graziers Associations are already engaged in consultations and involved in wider discussions and have a working relationship with officers within Welsh Government and Natural Resources Wales. These Associations are therefore more likely to be included in future consultations; the question is more how to widen the dialogue away from these few good examples.

Similarly, it was clear that in some areas productive partnerships have been established between Grazing Associations and other organisations with a responsibility or interest in common land from a variety of different perspectives, landscape, biodiversity, archaeology, access etc. For example the Preseli Grazing Association, Pembrokeshire Coast National Park Authority, Natural Resources Wales and the Mid and West Fire and Rescue Service are working collectively to improve the way in which controlled burning is planned and undertaken. Similar partnerships exist within Snowdonia, Gower and Torfaen benefitting grazing and nature conservation. There were also examples of less productive relationships where change is required.

Improvements suggested were:

- Early engagement and discussion is required at the beginning of any process
- Graziers need to be informed and engaged in conservation management decisions and represented within project boards and steering groups
- Existing practice and graziers advice should be considered in taking decisions which may impact on current management practice

(ii) Communication with animal welfare groups and societies

Grazing Associations recognised the role of such groups and their potential significance in helping to maintain good relationships with the general public, but feel that better and early communication would resolve many issues around the welfare of livestock on commons, in particular near urban areas, without incurring additional time and cost.

Improvements suggested were:

- Regular productive communication based on understanding of the situation on a common
- Training could be offered to animal welfare groups staff on commoning practices and patterns
- Establishing Memoranda of Understanding with animal welfare groups, to agree ways of co-working, addressing issues such as animal abandonment
- Agreed communication protocols in the event of a report of cruelty or neglect being received
- Differentiating between good commoning practice and those individuals who abandon unwanted animals on common land

### **(iii) Communication with the public**

This was felt to be a significant challenge as to how to best communicate messages about the practice of commoning to the general public who also utilise common land for air and exercise. A number of examples of best practice were cited at the local level where public awareness had been improved through engagement. It was felt that a combination of regulatory action and opportunities for engagement would provide the solution if applied through a national communication strategy, setting out clear, simple messages. The following points were raised in discussion:

- The engagement is largely reactive rather than proactive. Generally Grazing Associations engage with the public when there is an issue, such as an injured animal, recreation issue, dog-worrying, encroachment, etc.
- Graziers felt that they did not have the necessary skills, time or expertise necessary to influence the public. The need for regular engagement and simple messages required for communication to be managed nationally. Examples provided where this had happened were where there was a partnership funded project in place or the land owner was a national charity with an interest
- Graziers welcome the idea of having nationally agreed materials that could be shared with the public who visit the commons and to provide opportunities for the public to find out more.
- There was criticism of the lack of enforcement of existing regulation that governs recreational activities on common land by local authorities. Also the promotion of outdoor events on common land or on roads, which cross common land, without first, seeking agreement from the grazing association/s concerned was a particular issue.

### **5.3 Stewardship of the common**

Historically more people were required to maintain a farm and hill flock; with increased mechanisation and reducing farm incomes the labour force employed in upland agriculture has also declined. This decline has been most keenly felt on the

upland commons as the terrain, altitude and ground conditions do not lend themselves to mechanised management and where there may be insufficient income within the farm business to maintain more than one salaries. The management of the farm often then falls to one principal individual, so that less time is available for shepherding and managing the common. The graziers described 3 situations, relating to upland farms:

- (i) On commons where there are sufficient numbers of occupied hefts to maintain a settled flock, the shepherding requirement can be accommodated within the day-to-day management of the farm. In this scenario the common is functioning based upon traditional, tried and tested patterns of management.
- (ii) On commons where there are unoccupied hefts, the management and shepherding time is significantly increased with a higher likelihood of livestock losses and probable increases in bracken, scrub and fire load as a result of overall lower grazing pressure.
- (iii) On upland commons with high levels of disturbance due to recreational pressure, livestock cannot settle and disperse widely with an increased shepherding time required to gather and recover livestock, in particular if they are able to leave the common through open gates or poorly maintained boundaries against the common.

The smaller commons (<500ha), can be stock proofed more easily and therefore hefting is not required as the livestock are contained, can be gathered with relative ease to a single location and then sorted or gathered back to their respective farms. The impact of reduced labour availability is less keenly felt in these situations.

## **5.4 Succession**

*Question 14 On the retirement of a grazier from the Grazing Association do you feel that their heft will be (i) Maintained by another member of the family ... (Appendix I)*

The practice of commoning is a family tradition and an important part of many Welsh upland agricultural communities. During the meetings, the graziers stated that the sale of long held farms in the uplands is an infrequent event and where a sale does occur it will usually be purchased by a neighbouring farm, another family member or less likely split but retained in agricultural production. In Snowdonia, the practice is one of selling the hefted flock with the farm, thereby maintaining the hefts and the distribution of settled flocks.

Despite frequent assertions that farms with commons rights are often sold to individuals with a non-agricultural interest, this appears to be limited to areas close to urban centres, or within highly desirable landscapes, within National Parks, or where land availability is limited by geography. There is insufficient data currently available

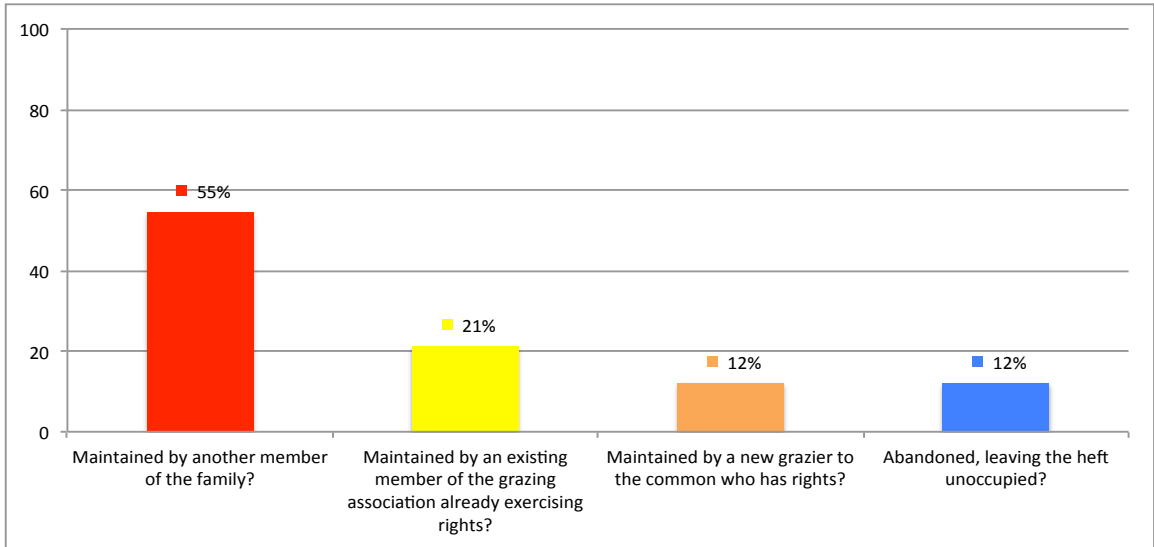
to assess the extent to which farms with rights are being sold to non-farmers or whether, how or if those rights are subsequently exercised.

Data from Savills Market Survey (2014) indicates that 15% of all farmland sales were to new non-farmers of which 84% was for residential/sporting interest and 16% to new agricultural entrants. (Savills Market Survey UK 2014). The data however considered in this report does not appear to support that conclusion. A more frequent situation would seem to be the sale of small parcels of less productive land with rights associated to them or of farmhouses being sold with a 'paddock' or two.

In the questionnaire, respondents were asked to identify what might happen to the commons grazing on the retirement of a grazier (Figure 13). Half of the respondents (55%) suggested that another member of the family would maintain the heft. This follows the traditional pattern of commoning succeeding through generations of families where the retired farmer may still claim the entitlements. The second largest group (22%) suggested another member of the Grazing Association, who is currently exercising commons rights, would take over the area. In this situation succession to the common is not clear as it relies either upon the sale of land and rights or the lease of rights to another under a five-year contract of use. It is fair to assume that the likelihood of rights being exercised is greater through family succession than through sale.

The remaining respondents suggested that it would either be maintained by a new grazier to the common (12%) or would no longer be agriculturally managed (12%). Based upon the discussions with the graziers the likelihood of a new grazier taking up the practice is low. There was only one example of a common, Mynydd Llangyndeyrn where commoning had been re-established following a period of inactivity. Although abandonment may not be the intention on retirement it may occur by default.

Figure 14: Likely situation following the retirement of a grazier from the common.



*Question 6: Are there any younger (under 30 yrs) graziers who are not currently exercising rights but intend to in the future? (Appendix I)*

A further question was asked concerning how many younger commoners were not currently exercising rights but might do so in the future. In total 16% of Grazing Associations reporting the presence of younger graziers (under 30 years old) who may exercise rights in the future.

The above data is indicative that younger graziers do not become involved in the management of the common until they reach their late 40ies to 50ies. This supports the data considered previously in figure 11, where the majority of graziers are members of a grazing association and between 50 and 69 years of age. What is unclear is whether younger grazier participation is an indication of a recurring pattern of graziers exercising rights or a declining pattern.

From the sample those graziers (16%) who responded positively 'yes' that there were younger graziers who may exercise rights in the future, the average size of the common was 318ha, much smaller than those replying 'no' (84%) at an average of 817ha. It could be suggested that the principal interest is in maintaining activity on those smaller, commons which are enclosed and easier to manage, sometimes forming an adjunct to the home farm. With few positive responses from commons greater than >1000ha it is reasonable to suggest that the rate of change within the landscape will be much higher on the larger commons than those smaller commons where a higher grazing level per hectare might be expected. Although this response is suggestive it should be treated with caution due to possible ambiguity in the interpretation of the question by respondents.

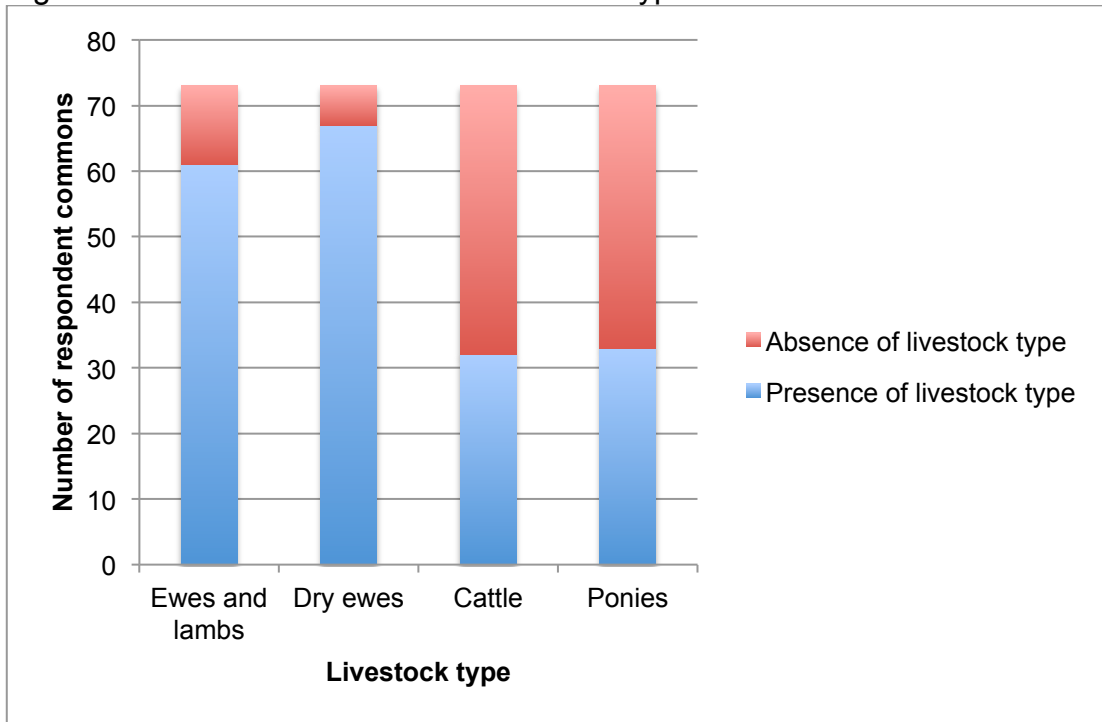
## **5.5 Grazing livestock on commons**

*Question 15: Please rank from 1 to 4, where 1 is the most commonly grazed animal and 4 is the least commonly grazed animal (Appendix I)*

The viability of many farms relies upon access to common grazing, following the traditional pattern of resting the farmland during the late spring and summer for hay and silage production. Ewes are then gathered for tugging in late October to early November. In some locations, ewes are lambled out on the common in others they are brought in.

Graziers were asked to identify the type of animal grazed on the common. Whether occasionally grazed or infrequently grazed. Figure 14 confirms that sheep were present on nearly all of the survey commons. Ponies and cattle were reported on just under half of all commons as being grazed at some point.

Figure 15 Presence or absence of livestock type



Graziers were asked to indicate the frequency of livestock (Figure 15).

Figure 16: The frequency of grazing of particular livestock types

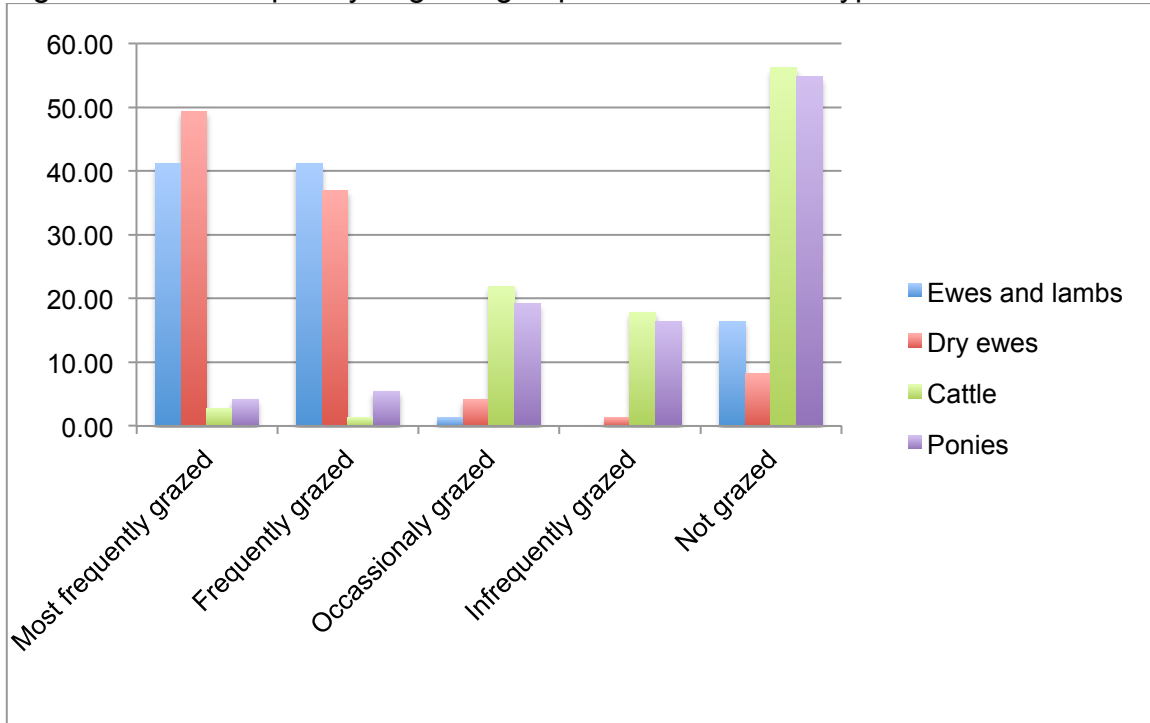


Figure 16 suggests that dry ewes are the most frequently grazed (48%) with ewes and lambs (41%). Hill cattle and lowland commons cattle represent a very small amount of the total number of animals either most frequently and frequently grazed

(4%). Most frequent responses of cattle grazing were from lowland commons. Of the total responses, 21% reported that they occasionally grazed cattle as and when the conditions are suitable, principally over the summer months. The presence of ticks and the risk of cattle contracting redwater disease (Bovine Babesiosis) dogs, public access and unfenced roads and the value of the animal and its condition were identified as significant disincentives to exercising cattle rights.

There are regional variations to consider in stocking patterns and types. To the east of Wales the pattern is for ewes and lambs to be turned to the common in late May. Over recent years more graziers are turning dry ewes to the common in late autumn. The stated reasons for this is to conserve winter forage, to control the less palatable vegetation on the common which would not be selected by the ewes in the spring/summer, to manage the total number of ewes on the commons and to comply with the Glastir winter clearance option. There was disagreement concerning the use of the common for grazing high numbers of dry ewes for short periods of time at the end of the growing season and its likely impact on spring growth.

On a number of the larger commons the grazing pattern was described as uneven. Normally commons stock would be gathered in November after the autumn sales for tugging. The majority of Glastir agreements require clearance in October, which is too early for many grazing systems, as there is still grass available on the commons and that the home fields may not be ready to accommodate the ewes. Some suggested that in a poor year they might have second cut silage, still to be harvested. Equally, April is considered too early to turn livestock back to the common, in particular in upland areas where spring growth is limited and weather conditions are unlikely to be suitable.

The following comments were received from graziers in relation to grazing and grazing patterns:

“Unreasonable limits are placed on stocking levels in the Autumn”

“Unreasonable limits placed on sheep numbers”

“The common is understocked”

Overall the graziers felt concerned that the type of ewe demanded by the market did not suit upland sheep farming practice. They identified the market requirement to produce heavier sheep earlier to meet the market.

“preference to keep larger breeds of sheep”

“lowland sheep breeds are unsuitable for the common”

A number of Graziers Associations suggested that members were now breeding mules (lowland/upland crosses) which would not have been considered 20-years ago. They cited the de-specialisation of agriculture in Wales with an increase in lowland sheep production units where the traditional enterprises would have been



dairy, they also cited the ability of lowland farms to be more flexible to meet customer requirements earlier in the season, producing heavier lowland breeds with a higher number of twins.

## 5.6 Environmental condition of the common

*Question 16: How would you describe the condition of the pasture on your principal common? (Appendix I)*

Within the questionnaire and at the meetings, graziers were asked for their opinion on the overall environmental condition of the common and whether they had perceived a change over the past 10-years. There was a mixed response: on the smaller commons, some graziers reported little change other than an increase in bracken, although not so that it significantly affects their grazing practice. On the larger commons, the majority reported an increase in bracken, scrub, purple moor grass and rushes.

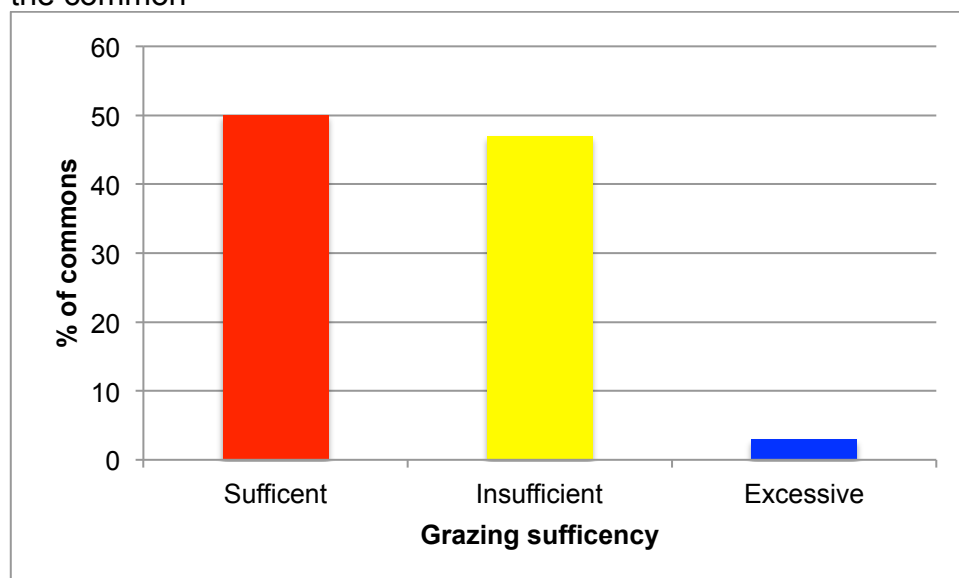
“Difficulties in managing shepherding [due to] scrubby ground”

“Too much bramble and gorse”

“Overgrowth of wild scrub”

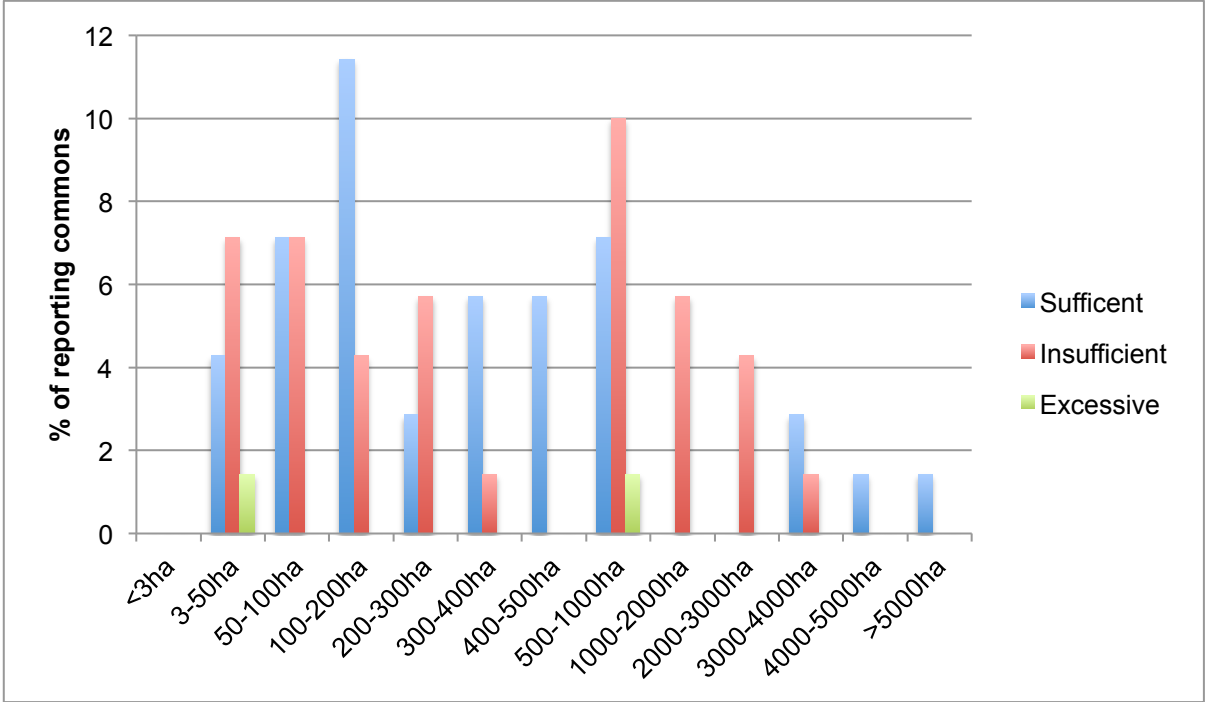
In line with this question, the graziers were asked whether they felt that the grazing level on their commons was sufficient to maintain the environmental condition of the common, insufficient to maintain the environmental condition of the common or excessive.

Figure 17: Is the grazing level sufficient to maintain the environmental condition of the common



Overall, half of the graziers here reported that grazing levels were sufficient (50%) to maintain the environmental condition of the common with 47% of commons reporting insufficient stocking levels. Only 3% reported that the grazing level was excessive. A pattern can be discerned when considering the sufficiency of grazing by the size of the common (figure 18).

Figure 18: Sufficiency of grazing to maintain the common considering the size of the common.



When considering sufficiency of grazing, collectively commons <500ha account for 37% of all responses. With a further 7% reporting sufficient grazing between 500-1000ha. Together they account for nearly half (44%) of all reports of sufficient grazing. Of the insufficient responses a quarter (25%) identified insufficient grazing on commons <500ha and a further 10% between 500-1000ha which together account for 35% of all insufficient responses. When considering commons >1000ha the number of commons reporting insufficient grazing increases with size accounting for 47% of all insufficient responses. Although between 4000 – 5000 ha grazing is considered to be sufficient although the number of commons reporting in this category was small. These results reinforce the broad presumption that the smaller commons (but of agriculturally viable size) are less likely to be undergrazed overall due to their size and usefulness to the farm as compared to the extensive commons, although this is clearly not always the case.

The general perception from the graziers meetings is that environmental conditions are on the whole deteriorating. Although the data figure 18, suggests a mixed picture of sufficient and insufficient grazing pressure.

“the commons are getting smaller”, “ the conditions for grazing are deteriorating” “there is a bracken and gorse infestation”

The difficulty in the interpretation of this question is the perception of sufficiency, as many commons have areas of sufficient and insufficient grazing. This area requires further consideration and investigation by comparing designated site status condition against stocking levels.

There were a number of points raised concerning the quality of the environment on the commons:

- The environmental change (increases in scrub, bracken and rank grassland) that is occurring is felt to be beyond the capacity of graziers to control or manage.
- There is frustration that grazing conditions created through the efforts of successive generations of graziers is being lost,
- There is frustration that there is no appropriate funding mechanism available to graziers to address the change in condition at the scale required.
- Insufficiency of funding for works in Glastir Advanced and regulations, which limit the use of burning as a management tool were cited.
- Concerns were expressed about the increase in the fuel load on the commons, in particular areas of over dominant purple moor grass.
- Uneven grazing pressure is impacting on the in-by land where scrub and bracken is encroaching from the common into fields and over shading areas of grassland.
- There was underlying concern over the purpose of Glastir and what it is aiming to achieve by placing controls on livestock numbers against the background of declining graziers and perceived increases in scrub and bracken.
- With the expansion of scrub and bracken, grazing is being concentrated into gradually reducing areas.

Further investigation is required with regard to establishing

## **5.7 Funding and support schemes on Commons**

Broadly, graziers were concerned about the impact of reducing CAP payments, in particular on the upland commoning communities. There was felt to be a lack of a clear strategy for the uplands and commons in particular, which was undermining confidence in the future of the practice.

### **Pillar 1 payments Basic Payment scheme**

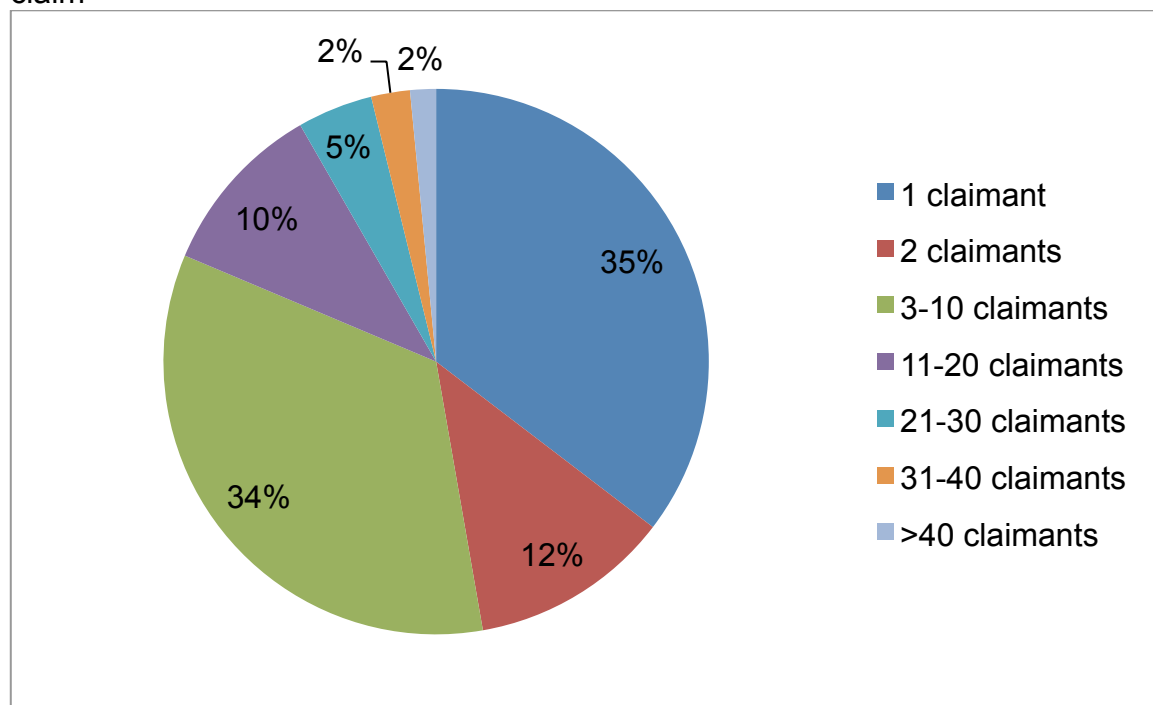
The Commons Agricultural Policy Pillar 1 direct payment scheme is the successor to the previous Single Payment Scheme. The purpose of Pillar 1 payments from a Welsh Government perspective is to support farmers to manage their land in an

environmentally and sustainable manner and to maintain animal welfare standards to make farms more resilient in the long-term (Welsh Government 2015).

The system for the payment of BPS was reviewed in 2015 with the outcome that the entire eligible area of a common is shared between the actual claimants in proportion to their rights of use, but where individuals can claim both BPS and are part of a Grazing Association (Welsh Government 2015). This was subsequently reviewed and the requirement to be a Grazing Association member has been dropped.

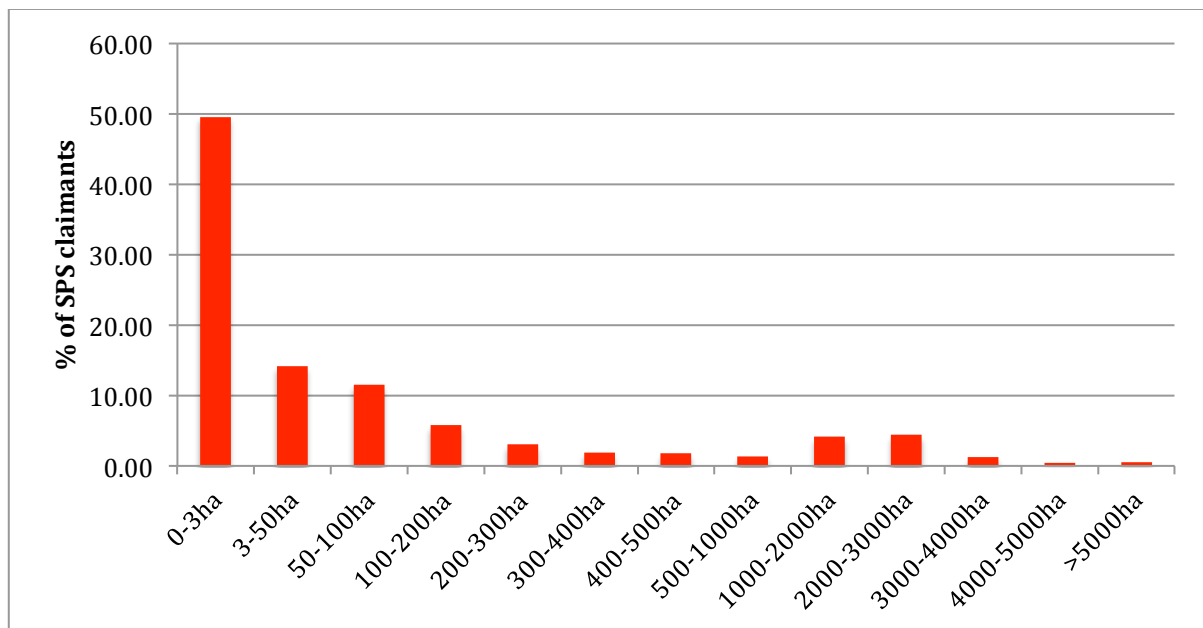
In total 3295 businesses make valid BPS claims on 804 CL units, whose total area is 194,211ha, with an eligible area of 187,419ha, which suggests that across those commons claimed 6792ha (3.5%) were ineligible. This represents 36% of all CL units. Note that the total area exceeds the area of registered common land, despite the number of commons on which no claims are made. Further work will be done to analyse this by the project team. However, this fact is far from surprising – the unclaimed commons are mostly very small, while the claimed land includes substantial areas (Epynt and Castlemartin ranges, areas of Garthgwynion Estate etc.) which are not registered common land. The following data (Figures 18 and 19) are based upon all 2015 claimants from across Wales.

Figure 19: Variation in the number of IACS claimants on commons with at least one claim



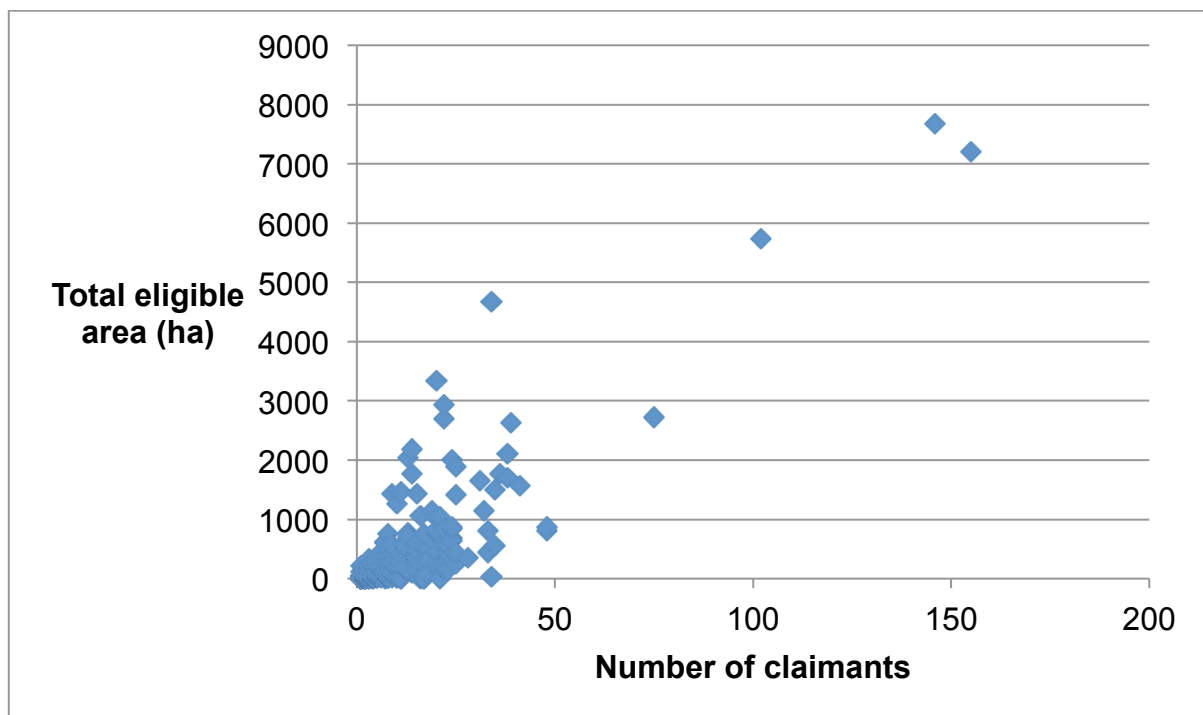
Over a third of all claimed commons have only one claimant (though they may not be sole shareholder commons). Another 46% of commons have between 2 and 10 claimants. When this data is considered by the size class of the common (Figure 20) it is apparent that nearly half of commons claimants are on commons between <3ha in size (49.59% of all claimants), with the greatest number of claimants (75%) on commons which are <100ha in size (Figure 20).

Figure 20 \*Showing % of SPS claimants on common by total common size



\*Welsh Government IACS data 2014

Figure 21: \*Total eligible area and number of claimants



\*Welsh Government IACS data 2014

In the questionnaire responses, concern was expressed about the way in which Pillar 1 payments in relation to commons grazing, were distributed to graziers who are not actively participating in the exercise of rights or the improvement of the common.

“equal payments for non-graziers and graziers encourages [the] non-grazing of the common”

Participation in BPS requires that the applicant is an Active Farmer (Welsh Government 2015). However this is not defined in such a way as to limit the payments to those undertaking agricultural activities; it also includes *maintaining an agricultural area in a state which makes it suitable for grazing or cultivation without preparatory action going beyond usual agricultural methods and machineries. In Wales, this means the control of non-native invasive weeds and scrub; and ensuring that area has stock proof boundaries and a water source for livestock*

Meeting these conditions is particularly easy on a common actively maintained by others, while avoiding the substantial costs (and modest profits at best) associated with a hill livestock system.

For claiming against common land the claimant has to meet the BPS requirements and have the legal right to use the common for grazing livestock, that is, to own or lease land with rights identified within the common land registers. Under the SAF requirements for 2015, the name of the common, the type of rights held (owned, borrowed rights, leased rights) and the number of rights have to be declared.

As the EC Regulations do not specify whether a farmer utilises their right of use, only that they are able to if they want utilise their right of use. Therefore no rights needs to be exercised to claim BPS. The area over which BPS can be claimed has to be eligible and the payment area will be reduced for ineligible features. Without active management or under management the eligible area will recede over time.

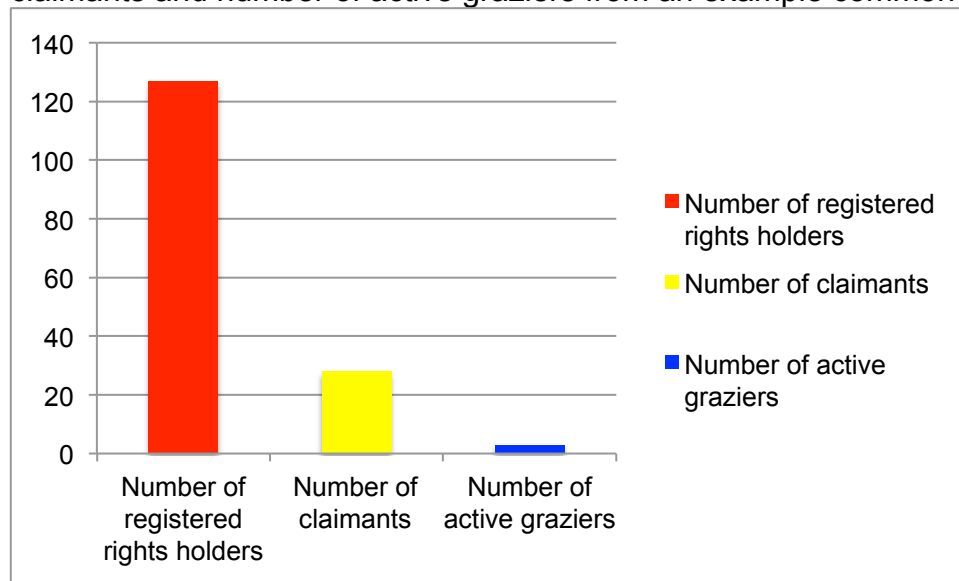
It was stated by graziers that the current payment system does not encourage the active use of rights. The situation in Scotland differs where a minimum stocking level has to be maintained for land in the poorest land classes (including almost all common grazing land) to be eligible for payment<sup>1</sup>.

In order to assess the impact of this a cross section of payments were examined from claimants for the 2014-2015 period within West Glamorgan. In this analysis the total number of rights holders listed in the Common Land Registers is compared with the number of claimants by common land unit and the number of claimants actively exercising commons rights.

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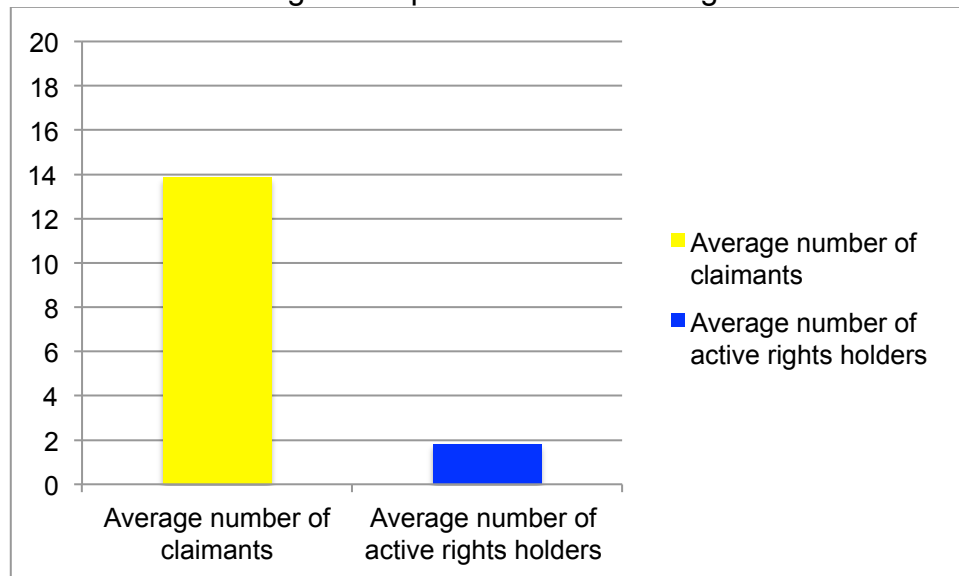
<sup>1</sup> The normal minimum agricultural activity is to undertake an average level of stocking of 0.05 livestock units (LUs) per hectare on all hectares for 183 days in each scheme year. A further incentive to active use of poor land in Scotland is provided by the LFA measure and by coupled payments for ewe hogs and suckler cows.

\*Figure 22: Number of registered rights holders compared with the number of Pillar 1 claimants and number of active graziers from an example common within Glamorgan



\*Welsh Government IACS data 2014 and Graziers Association data 2015

Figure 23: \*Average number of BPS claimants based on a sample of 23 commons within West Glamorgan compared with the average number of active graziers



\*Welsh Government IACS data 2014 and Graziers Association data 2015

Of the sample considered, there were no examples of equal numbers of claimants to rights holders actively exercising rights.

On average across a sample of 23 commons within Glamorgan the results show (Figure 23) that the number of claimants exceeds the number of active graziers. This pattern seems to be the norm since the introduction of decoupled direct payments. Assuming that numbers reflect shares, active graziers in West Glamorgan are receiving approximately 1/7 of the payment per hectare for their management work and costs compared to adjacent sole use hill farmers, with the difference being



accrued by inactive claimants who not only have no costs, but can spend their time in the wider economy where they can be assured of at least the minimum wage by way of recompense. Under the implementation of BPS this is wholly appropriate.

There was a wide-ranging discussion in the Graziers Association meetings as to the function of the BPS payment to non-active rights holders that is different to the purpose of the BPS payment set out by Welsh Government. The perception expressed by some was that the BPS payment was a form of compensation being provided to rights owners with entitlements not to exercise those rights. Reasons given included preventing any risk of over grazing, allowing those who needed to use the common to do so without the hindrance of other livestock, more rights had been registered than could be sustained and to avoid any possible cross compliance breaches. In the absence of clear guidance from Welsh Government on the purpose of the payment several different local interpretations have developed.

Other payments, like those under Pillar 2 (Glastir) discussed in detail later, may be distributed principally to the active graziers subject to the internal agreement.

#### **Ineligible areas and the Basic Payment Scheme**

Concern was expressed with the regard to the impact of the perceived expansion of scrub and bracken on the BPS for 2015 – 2020 as they are classified as ineligible permanent features. It was felt that Glastir stocking levels should be at least sufficient to maintain or ideally reduce levels of scrub and bracken which are ineligible features within BPS – there is no apparent coherence between the two schemes.

It was welcomed that bracken is now differentiated between scattered and dense, similarly for scrub, as grazing does occur within areas of scattered bracken and scrub. There was some discussion with regard to scrub, scrub trees and woodland which provide valuable shelter for livestock and the areas near to and around scrub are often grazed. Where gorse is managed on rotation by burning or cutting it provides grazing, in particular for hill ponies.

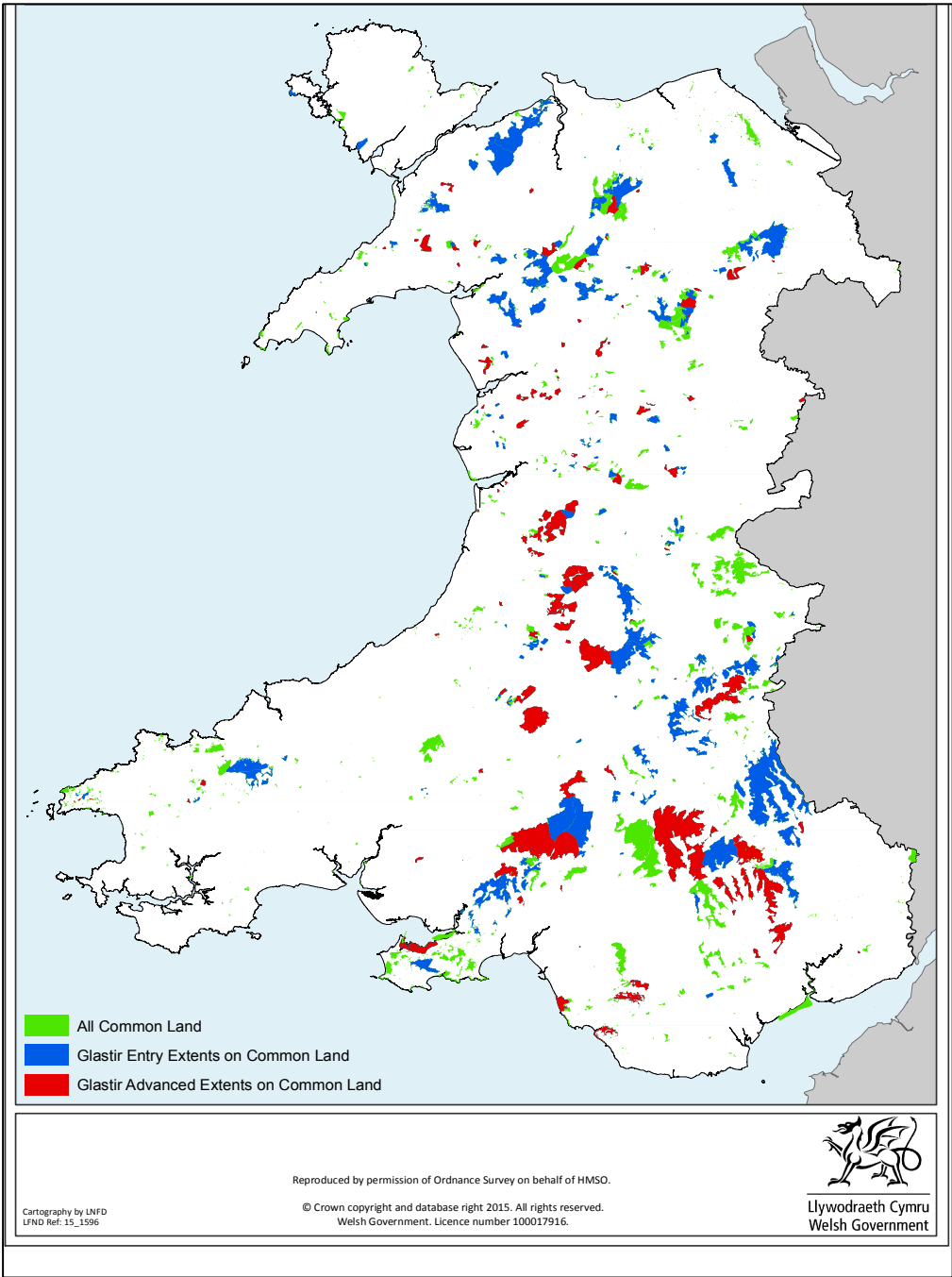
Overall, the respondents anticipate a further increase in scrub and bracken with a consequential further decrease in the grazable area and their BPS income.

#### **Pillar 2 Schemes – Glastir**

Glastir Commons is a voluntary scheme for the management of livestock numbers and compliance with Glastir All-Wales Common Land Code and Cross-compliance obligations. Payments can be disbursed to both active and inactive graziers, as the Grazing Association sees fit. It is widely portrayed as the principal mechanism for supporting grazing on common land, though the payments themselves are calculated on the basis of *loss* of grazing days on the winter clearance option; in fact, the scheme lacks the tools to address any undergrazing which might occur.

At the time of writing 198 Grazing Associations had entered into Glastir agreements

Figure 24: Showing all Common land and Common Land within Glastir Commons and Advanced agreements between 2011 and 2014.



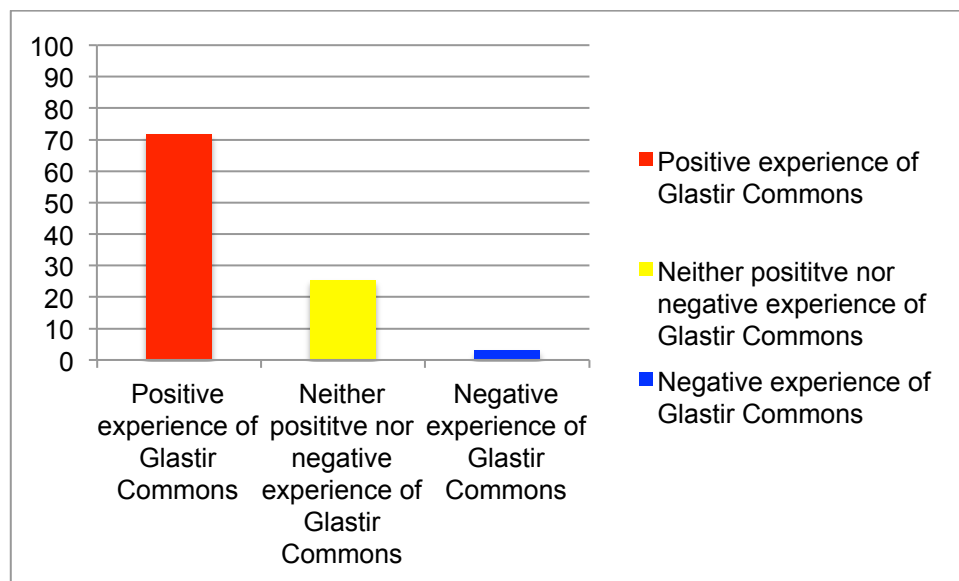
\*There was no call for Glastir Commons or Commons Advanced applications during 2015

Graziers were asked within the questionnaire about their experiences of Glastir Commons.

Question 19: If your principal common is in Glastir Commons, how would you describe your experience to date? (Appendix I)

Over all Grazing Associations, experiences of Glastir Commons has been positive (72%), with a further 25% with no negative experience of the scheme. The scheme has been in operation for 5-years and it has been well received.

Figure 25: Grazing Associations' assessment of their experience of Glastir Commons



There was a mixture of comments returned, which fall broadly into four categories:

(i) Scheme

- 'Scheme is good but should be targeted at the active graziers'
- 'It has caused disagreement amongst the neighbours'
- 'The benefits outweigh the disadvantages but payments on top are necessary'
- 'It was right for us graziers/commoners plus 3 months clearance suited us'
- 'Good easily management scheme'

(ii) Communication improvement and opportunities

- 'Brought commoners together, meetings attendance/cooperation up/high'
- 'Created a new association and improved communication between graziers'
- 'Funding needed but it puts farmers against farmers'

(iii) Support and guidance

- 'Commons Development Officer was very helpful'
- 'Commons Development Officer very helpful. Grant payment on time'
- 'Exceptional service by Cadwyn Clwyd'
- 'A relatively easy scheme to operate but [on a] small and enclosed common'
- 'Good easily managed scheme for me'
- 'Very good support - although this is now stopped !!!'

#### (iv) Income

'The management points have given a clear focus. The additional money has also supported the community'

'Helped compensate the loss of the HLCA payment but more direct grants should be available to maintain [the] common'

'Some money coming in helps with fencing, gates etc'

'Provides another income stream'

'Economic advantage'

Some concerns were also raised:

#### Inflexibility

The scheme was considered to be inflexible not taking into account local, long established grazing patterns, local circumstances and the knowledge of the graziers.

#### Reducing grazing levels.

The underlining message perceived by the graziers is one of environmental outcomes by reducing productivity. They stated that the outcomes are not clearly stated or discussed, there is a lack of clarity of what Glastir Commons is attempting to achieve. Younger graziers suggested that the current destocking approach is a disincentive to future investment in a flock or infrastructure.

#### Internal agreements

A further point of concern is the distribution of funds and the discussions concerning the internal agreement. Income from the Glastir scheme is subject to an internal agreement between the graziers and may include payments to non-exercising graziers to secure their agreement not to exercise rights during the term of the Glastir agreement. Examples of how this might be structured would be helpful so the graziers know the options open to them.

Individual association can determine through their own processes how the Glastir money can be used. There were a number of different approaches from reinvestment into works that benefit the common, to ring fencing the money until the end of the scheme at which point it can be distributed to the participating graziers, or the annual distribution of payments to participating graziers on receipt. Local circumstances determine the terms of the internal agreement and how the funding is allocated. Glastir is not an income support payment and as such cannot be considered as a replacement for Tir Mynydd or a supplement to direct payment, but it is often perceived as such by graziers.

Monitoring requirements were considered to be impractical as inspectors are required to check the number of animals on the common on the day of inspection.

Overall, the scheme worked well for that Graziers Association whose stocking practice already met the scheme requirements.

In discussions concerning Glastir Advanced the disadvantage of further stocking reductions was considered to outweigh the benefits of the advanced capital payments. The dichotomy being that capital payment would enable scrub control

whilst further reducing grazing pressure providing a better opportunity for scrub to re-establish. This highlights the disconnect between the Pillar 1 (BPS) and the Pillar 2 (Glastir) scheme outcomes.

### 5.8 Public and private schemes

There were a number of examples of public and privately funded schemes in operation on commons. The remit of these schemes is largely to deliver environmental outcomes which may align with active grazing management. A selection of current and past projects which have occurred on or involve common land are listed in table 2.

Table 3: Showing a cross section of projects which have taken place on common land within Wales

Lead Organisation/Partnership	Location	Project Purpose
Anglesey Grazing Animals Partnership	Anglesey	Linking grazing and conservation sites
Brecon Beacons NPA	Black Mountains	Bracken control
Snowdonia NPA	Migneint	Upland management
RSPB	Hiraethog to Ruabon	
National Trust	Ysbyty Estate, Conway Headwater and Migneint	Upland management
Denbighshire CC	Heather and Hillforts	Heather Moorland management
Torfaen	Bloreng and other commons	Heather Moorland management and bracken control
PONT	Sarn - Bridgend	Conservation scheme bracken and rush control
Carmarthenshire County Council	Mynydd Ystefflau Carn and other commons s.9	Rewetting deep peats
City and County of Swansea	Cefn Drum and other commons	Bracken, Rhododendron and Molinia control
City and County of Swansea	Mynydd Bach Y Glo and other commons within urban areas	Returning unused commons to a grazable condition
Gower Commoners	Gower coast and other commons	Scrub and bracken management

In nearly all cases the projects were initiated by organisations other than the Grazing Association. There was a mixed opinion of the value of environmental schemes on commons. Those schemes which were valued provided a legacy and included capital investment that would improve the ability to manage commons in the future,

items such as fences, cattle grids, seeking consents for works and developing legal agreements linked to project outcomes.

Activities which were questioned were those which cannot be sustained without ongoing funding, in particular rush control, bracken spraying and controlling invasive species. Although these activities were welcomed, there was some scepticism about their value and benefit in the longer-term.

Graziers in particular welcomed schemes which were able to influence others through codes of conduct and education and awareness raising programmes amongst the wider public. The importance of a paid individual to act as a cornerstone for communication with and between other organisations was considered to be essential. A number of graziers cited the way in which the Commons Development Officer programme had operated as being a good example of facilitating cross-sectorial discussions between parties with an interest in common land management.

Graziers also said that once a scheme had been entered into they felt that they did not have sufficient ongoing input into the outcomes to achieve the best benefits for grazing, in particular the targeting of resources into particular areas and the way in which the spend was met. Overall, the graziers felt that they needed to be involved in scheme design and funding bids from the outset prior to any submissions.

## **5.9 Access to commons**

Prior to the Countryside and Rights of Way Act only Urban Commons (Section 193 Law of Property Act 1925) provided public access for air and exercise. The CROW Act widened that access to include registered common land mapped as open country (mountain, moor, heath and down); this is known as access land.

Although the graziers broadly welcomed the fact that the public are able to enjoy the countryside they felt that there was a lack of understanding that common land is a working environment. They felt that there is a need to raise the public awareness of the role of commoning in maintaining the landscape. The table 3 lists the issues raised concerning access.

Table 4: Challenges facing graziers in relation to open access considering urban and rural commons

Access issue	Commons within urban locations	Urban fringe commons	Commons within rural locations
Garden waste	✓	✓	
Littering	✓	✓	✓
Fly tipping	✓	✓	✓
Uncontrolled dogs/dog worrying	✓	✓	✓
Dog training businesses	✓	✓	
Theft of livestock	✓	✓	
Organised races		✓	✓
Organised motorised off-roading events		✓	✓
Damage to fences	✓	✓	✓
Gates left open		✓	✓
Parking on the common	✓	✓	✓
Losses to collisions with traffic on roads through commons	✓	✓	✓
Reporting animals	✓	✓	✓
Antisocial behaviour	✓	✓	

Comments received relating to access include:

'Public and dog walkers make it more difficult to settle sheep'

'Roadside losses, deaths and thefts of sheep'

'Dog worrying livestock'

'Trespass by 4x4's quad bikes chasing sheep'

'[Disincentives] there shouldn't be any as long as all who use the common the graziers & public respect the area & treat it as it should be treated & that livestock are allowed to graze peacefully'

## **5.10 Summary of motivations and challenges affecting graziers**

### **Communication**

- Grazing associations felt that communication in relation to the implementation of policy needed to be undertaken in a way that engaged people without access to IT facilities/skills.
- Graziers would value the opportunity to be engaged early in consultations with regard to policies and schemes of management which might impact on the practice of commoning.
- Graziers have significant knowledge and experience to share with regard to their practice
- Commons graziers do not feel that their views are being represented
- Communication between grazing associations and groups with an interest in commoning requires improvement
- Lobby groups can impact both positively and negatively on public opinion regarding traditional livestock management practices

### **Succession**

- There is a perceived decline in skilled labour to assist in cooperative commons management tasks
- Farms with access to large commons are disproportionately affected by the reduction in the availability of skilled labour compared to those farms with access to smaller enclosed commons
- Sales of farms with commons rights are largely back into agricultural hands, with a few transferring to life-style buyers
- There is a gradual successional decline in the continuation of the exercise of rights through families
- The greatest majority of graziers are exercising their rights between 50 – 70 years of age

### **Livestock**

- Patterns of livestock grazing are influenced by customer demand and Glastir stocking requirements for scheme participants
- Cattle are infrequently grazed on common land
- Ponies are a growing management concern for grazing associations and local authorities
- Uneven grazing patterns are more evident on larger commons with an increase in unpalatable species, such as bracken, scrub and purple moor grass
- Overall grazing levels are considered to be too low to sustain the grazing environment of the common
- Commons under 1000ha, especially the smaller commons which are in Glastir are largely reporting sufficient grazing levels
- Commons over 1000ha which are in Glastir are largely reporting insufficient grazing levels



### **Funding and support**

- Funding was considered essential to sustaining upland production
- The benefits of Pillar 1 funding for commoning were questioned in relation to payments to inactive graziers.
- BPS payments do not require the exercise of any rights on a common to be able to claim against the eligible area
- Glastir Commons was broadly welcomed and the majority of graziers are satisfied with their experience of the scheme.
- Private funding schemes were welcomed where they left a legacy of capital infrastructure that make the commons easier to manage for the next generation of graziers
- Private environmental scheme were felt to be too short term and the benefits largely unsustainable

### **Access**

- Access was welcomed, but it should be tempered by improved rules for access to common land, which can be employed and regulated locally
- Seasonal dog bans should be considered in relation to commons where lambing is occurring

## **6.0 PRINCIPLES FOR DECISION MAKING ON COMMONS**

Based on the discussions and questionnaire responses 9 principles can be drawn:

- (i) Commoning is about people, values, mutuality, parity and respect
- (ii) Commoning and common land management requires early and effective communication, top-down and bottom-up
- (iii) Commoning occurs within a complex, multifaceted environment where there are commonalities as well as unique challenges site-by-site
- (iv) The practice of commoning delivers a wide range of public goods and services as by-products of livestock production and management, often within designated and protected landscapes
- (v) The active management of the common makes a significant contribution to rural economies
- (vi) Commoning is a family tradition of stewardship over generations, with the knowledge and understanding that brings
- (vii) Common and farm are often linked as a management unit. Decisions which affect the common affect the farm, practices and viability
- (viii) Commoning is fundamental to the Welsh language and culture in many upland communities
- (ix) Change on commons in particular in its demographic is largely incremental and often not obvious

## 7.0 RECOMMENDATIONS

Based on the findings of this report and the wishes of the Grazing Associations, 10 recommendations are set out as follows to meet the future challenges facing graziers.

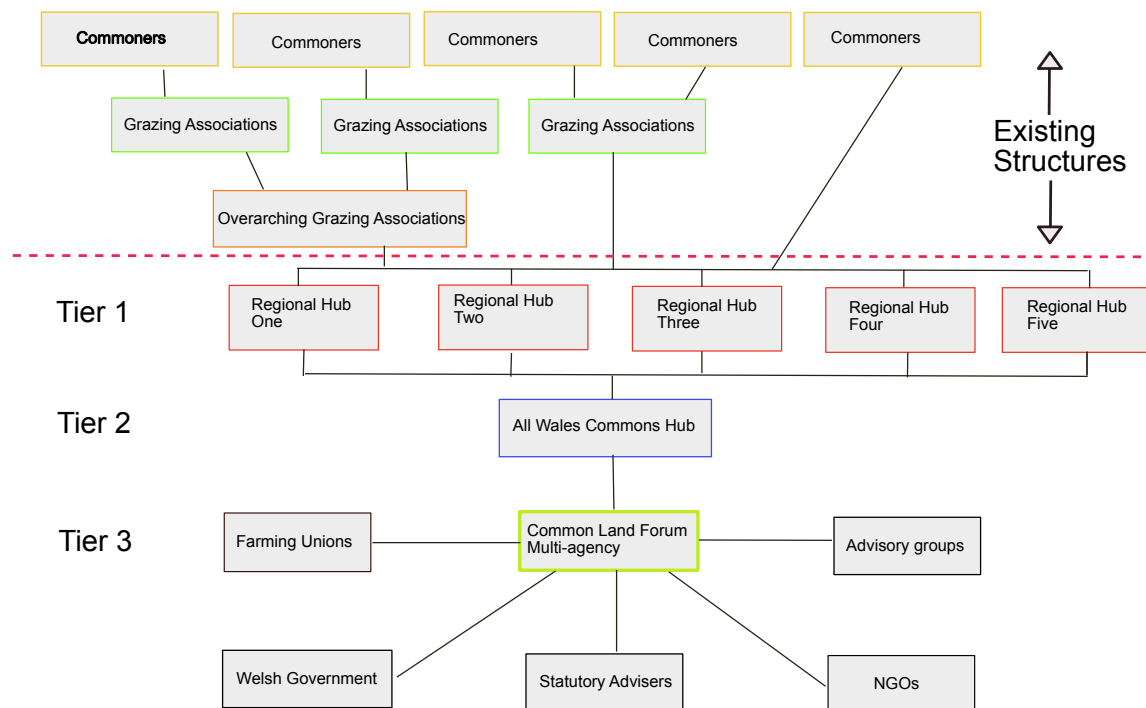
(1) *Establish a commoners network, with assistance to develop management capacities within the regional hubs, linking the Grazing Associations and Graziers to address communication, regulation and consultation.*

### Justification

There is currently within Wales no opportunity for Graziers Associations to engage directly with policy making and equally for Welsh Government, Natural Resources Wales and others to liaise with graziers collectively. While Associations can respond to written consultations, this is not a substitute for the face-to-face exchange of views and experience. A network of Grazing Associations would ensure that the voice of the individual is represented in national discussions and an opportunity for Government to test policy ideas.

A three-tier network is recommended (Figure 21) where communication is multi directional:

Figure 24 – Suggested structure for Commons Network, providing for communication between Graziers, Graziers Associations and other organisations with an interest in commoning



Tier 1: A network of regional common hubs representing the diversity of interests, circumstances and practices of different commoning areas e.g. South Wales Valleys Where specific groups have been identified as needing assistance to develop. With links to facilitation opportunities within the Agrisgop project.

Tier 2: An overarching All-Wales Commons Hub with representation from each of the regional hubs to discuss opportunities, issues and challenges facing Wales as a whole.

Tier 3: A Common Land Forum - a combination of the All-Wales Commons Hub and external interests. The purpose of this grouping is to investigate multiagency approaches to delivering outcomes, which place the community of graziers at the centre of the discussion.

This network would also feed into the Wales and the Marches Common Land and Village Green Working Group, the Wales Bovine Tuberculosis Board, Defra Stakeholder Group, Wales Common Land Stakeholder Group.

Outcome:

A framework for communication and action, between common land graziers, Government and interest groups.

*(II) Establish a vision and charter for commons in Wales, develop a 10-year strategy for the realisation of that vision and incorporate commons into the wider All-Wales Agricultural Strategy*

Justification:

Younger graziers cited insecurity and the lack of a clear vision and national strategy for common land as a unique facet of Welsh agriculture. The practice of commoning has been influenced over a period of years by policy, from periods of high stocking and production through Pillar 1 schemes to reductions in grazing pressure with a focus on environmental outcomes through Pillar 2 Schemes. Changing schemes and the underlying message within Glastir of destocking is undermining confidence and influencing decisions and career choice.

The initial role of the Commons Network (Recommendation I) would be to develop a vision, to position commoning within Wales within the national context through the All Wales Agricultural Strategy and to produce an agreed 10–year strategy for commons within Wales. The purpose of this recommendation is to:

- Anchor commoning within the Wales Agricultural strategy
- Provide a charter to form a strong foundation for collaborative working
- To ensure appropriate and measured consideration of commons within future policy decisions
- Provide clarity and confidence to younger graziers
- Reinforce the importance of commons within Wales, socially, culturally, economically and environmentally

- Set clear and defined objectives and targets
- Act as a filter for new and emerging Welsh Government policy
- Act as a filter and reference for partner-led commons based initiatives
- Underpin proposed actions and to justify and test approaches to common land management.
- Provide a framework for making informed choices in relation to common land

Outcome:

An agreed vision for commoning with Wales and strategy which places the primary benefits of grazing activity and the secondary benefits in the provision of public goods and services at the centre of the discussion.

*(III) Confirm demographic change in commoning through succession via families and the fate of those commons rights in the absence of such succession*

Justification:

This study has identified that only 55% of succession will occur through families, the balance of rights being sold, leased or left unexercised. With the majority of current active graziers within Grazing Associations being between 50-70 years old and assuming a probable lower level of replacement then there is likely to be a measurable reduction in practicing commoners over the next 30 years. What is unclear is the replacement pattern for younger graziers and how many intend to farm or return to farming in later life (late 40ies, mid 50ies)

To begin to understand this there is a need to work with number of representative Graziers Associations from across Wales to establish what the trend is over the longer term. In particular where there may be existing information on changes in grazier numbers over the past 50-years.

The purpose of this recommendation is to:

- Quantify the rate of change
- Consider the impact of change on the provision of future public goods and services
- Establish the successional patterns within and outwith families
- Consider those factors which influence the future exercise of rights
- To identify any practical or policy action required to safeguard commoning practice for the future
- To consider those barriers to successional planning

Outcome:

A clearer picture of any recent changes in succession within Grazing Associations, which can then be projected forward to estimate future patterns and to identify remedial actions that will be required

*(IV) Gather evidence and information to inform the All Wales Agricultural Strategy and future commons agricultural policy*

Justification:

There is a wide breadth of opinion and yet a paucity of information available to enable informed decisions to be made concerning common land. The way in which data is gathered at the Wales level must include specific reference to commons and common land. There is an opportunity to achieve this in the annual All-Wales agricultural survey. There are a number of near opportunities for decisions to be made that could safeguard the practice. Which include the next CAP, Well Being of Future Generations Act and in particular Environment Bill and locally in commons based schemes which access EU, national government and private funding.

The purpose of this recommendation is to provide the tools needed for informed, appropriate and measured decision making to take place with consideration of:

Recommendation:

- Gather evidence on the role of commons within the national agricultural and environmental framework
- Collate background documentation on commoning practice within Wales where they provide an insight into the practice.
- Monitor trends and number of participating graziers to establish a baseline
- Evidence and plan to address factors which disincentive commoning practice, policy and practical
- Review the impact of current support mechanisms on the sustainability of commoning practice
- Confirm by evidence the role of commons and active grazing in providing public goods and services and in so doing sustaining practice and meeting WG policy commitments

Outcome:

The collation of a comprehensive, evidenced based library of information relating to common land within Wales which is widely available to inform decision making.

*(V) Evidence the impact of Pillar 1 payments on registered common land and to develop a framework future action*

Justification:

A review of the role of Pillar 1 Basic Payments in delivering positive outcomes for common grazings is recommended. Active graziers felt that the current system based solely upon the ownership rather than the exercise of those commons rights was disincentivising the active exercise of rights. In the main BPS payments provide little or no benefit to common land, in particular where there is no exercise of rights. The majority of claimants rely upon the grazing activity of a few to maintain the eligible area. The view of active graziers is that the payment system did not reflect

the contribution or effort made by those active graziers to sustaining the common and enabled others to benefit from the activity of a few.

#### Recommendation

- In liaison with relevant groups review the role of BPS in relation to commons grazings
- Consider a condition which require the whole common to be in a condition to enable grazing to occur
- Consider alternate approaches to BPS such as the Scottish model of a minimum stocking level.

#### Outcome:

A review is undertaken of the function and outcomes achieved by BPS in relation to commons grazing's. A framework and action plan is produced setting out a BPS mechanism by which active participation in commons grazing can occur.

(VI) Provide more flexibility and capacity within the Pillar 2 scheme Glastir Commons to accommodate variation in grazing practice, livestock numbers and capital works.

#### Justification

Many Grazing Associations within Wales have accepted Glastir as a collective support mechanism for commons grazing based upon the management of stocking patterns and numbers of animals. The principal concerns with Glastir Commons relate to the inability of the scheme to adapt to tried and tested grazing patterns and the lack of tools in the scheme to deal with grazing issues apart from overgrazing. A review of the way in which Glastir prescription are implemented is necessary to allow the scheme to be more adaptive to pre-existing grazing patterns that suit the terrain, location and type of common. Many graziers expressed concern with regard to the further livestock reductions required to meet Glastir Commons Advanced, which includes capital payments for works such as bracken and gorse control. As considered previously the dominant underlying message of destocking is a disincentive to the exercise of grazing and to investment in hill flocks.

#### Recommendation:

- Ensure that Glastir agreements support local grazing practice
- Provide the capacity for the Glastir Contract Managers to make informed, local decisions based upon the circumstance rather than formulation
- Open discussions with Grazing Association about what successful outcomes might look like within a Glastir scheme and how they relate and support good grazing practice
- Explain what favourable status is, how it can be achieve and over what period of time
- Quantify 'real life' costs in setting Glastir Advanced budgets for capital works

Outcome:

Glastir Commons provides long term resilience for commons by supporting activities which sustain grazing and increase flexibility of grazing practice. Glastir recognises and supports local commoning practice and seasonal patterns. Contracts meet the specific needs of the common, its environment and prepares the common for the next generation of graziers.

*(VII) Set out a timetable and action plan for the implementation of Part 2 of the Commons Act within Wales and the establishment of Commons Councils*

Justification:

Of all of the concerns raised by the graziers, only ~8% could be resolved at the Grazing Association level. The lack of a comprehensive and effective network associated with regulatory power in relation to governance of the commons diminishes the graziers' ability to tackle some of the issues facing them. Commons Councils (Commons Act 2006) should be developed within Wales where Welsh Government can play a role in assisting graziers to act collaboratively with a legal personality to tackle their issues.

Recommendation:

- Set out a timetable and action plan for the implementation of Commons Councils
- Confirm the current governance structures across Wales which could form a governance pattern for Commons Councils
- Develop a network footprint as in Recommendation 1.
- Learn from the experiences of Commons Councils in England
- Evaluate the role, functions and performance of Commons Councils

Outcome:

A Commons Council is established within Wales, with reference to existing commoners governance arrangement, existing and new networks.

*(VIII) Develop proposal for Paying for Ecosystem Services (PES) in common land management*

Justification:

Common land is known to provide a range of public goods and services. PES is one proposal for quantifying and paying for the value of those services to society. A PES approach could enable graziers to derive an income not solely for the livestock they produce but also for the role they play in delivering wider environmental services, in particular within upland catchments. Critical to PES is a consideration of the transaction cost based upon the size distribution of commons and the number of future active graziers.

Recommendation:

- Evidence the ecosystem services currently available on legally registered commons



- Evidence the role which grazing practice plays in the management of those services
- Evidence the economic, social, cultural and environmental value of such services to society, link to existing research programme within Wales such as the Tawe trail
- Investigate a mechanism by which PES could be applied to common land
- Establish case study sites with Grazing Association where PES outcomes could be tested
- Gather evidence of the approach
- Evaluate the transaction costs for PES implementation by commons size

Outcome:

An evidence based report that quantifies and identifies the benefits of common land management in the delivery of public goods and services. With an examination of the options and opportunities that PES could provide.

(IX) Raise the profile of commoning and the role of grazing associations in provide public goods and services

Justification:

Commons are a key component of the landscape and are enjoyed by others for air, exercise and recreation. The practice of commoning and the use of commons is not widely understood or appreciated by the wider public. Similarly, policy decisions are sometimes made in the absence of an understanding of how common land systems work on a day-to-day basis.

Recommendation:

- Develop and deliver a strategy which aligns to the Vision and All Wales Agricultural Strategy that aims to improve public appreciation and use of common land for air and exercise
- Develop national public guidance and a charter for the use of commons.
- Develop links between Graziers Association and groups who are regularly engaged with the general public
- Provide opportunities for Graziers Associations to work with others who are able to assist in addressing some of the environmental and social issues facing commoning practice.
- Undertake an audience identification exercise. Including what current audiences value and engage with on the commons, and the identification of the barriers that stop people from engaging appropriately
- Widely apply the Hill Farming Training programme (Foundation for Common Land) which has been very successful in linking policy makers to active farming practice in England
- Develop materials that can be used nationally by Grazing Associations to engage with the public
- Develop skills amongst Grazing Associations to engage the public in understanding their practice

- Work with local authorities and statutory agencies where breaches of regulation occur in relation to the access and recreational use of common land

Outcome:

A strategy is agreed with Graziers groups and organisations with a vested interest in common land that delivers concrete actions to improve peoples understanding, awareness, appreciation and use of common land

*(X) Implement a programme targeted to strengthening succession into commoning and to provide opportunities for new entrants to the learn the skills necessary through such mechanisms such as the Venture scheme/Mentro recently launched by Farming Connect*

Justification:

From discussions with graziers the reducing pool of skilled labour was a concern. There are barriers to the exercise of rights for new entrants or others who wish to assist in sustaining the practice, in particular knowledge of the environment and how it is utilised by livestock through the year was considered critical. Key to this is linking the people with existing knowledge to those who wish to exercise rights.

Recommendation:

- Undertake a skills gap analysis. This will evaluate the shortage of skills and resources required for management of the individual commons and will be used to prepare initiatives to address specific skills deficiencies
- Develop a national database of graziers who require support to manage the common land in light of diminishing grazing numbers.
- Provide opportunities for Grazing Associations to be a part of the Venture or other project and facilitate regular engagement on new entrants.
- Provide support and match possible graziers and new entrants, and assist with facilitation.
- Develop commons ambassador scheme to aid shared learning across commons and areas

Outcome:

A two-way communication strategy that allows existing graziers to call for assistance with undergrazing and assist new entrants into the industry. A succession tool is create to safeguard and increase numbers of active graziers, and re-vitalise the diminishing numbers of active common land graziers.

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**9.0 APPENDICIES**

## APPENDIX I - QUESTIONNAIRE


<b>Survey of Welsh Commons - Questionnaire</b>
Welcome Croeso
<p><b>This is an independent study that is being undertaken by the Foundation for Common Land <a href="http://www.foundationforcommonland.org.uk">www.foundationforcommonland.org.uk</a> with the support of NFU Cymru <a href="http://www.nfu-cymru.org.uk">www.nfu-cymru.org.uk</a> and funded by Foundation and the European Forum for Nature Conservation and Pastoralism EFNCP <a href="http://www.efncp.org">www.efncp.org</a> with European Commission co-funding.</b></p> <p><b>Any contact details provided are solely for the purpose of this study and will not be shared with any third parties.</b></p> <p><b>As your graziers association may represent the interests of several commons, we would ask that you select a single representative common for the area covered by your group. In the questionnaire this is referred to throughout as the 'principal common'.</b></p> <p><b>Mae'r arolwg yma yn hollol annibynnol ar yn cael ei gwneud gan Sefydliad y Tiroedd Comin (Foundation for Common Land) <a href="http://www.foundationforcommonland.org.uk">www.foundationforcommonland.org.uk</a> gyda chefnogaeth NFU Cymru <a href="http://www.nfu-cymru.org.uk">www.nfu-cymru.org.uk</a> ac yn cael ei ariannu gan y Sefydliad a'r European Forum on Nature Conservation and Pastoralism <a href="http://www.efncp.org">www.efncp.org</a> gyda nawdd y Comisiwn Ewropeaidd.</b></p> <p><b>Bydd unrhyw wybodaeth â nodir yn cael ei gadw at ddibenion yr holiadur unig. Ni fydd yn cael ei rannu na'i ddatgelu.</b></p> <p><b>Os yw'ch cymdeithas cynrychioli buddiannau sawl comin, a fyddech cystal â dewis un o'r tiroedd comin hynny i gynrychioli'r cwbl, ac ateb ar gyfer y comin hynny'n unig. Gelwir y comin hynny yn 'brif dir comin' yn yr holiadur.</b></p>
1



## Survey of Welsh Commons - Questionnaire

### State of Commoning in Wales / Statws Tir Comin Cymru

1. What is the name of your grazing associations principle common and CL number if known (optional)? Beth yw enw'ch prif comin, a'r rhif CL os ydych yn ei wybod (dewisol)?

2. What is the total area of your principal common? / Beth yw cyfanswm arwynebedd y prif dir comin?

3. How many registered rights are there on the principal common? / Faint o hawliau cofrestredig sy ar y prif gomin?

4. How many graziers are actively exercising rights of common on the principal common? / Faint o borwyr sy'n defnyddio'u hawliau pori ar y prif comin?

5. How many graziers, within your graziers association are within the following age groups? Faint o'r cominwyr yn eich cymdeithas borwyr sydd yn y grwpiau oedran canlynol?

20 years old or less / 20 mlwydd oed neu'n iau

20yrs old - 29 mlwydd oed

30 yrs old - 39 mlwydd oed

40 yrs old - 49 mlwydd oed

50 yrs old - 59 mlwydd oed

60 yrs old - 69 mlwydd oed

70 yrs old - 79 mlwydd oed

80 ys old and older / 80 mlwydd oed neu'n hŷn

6. Are there any younger (under 30 yrs) graziers who are not currently exercising rights but intend to in the future? / Oes porwyr ifanc (dan 30 mlwydd oed) yn aelodau sydd heb fod yn defnyddio'u hawliau pori ar hyn o bryd ond sy'n bwriadu gwneud hynny yn y dyfodol?

(Please enter Yes or No - Oes/Nag oes)

7. If you answered yes to question 6, how many younger graziers are considering exercising their rights of common in the future? Os ateboch 'oes' i gwestiwn 6, faint o borwyr iau sy'n ystyried arfer eu hawliau pori yn y dyfodol?

5 or less / 5 neu lai

6 - 10

11-15

16 - 20

21 - 25

26 - 30

over 30 - dros 30

8. How many hefts are there on your principal common? / Sawl cynefin/libart/arosfa sydd ar eich prif gomin?

9. Of these, how many hefts are unoccupied on your principal common? / O'r rhain, faint o gynefinoedd sydd yn wag ar eich prif gomin?

10. What do you consider to be the minimum number of active graziers on your principal common below which management becomes uneconomical? / Beth yw'r nifer lleiaf o borwyr gweithredol sydd eu hangen er mwyn i reolaeth y prif gomin fod yn economaidd yn eich barn chi?

11. What are the three main motivations for the exercise of common rights? / Beth yw'r tri prif gymhelliad dros arfer hawliau pori?

1.

2.

3.



12. What are the three main disincentives to the exercise of common rights? / Beth yw'r tri prif reswm dros beidio â defnyddio hawliau pori?

1.

2.

3.

13. Are the numbers of graziers in your graziers association: A yw nifer y porwyr yn eich cymdeithas porwyr yn:

(Please select one response only - Dewiswch un ymateb yn unig)

Increasing / Cynyddu

Static / Aros yr un fath

Decreasing / Lleihau

14. On the retirement of a grazier from the Commoners Association, do you feel that their heft will be: Ar ymddeoliad porwr o'r gymdeithas borwyr, a ydych o'r farn y bydd eu cynefinoedd/libartau/arosfeydd yn:

(Please select one response only - Dewiswch un ymateb yn unig)

Maintained by another member of the family? Cael eu cynnal gan aelod arall o'r teulu?

Maintained by a new grazier to the common who has rights? Cael eu cynnal gan porwr newydd i'r comin sydd â hawliau?

Maintained by an existing member of the grazing association already exercising rights? Cael eu cynnal gan aelod arall o'r gymdeithas bori sydd eisoes yn arfer ei hawliau?

Abandoned, leaving the heft unoccupied? / Cael ei gadael heb ei meddiannu?

Other (please specify) Arall (rhochw fanylion)

15. Please rank the following from 1 to 4, where 1 is the most commonly grazed animal on the common and 4 is the least frequently grazed: / Nodwch y canlynol â'r rhifau 1 i 4 lle mae'r anifail pori mwyaf cyffredin ar y comin yn cael y rhif 1 a'r lleia cyffredin yn cael y rhif 4

⋮	<input type="text"/>	Ewes and lambs / Defaid ac wyn	<input type="checkbox"/> N/A
⋮	<input type="text"/>	Dry ewes / Defaid hesb	<input type="checkbox"/> N/A
⋮	<input type="text"/>	Cattle / Gwartheg	<input type="checkbox"/> N/A
⋮	<input type="text"/>	Ponies / Ceffylau	<input type="checkbox"/> N/A

16. How would you describe the condition of the pasture on your principal common? Sut fydddech chi'n disgrifio cyflwr porfa'ch prif gomin?

(Please select one response only - Dewiswch un ymateb yn unig)

- There are insufficient grazing animals to maintain the principal common? Nid oes digon o anifeiliaid pori i gynnal y prif gomin?
- There are sufficient grazing animals to maintain the principal common? Mae digon o anifeiliaid pori i gynnal y prif gomin?
- There are too many animals to maintain the principal common? Mae gormod o anifeiliaid i gynnal y prif gomin?

Please expand on your answer here if you wish to: Esboniwch ymhellach yma, os dymunwch:

17. What actions do you feel would secure a viable future for commoning in Wales? / Beth ddyldid ei wneud i sicrhau ffyniant pori tir comin yng Nghymru?

Legislative/Policy Action.

Such as ... /

Deddfwriaeth/newid polisi. Er enghraifft ...

Practical action on the ground. Such as ... /

Gweithredu ymarferol. Er enghraifft....

Marketing activities.

Such as...

/Gweithgareddau marchnata. Er enghraifft ...

Funding and support activity. Such as ... /

Ariannu a gweithgaredd cefnogi . Er enghraifft

Public awareness and information. Such as ... /

Ymwybyddiaeth gyhoeddus a gwybodaeth. Er enghraifft

.....

Training. Such as ... /

Hyfforddiant. Er enghraifft

.....

Paying for the environmental services offered by the common

e.g carbon capture, biodiversity, water storage / Talu am wasanaethau sy'n cael eu darparu gan y comin e.e storio carbon, bioamrywiaeth, cronni dŵr.

Other / Arall

5

18. Do you understand the following terminology ? / Ydych chi'n deall y derminoleg canlynol?

	Yes/Ydw	No/Nac ydw
Ecosystem services / Gwasanaethau ecosystem ?	<input type="radio"/>	<input type="radio"/>
Natural Resource Management/ Rheoli Adnoddau Naturiol	<input type="radio"/>	<input type="radio"/>

19. If your principal common is in Glastir Commons, how would you describe your experience to date?

Os yw eich prif gomin yn Elfen Tir Comin Glastir, sut fydddech chi'n disgrifio'ch profiad hyd yn hyn?

- Positive/Cadarnhaol
- Neither positive nor negative/Ddim yn gadarnhaol nac yn negyddol
- Negative/Negyddol

Please provide a little more information on the reason for your selection: / Rhowch ychydig mwy o wybodaeth am y rheswm dros eich dewis:

20. With the ending of the Commons Development Officer programme, where will you access information on Glastir Commons and Advanced? Gyda diwedd y rhaglen Swyddog Datblygu Tir Comin, ble byddwch chi'n cael gafaél ar wybodaeth am Glastir Uwch a'r Elfen Tir Comin?

21. Briefly describe your thoughts on the future of commoning : / Beth yw'ch barn am ddyfodol pori ar dir comin?

Your fears, hopes, and aspirations for your common / Eich ofnau, eich gobeithion a'ch dyheadau ar gyfer eich comin

22. If you or your graziers association would like to be involved in further discussions/research concerning the future of commoning within Wales, please enter your contact details below: / Os hoffech chi neu'r gymdeithas gymryd rhan yn unrhyw drafodaethau pellach, a fydddech mor garedig â rhoi'ch manylion isod, fel y gallwn gysylltu â chi:

<b>Name / Enw</b>	<input type="text"/>
<b>Address / Cyfeiriad</b>	<input type="text"/>
<b>Address 2 / Cyfeiriad 2</b>	<input type="text"/>
<b>Town / Tref</b>	<input type="text"/>
<b>Postal Code / Cód Post</b>	<input type="text"/>
<b>Email Address / E-bost</b>	<input type="text"/>
<b>Phone Number / Ffôn</b>	<input type="text"/>

23. If you are considering and/or undertaking controlled burning and would like free and impartial independent advice or support in this practice, please note in the box below, complete your contact details and we will be in touch / Os ydych yn defnyddio neu'n bwriadu defnyddio tân i reoli'ch tir comin ac os hoffech gael cyngor di-duedd yn rhad ac am ddim, nodwch hynny yn y bocs isod a chofiwch roi'ch manylion yn Q22 er mwyn i ni allu cysylltu â chi.



## Survey of Welsh Commons - Questionnaire

### State of Commoning in Wales / Statws Tir Comin Cymru

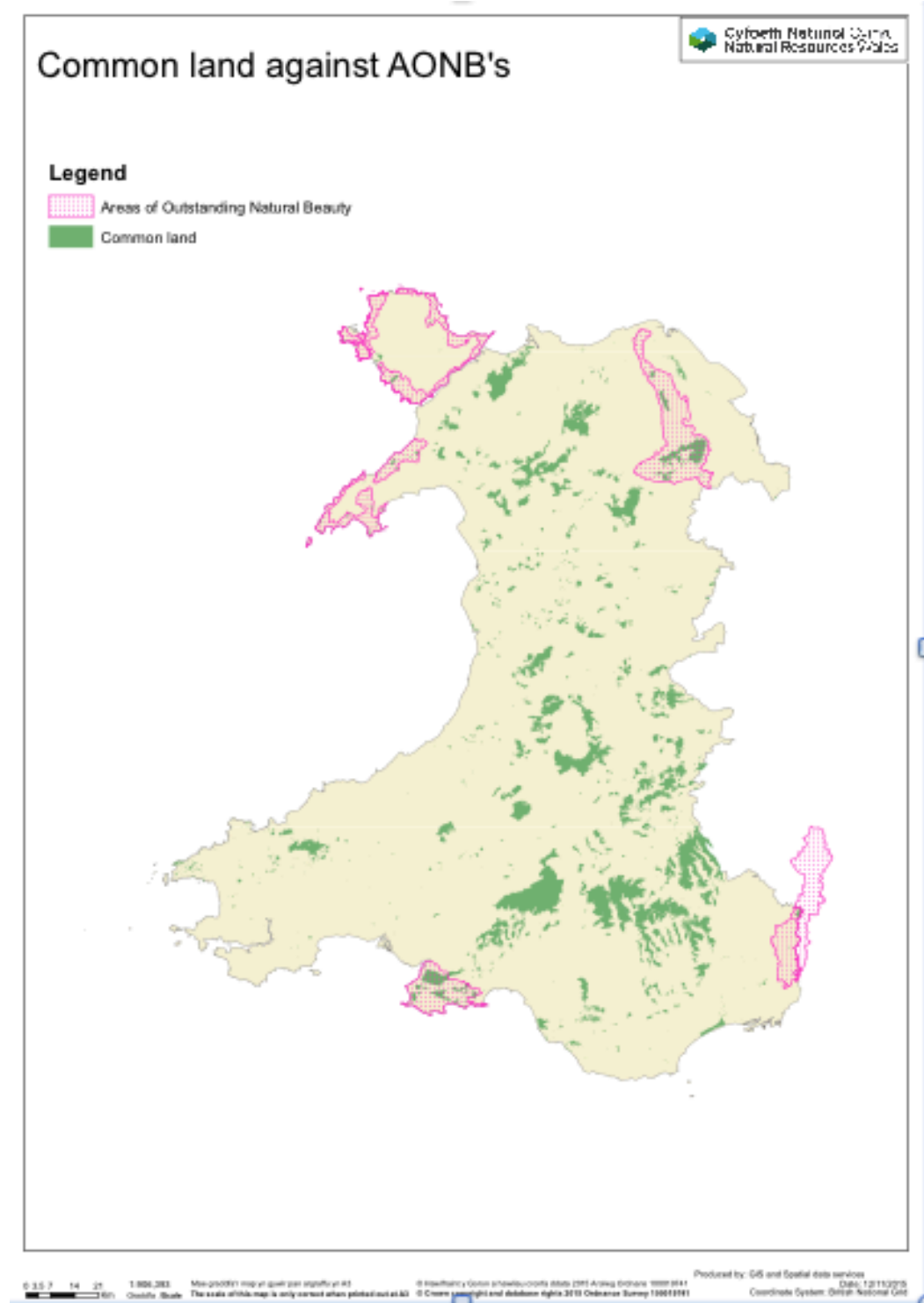
Any contact details provided are solely for the purpose of this study and will not be shared with any third parties / Ni fydd unrhyw fanylion cyswllt sy'n cael ei rannu fel rhan o'r holiadur yn cael ei ddatgelu i unrhyw asiantaeth arall.

Thank you for participating/Diolch am gymryd rhan

## APPENDIX II

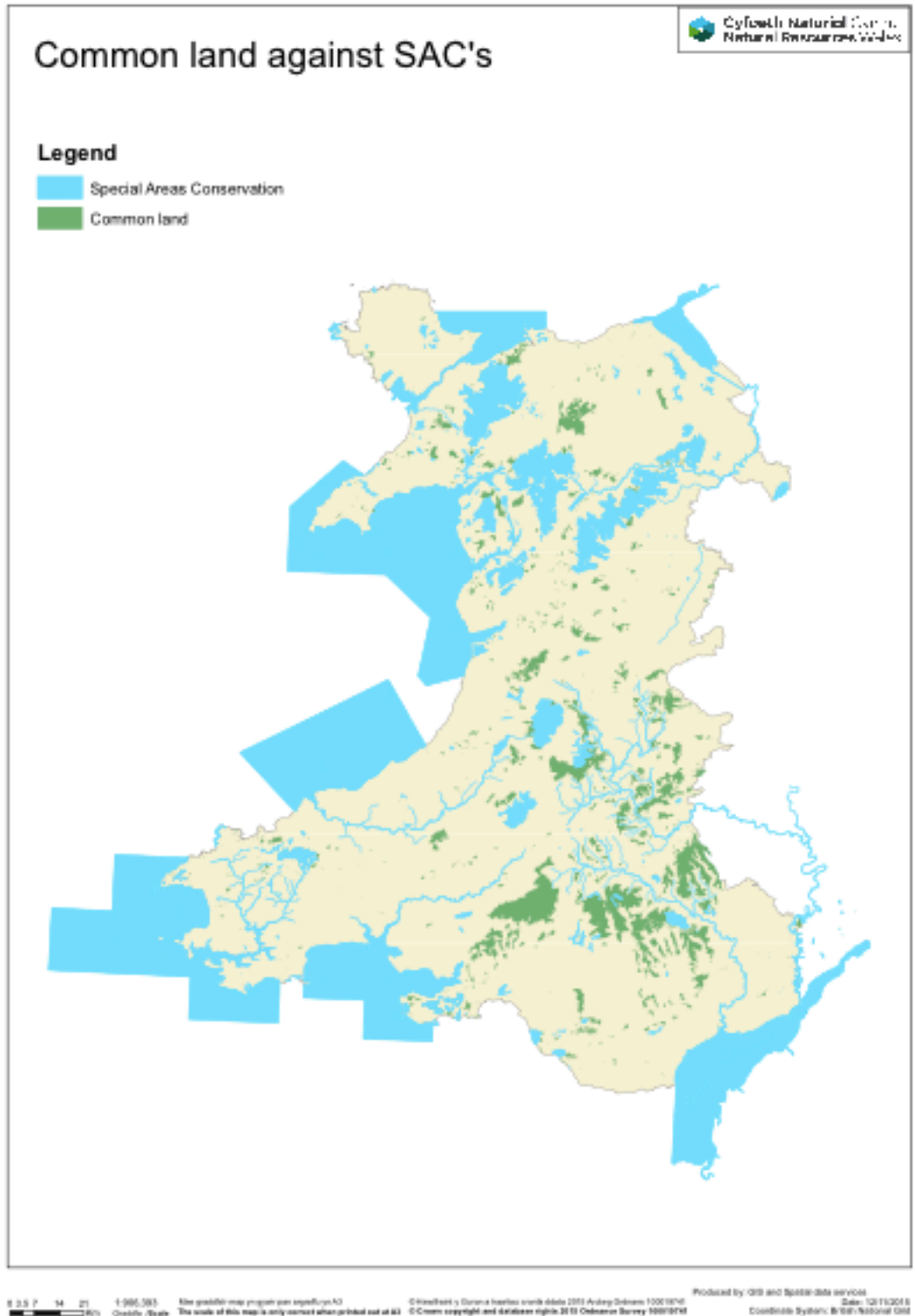
### Commons within Areas of Outstanding Natural Beauty

There are 13,179ha of common land within Wales Areas of Outstanding Natural Beauty



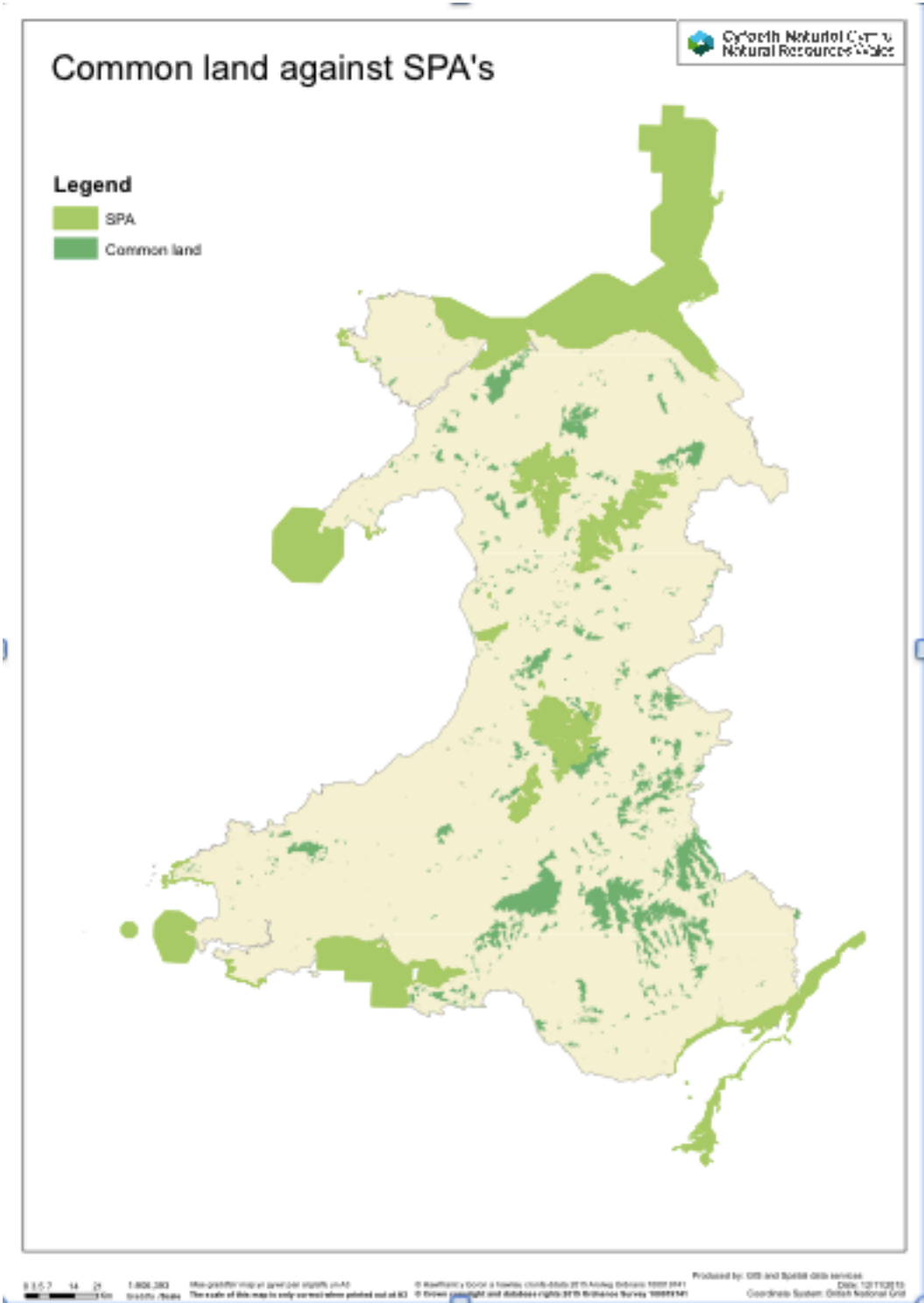
## Commons and Special Areas of Conservation

There are 41,045ha of common land included within Special Area of Conservation (SAC) designation



# Commons and Special Protection Areas

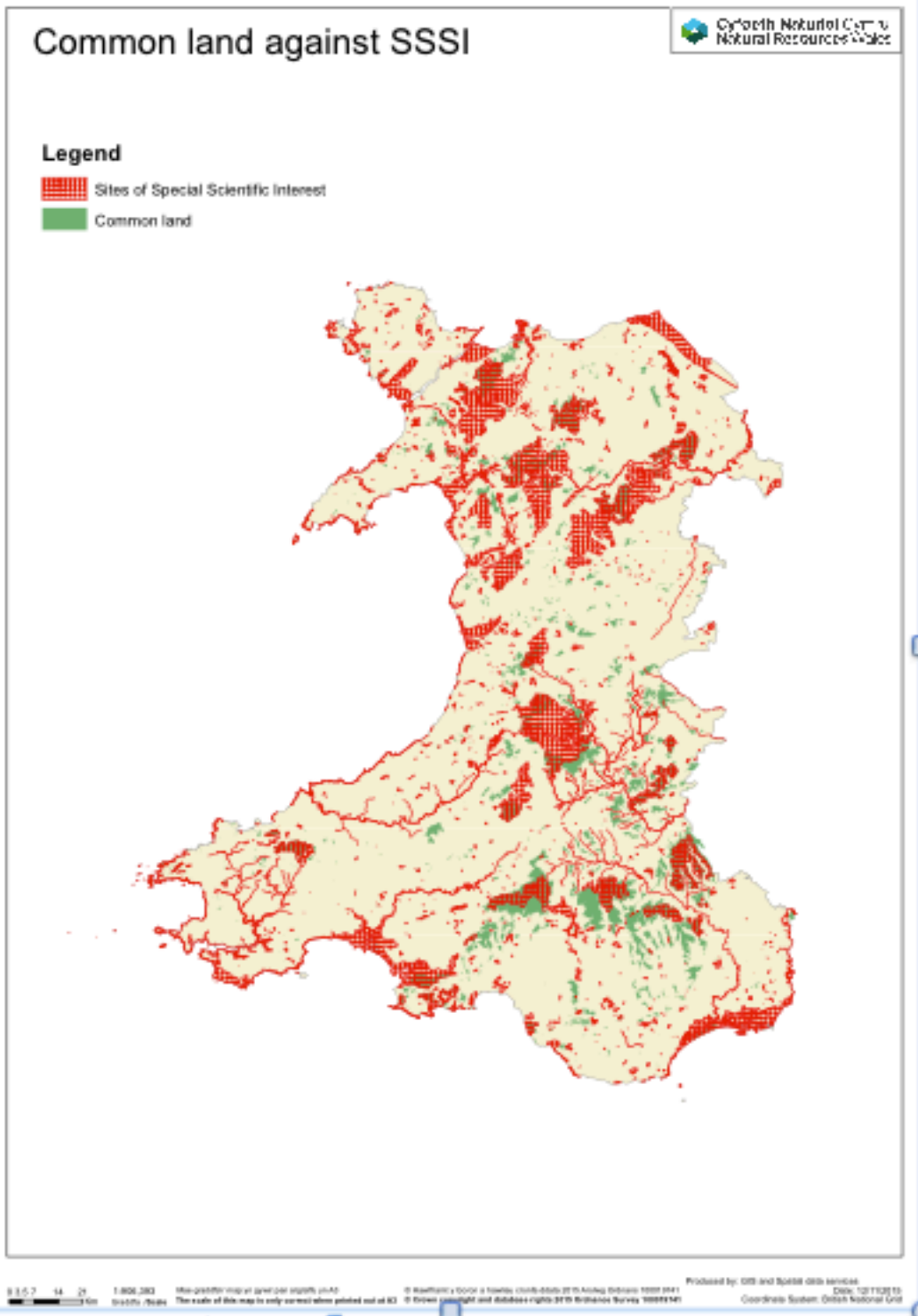
There are 26,589ha of common land included within Special Protection Areas (SPA)





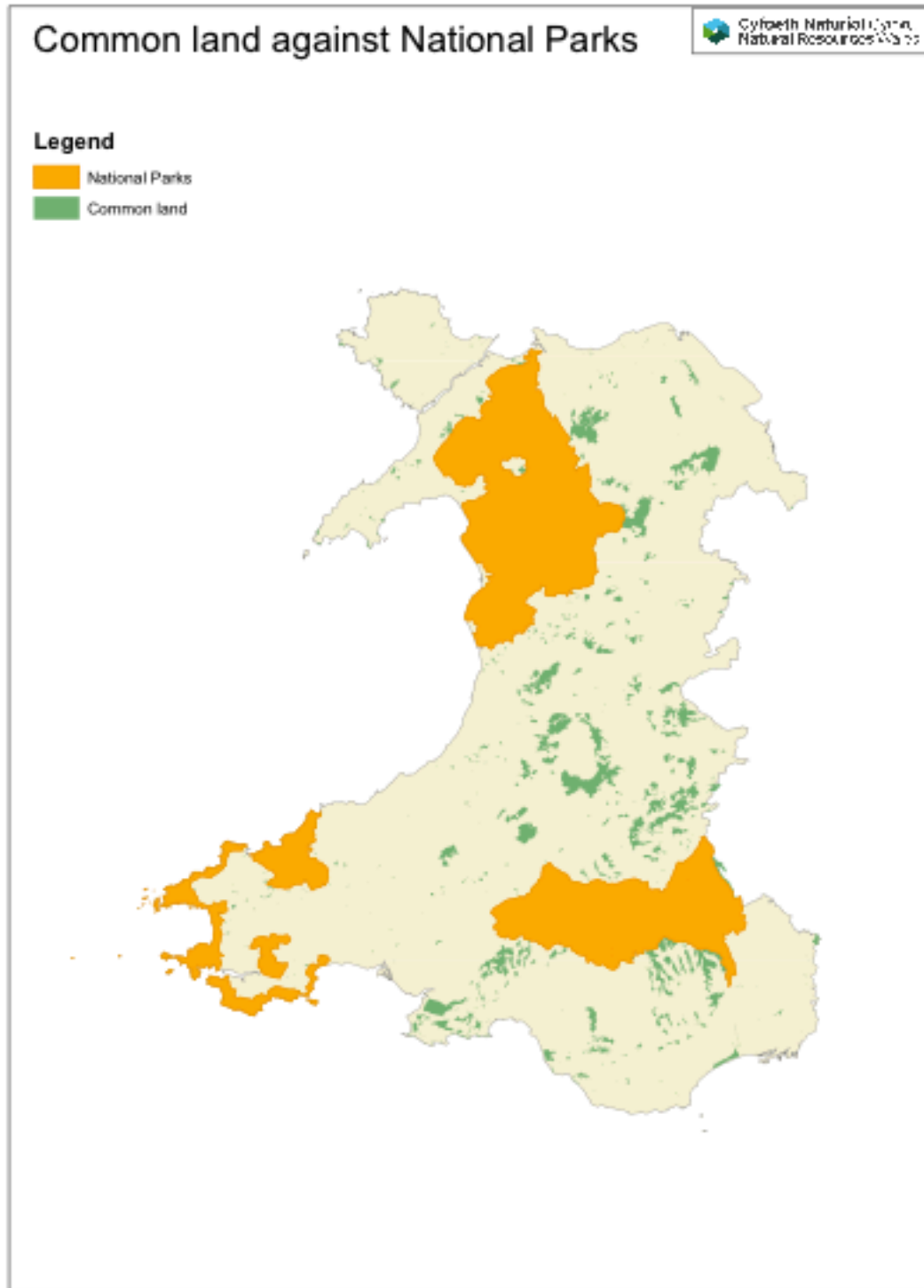
# Common land and Sites of Special Scientific Interest

There are 79,056ha of common land included within Sites of Special Scientific Interest (SSSI)



## Common land and National Parks

There are 75,931ha of common land included within National Parks



**Appendix 3 - Required actions identified by common land graziers and possible implementation partners**

Areas where action has been identified as needed			Who can implement, influence, or instigate action				
			Government	Regional (local council)	Commons Council	Grazing association	Individual
<b>Communication</b>	Consultation		✓	✓	✓		
	Influence		✓		✓	✓	✓
	Improve coordination between interested bodies				✓	✓	
	Vision		✓	✓	✓	✓	✓
	Manifesto for Welsh Commons				✓	✓	✓
	Advisory network		✓		✓	✓	✓
	Future planning		✓	✓	✓	✓	✓
	Enforcement		✓	✓	✓		
	Harmonise traditional practice with vision and objectives		✓	✓	✓	✓	✓
<b>Legislative</b>	TB rules		✓				
	Movements rules		✓				
	Environmental designations and restrictions		✓				

Areas where action has been identified as needed			Who can implement, influence, or instigate action				
			Government	Regional (local council)	Commons Council	Grazing association	Individual
	Unregistered ponies		✓	✓	✓	✓	
	Commons Act implementation and testing		✓		✓	✓	✓
	Commonland registers		✓		✓		
	Language and expectations		✓		✓	✓	
	Strengthen governance rights		✓		✓		
	Control the legitimate use of rights				✓		
	PIFs		✓		✓		
	Dogs regulations, byelaws etc.			✓			
<b>Funding</b>	Pillar 1 payments	Design, implementation, flexibility and review	✓		✓	✓	
	Pillar 2 schemes	Design, implementation, flexibility and review	✓		✓	✓	

Areas where action has been identified as needed			Who can implement, influence, or instigate action				
			Government	Regional (local council)	Commons Council	Grazing association	Individual
<b>Stewardship</b>	Gathering					✓	
	Traditional Grazing pattern		✓			✓	
	Labour				✓		
	Succession and skills		✓		✓	✓	✓
	Management of rights				✓	✓	
<b>Livestock</b>	Breeding					✓	✓
	Losses			✓	✓	✓	✓
	Animal welfare and interest groups				✓	✓	
<b>Environment</b>	Welfare					✓	✓
	Problem species	Bracken control method	✓			✓	✓
		Gorse	✓			✓	✓
		INNS				✓	✓
		Waste/litter/fly tipping		✓	✓		

Areas where action has been identified as needed			Who can implement, influence, or instigate action				
			Government	Regional (local council)	Commons Council	Grazing association	Individual
<b>Access</b>	Recreation groups			✓	✓	✓	
	Theft of livestock			✓	✓	✓	
	Boundaries and maintenance		✓		✓	✓	✓
	Illegal off-road vehicles			✓			
<b>Market</b>	Cost		✓		✓		
	Centralisation of abattoirs		✓				
	Protected status		✓		✓		
<b>Education and awareness</b>	Farming		✓	✓	✓	✓	✓
	Regulation		✓	✓			
	PES and ES		✓				
	Public				✓	✓	✓

Areas where action has been identified as needed			Who can implement, influence, or instigate action				
			Government	Regional (local council)	Commons Council	Grazing association	Individual
<b>Training</b>	HFTP		✓	✓	✓	✓	✓
	Controlled burning				✓	✓	✓
	Compliance with regulations		✓	✓			
<b>Evidence</b>	Establish what value grazing animals provide to ecosystem service delivery		✓	✓	✓	✓	✓
			<b>32</b>	<b>17</b>	<b>33</b>	<b>32</b>	<b>20</b>