ENGLISH & WELSH COMMONS

A gathering of those across Great Britain with a stake in pastoral commons

Brussels: November 2015
1000 years of commons

1066 - 1400
- First accounts of Commons listed areas of common pastures in the Domesday Book

1400 - 1800
- Early local enclosures increase and common pastures decrease. The establishment of charges to private property created an alignment.

1801-1850
- The 1801 Metropolitan Commons Act helped save commons in and around London acting as "the Green lungs" for the whole population.

1851-1900
- The 1856 Metropolitan Commons Act protected (some) unfenced commons and required ministerial approval for fencing or other works that impeded access.

1901 - 1925
- The 1876 Commons Act allowed for provision of management and regulation through board of conservators.

1926-1950
- 1946 Hill Farming Act: First grants available for upland farmers

1950 - 1970
- 1949 National Parks and Access to the Countryside Act: Gave national park status to 80% upland commons and introduced SSIs through nature conservation

1971-1990
- 1965 Commons Registration Act: Tried to ensure all commons were registered

2000 - Present
- 2004 Commons Act: Commons to be managed more sustainably by communities and landowners working together. Allows for better protection on Commons regarding works.

2005 Environmental Stewardship Scheme: Enables landowners and tenants to deliver effective environmental management commons.
Highly Documented System of Governance

A Collection of Orders and Byelaws (i.e. Pains) made at the Courts Baron for the Manor of Aglionby in 1683 for the good Governance of the said Manor, by John Aglionby Esq., Lord of the said Manor, and of all the Tenants of the same, testified by subscribing their names thereunto, the excerpts begin at 1494
CHALLENGES

1. Commons depend on Commoning
2. Complexity demands CAP Flexibility
3. Motivate and Empower Commoners
COMMONERS AND COMMON LAND OWNERS

**PROVIDE**
- FOOD
- BREEDING LIVESTOCK
- WATER
- WOOD PRODUCTS

**REGULATE**
- CARBON
- WATER FLOW & QUALITY
- NUTRIENTS

**CREATE & MAINTAIN**
- LANDSCAPE
- TRADITION
- ACCESS & RECREATION
- COMMUNITIES

**THESE ACTIONS DETERMINE THE RESULTING BIODIVERSITY AND SOCIO-ECONOMIC RESILIENCE ON COMMONS**
**WE AIM FOR BETTER OUTCOMES FOR ALL OUTPUTS THROUGH A PLACE BASED APPROACH TO DECISION MAKING**
WALES 2015 SURVEY: Are there younger graziers (under 30 years old) who are not currently exercising rights but intend to do so in the future?
Attributes of Successful Commons

- Good Communication
- Respectful Attitudes
- Transparent Administration
- Payments Reflect Input
- Clarity on Rights
- Agreed Outcomes
- Fair Negotiations
- Established Networks
- Value Local Knowledge
- Leadership
- Time
Commons diversity

Pastoral Diversity

Type
High Fell, Upland, Lowland, Forest, Coast, Urban fringe

Scale
Large, medium, small, separate, contiguous

Livestock
Sheep, cattle, horses, ponies,

Non-grazer interests
Sporting, minerals, MOD/Defence, water catchment, recreation

Rights
Time, place, quantity
Legal Complexity on Common Land

**NATIONAL LEGISLATION**
- SSSIs & SACc
- Right to Roam
- National Park Commons
- SAMs

**LANDOWNERS**
- Water company
- Private Estate
- Sporting

**COMMONERS**
- Grazier: tenant / owner
- Non grazier

**STEWARDSHIP SCHEME & BPS**

**Conservation Agency & Payments Agency**

**Defra / WG**

**National Park**

**NGOs**
<table>
<thead>
<tr>
<th>No. and date of entry</th>
<th>No. and date of application</th>
<th>Name and address of every applicant for registration, and the capacity in which he applied</th>
<th>Particulars of the right of common, and of the land over which it is exercisable</th>
<th>Particulars of the land (if any) to which the right is attached</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>679</td>
<td>The Lord Mayor, Aldermen and Citizens of the City of Manchester. Town Hall, Manchester 2. Owners.</td>
<td>To graze:- (a) 5000 sheep (b) 30 head of cattle and (c) 6 horses together with the right of estovers over the whole of the land comprised in this register unit together with the whole of the land comprised in register No. CL.85. (Reconstruction partial)</td>
<td>Middle Farm, Hampton Westmorland shown coloured blue on the supplemental maps bearing the number of registration entry No. 19 in the rights section of register unit No. CL.85.</td>
</tr>
<tr>
<td>2</td>
<td>690</td>
<td>The Lord Mayor, Aldermen and Citizens of the City of Manchester. Town Hall, Manchester 2. Owners. James Edward Raines, Swindale Foot, Shap, Westmorland. Tenant.</td>
<td>To graze:- (a) 1700 sheep with their followers (b) 30 head of cattle with their followers and (c) 5 horses with their followers, together with the right of estovers over the whole of the land comprised in this register unit together</td>
<td>Swindale Farm, Shap, Westmorland comprising the land shown coloured blue on the supplemental map bearing the number of entry No. 14 in the rights section of register unit No. CL.96.</td>
</tr>
</tbody>
</table>
PILLAR 1: BASIC PAYMENT ON COMMONS

- Moorland £51/ha
- Lowland £178/ha
- Joint Liability for Cross Compliance
- Common Area (remove PIFs)
- Commoner Claims Individually

- Grazier must have 1 entitlement for each ha common
- Area divided according to CLAIMED rights on Commons Register

- Commoner 1
- Commoner 2...
- ....Commoner 22
PILLAR 2: STEWARDSHIP (£23-100/ha)
COMMONERS MOTIVATION
LAKE DISTRICT

Livelihood &

- Generations of knowledge
- Diversification is necessary
- Valuable grazing
- We want the fells actively used
- We don't shepherd so often

- Livestock
- Farming is a lifestyle
- Agri-environment is significant
- It is what I've always done
- Hefting is at risk
- Farms have amalgamated

- Doesn't pay enough for young
- Far fewer graziers
- Schemes impact finances
- Food not farming is subsidised
- Exchange rate boosts prices
- Scrub affects gathering

- Peace and quiet - continuity
- Sheep don't pay
- Exchange rate boosts prices
- No headage affects decisions

- Finances affects choices
- Sense of belonging
- Stewardship for next generation
- Views and open spaces
- We would like more sheep
- Stock calendar is inflexible
COMMONERS MOTIVATION

WALES

access available bedding best bracken breeding common condition continued control dry ease encourage environmental ewes extra family farm fields financial flock glastr gorse government graziers grazing habitat harvesting hay health heather hefted hill holding home income keep kept lambs land landscape livelihood livestock lowland maintain management maximising mountain number pasture payment pressure production protect provide resources rest retain rights scheme scrub sfp sheep small stock subsidy summer tradition used useful value viability welfare
PUBLIC GOODS MOTIVATION

Environment &

Differing Perceptions - farmers and NE / Government

- We don't understand what vegetation they are looking for
- Stock numbers too low - undergrazed
- It has worked for hundreds of years
- There will always be localised over grazing
- Commoners focus on environmental benefits for sheep farming
- Stock numbers about right
- ESA / HLS is good

- Ne staff are dictated to by national targets
- More flexibility is required
- ND made it possible
- Keep the Countryside Tidy for Visitors
- Dogs are a problem disturbing sheep

- Sheep are important for allowing walkers access
- Woodlands are alien - fence off shelter / fence problems
- Woodlands will provide shelter / be acceptable
- Good officers make a difference
- ESA / HLS is good
- Different sheep numbers result in drift of sheep
- Ask farmers how to do it
- Sheep are important for controlling scrub
- Ne don't know what they are asking for
Managing change on commons
Bracken distribution - slope

Showing the distribution of bracken within the Black Mountains between flat ground <20° and steep ground >20°

- Steep slopes (>20°) 1893ha
- Flatter ground (<20°) with 2006ha
Bracken a cost or a benefit

- Income Understanding
- Planning phase
- Compost sales
- Bracken harvesting
- Compost production
- Benefits
- Awareness

Common Sense
Challenges

1. Skilled & Active Commoners
2. Narrow Focus & Declining Payments
3. Motivating Delivery of Public Goods
THANK YOU

JULIA AGLIONBY &
SION BRACKENBURY

www.foundationforcommonland.org.uk