

Federation of  
Cumbria Commoners

# COMMONS COUNCIL

keep communities, commoners and farms viable



# What does the Federation of Cumbria Commoners do?

- Engage and influence the people who actually have the power to make decisions that affect commons and commoners
- Work at national, regional and local levels
- Partner with like-minded organisations to make our voice stronger
- Find out what commoners need
- Gather evidence
- Take forward new initiatives – like commons councils



A hand-drawn list of actions leading to success. The words are written in all caps, stacked vertically, and underlined with a horizontal line. A hand holding a blue marker is visible at the bottom right, pointing towards the word 'SUCCESS'.

COMMUNICATE  
PERSUADE  
INFLUENCE  
NEGOTIATE  
PRESENT  
DEVELOP  
+  
—————  
SUCCESS

# How do we do it



- Write to: Ministers, MPs, Chief Executives, the Press
- Sit on committees
- Attend meetings
- Respond to consultations, 25 year plans, policy documents
- Collaborative working with like-minded organisations
- Invite people with influence to come to Cumbria and learn about/see what commoners do



# What did Federation of Cumbria Commoners work on in 2016?

- BPS payments
- Countryside Stewardship
- Flooding
- Planning applications for fencing on commons
- Hold RSPB, UU, National Trust, Lake District National Park to account
- World Heritage Nomination
- Young Commoners
- Respond to members queries
- Inform members – Newsletter, AGM, website

# How much does it cost to run the Federation?

Committee members are volunteers – do not get any payment

Expenses	£
Administrator	7,500
AGM & meetings	500
Newsletter	1,000
Accountant	450
Total	£9,450

# Why is the Federation supporting a commons council?

- Post-Brexit we need a **STRONGER VOICE** to influence post CAP schemes
- A commons council gives commoners more **CLOUT**
- A recognised **LEGAL ENTITY**
- More **DEMOCRATIC** - one person can't hold the rest to ransom
- A way to overcome disputes and **RESOLVE AGE-OLD ISSUES** on commons
- A means to address **DISEASE CONTROL**, stock husbandry and welfare
- Provides a stronger single voice and can help **UNITE** commoners
- Defra/ Natural England will have to **CONSULT** the commons council
- **DELIVER SCHEMES** that work for commoners based on farmers' knowledge

# What is a commons council?

- A statutory organisation – comes from Commons Act 2006
- Recognised by law
- Makes legally binding rules for how people use common land
- Governed by a standard constitution
- Made up of the CL units where commoners and owners want to join
- Run by elected Council Members
- A democratic and local management structure

*If a CL unit does not join the Council has no jurisdiction over that land*

# What does a commons council do?

Makes rules to:

- manage agricultural activities and vegetation and regulate the use of common rights

Prepares and maintains a live register

Establishes and maintains boundaries

Can remove unlawful boundaries and other encroachments

Can remove animals unlawfully permitted to graze

*As a matter of principle the Council will wherever possible leave management to local associations*



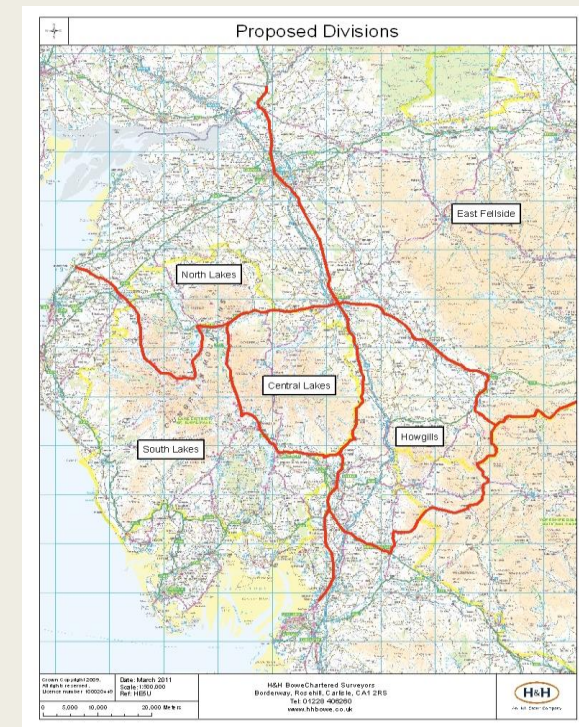
# What will our commons council look like?

## Umbrella council

- Won't cover all common land in Cumbria
- Only made up of commons who agree to join – like Swiss cheese
- The more commons that join the stronger it is



Proposed 5 sub divisions in Cumbria and maybe 1 in Northumberland



# Democratic Management

## Suggested representation for the council including Northumberland

### 28 Council Members

- **18 Active graziers:** 3 Members from each sub-division, **MUST** be a commoner who has grazed a hefted fell flock for at least the previous two years
- **6 Non-active graziers:** 1 member from each sub-division. **MUST** must be a commoner who has not grazed animals on the common for at least the previous two years
- **4 Landowners:** at least one from Northumberland
- Also 4 **non-voting** members can be co-opted onto the Council. They may represent statutory bodies such as a National Park Authority, local authorities and people with specific knowledge like veterinary surgeons.

# Elections and running of the Council

- Invite nominations
- Hold an election – only active graziers can vote for the active grazier Members in their sub-division, non-active graziers for the non-active Member etc. Term of office 4 years, but can carry on for another term
- Meetings – must hold AGM, frequency of other meetings decided by the council
  - *All meetings must be open to the public, but the council may by resolution exclude the public for any items on the agenda*

# Decision-making

- Most decisions – simple majority vote
- Special Decisions - 2/3 majority
  - *Change rules, standing orders, entering into agreements, co-opting new Council Members*
- Decisions affecting only some commons in the Council
  - *- voting could be restricted to those Members who are representative of the commons in question,*
  - *or if required all Members could vote on an issue that affects only 1 or a few commons*

# How will the Council work with the Federation?

**Not all commoners' associations will want to be part of the Council**

To provide services to all local commoners' associations the Federation and the Commons Council will run side-by-side with shared costs, to:

- *Keep costs low*
- *Avoid duplication*
  
- **Ordinary membership of FCC:** advocacy, influencing, representation and informing for, and on behalf of active graziers and hill farmers
- **Dual membership: FCC and Commons Council:** as above + live registers, dispute resolution and rule enforcement.

# Estimated combined cost of running a council and the Federation

Approximate Costs	£
Part-time administrator (incl. office costs)	12,000
Newsletters (including mailing)	1,500
Meeting costs (including AGM)	1,000
Maintain Live register	500
Website	500
Travel costs (meetings)	1,000
Insurance (professional indemnity)	500
Professional expertise (legal fees)	1,000
Audit fees	500
<b>Total</b>	<b>18,500</b>

# Financing the Federation and Council

FCC membership brings in approx. £9,600

Suggested charge for membership of the council (based on 65,000 ha)

- *Commoners Associations 15p/ha*
- *Owners would be asked to make a contribution*

Current payments on commons over £80/ ha (Moorland BPS approx. £55.55 ha + £23 ha UELS + HLS payment)

**Federation Membership + 15p/ha is a small proportion of overall payment**

**The more common land in the Council, the less each association has to pay**

**What is the maximum price per hectare you would pay?**

# Stages to set up a Council

Stage 1: Develop proposal and gauge support	
Develop proposal for Council	Complete
Consultation	Complete
Voting	Complete
Sent draft proposal to Defra for comment and revision	Complete
Stage 2: Establishment Order	
Apply to Secretary of State to seek establishment order	Continue only if enough commoners want a council
Secretary of State will publish the draft establishment order on <a href="#">citizen space</a>	
Returning Officer arrange first election Council Members	
Stage 3: Run the Council	



Q & A

A hand holding a white marker is visible in the bottom right corner of the chalkboard, pointing towards the letter 'A'. The chalkboard is black and the text is written in white chalk.

# What we need from you now

- Put Commons Council on the agenda of your AGM:
  - *tell your members what it is about*
  - *find out if a majority are interested – show of hands*
- Use our Facebook page [www.facebook.com/Cumbriacommonscouncil/](http://www.facebook.com/Cumbriacommonscouncil/) and/or see our website for more information
- Let us know the outcome
- Encourage other commoners' associations to join
- If we get to the stage of an Establishment Order you **must** make sure your members respond to the consultation

**Otherwise we are wasting everybody's time**

keep Communities, Commoners and Farms viable

