

## How much will a Commons Council cost?

To keep costs low, avoid duplication and provide services to all commoners associations in Cumbria, the Federation will run in parallel with the Council. It is estimated that the extra running costs for the Council will be around £10,000 per year

Estimated Running costs (Federation and Council)	£
Part-time administrator	12,000
Newsletters	1,500
Meeting costs (including AGM)	1,000
Live register	500
Website	500
Travel costs	1,000
Insurance	500
Professional expertise	1,000
Audit fees	500
<b>Total</b>	<b>18,500</b>

The exact costs per commoner / owner will depend on the number of commons that participate. Further details are being worked out but the Federation is not in the business of creating cost burdens or problems for any commoner/ owner wanting to take part in a Commons Council.

It is likely that the annual payment would include £15 membership fee for the Federation plus around 0.25 p/ha for each common that is a member. This could be made by commoners associations from their UELS commons supplement of £5/ ha (½% of supplement )

Commons owners will be asked to pay around 0.10 p/ha.

## Next Steps

Additional commoners associations can get involved in the creation of a Commons Council for Cumbria if they commit to this by April 2013.

1. Please consider whether your common should be involved. The Federation is happy to answer any queries or concerns. We strongly believe that the potential benefits from a Council outweigh any costs.
2. If your commoners association wishes to be involved, please contact Viv Lewis immediately.
3. All associations that commit to the Council will be included in the live register. Work is already starting on this vital tool and database.
4. Once the case for the Establishment Order has gone to Parliament, no further commons can be included for at least 5 years as a new Establishment Order will be required and this is costly.

### Contact Details

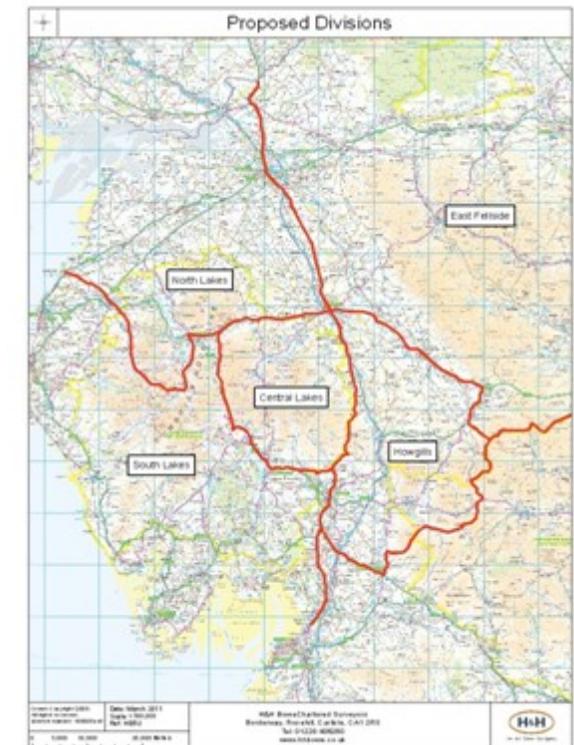
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# CUMBRIA COMMONS COUNCIL

## INFORMATION



March 2013

## Why is the Federation supporting a Commons Council?

The Federation has worked hard since 2003 to provide a voice for commoners in Cumbria. It is sometimes approached by local associations when problems arise but in these cases the Federation's role is limited as it has no statutory powers. A Council would enable common land to be properly managed with a binding dispute resolution service and prevent a small minority disrupting the livelihoods of the majority.

A Council has legal teeth. It has the power to enforce actions through the civil court. A local commons association doesn't have this power, so if a rights holder shows disregard to their local association's rules, the association does not actually have any real powers to enforce things. But the Council can.

We now have 16 commoners associations who want to join the Council and this is more than sufficient to proceed.

## How will the Council work with the Federation?

All commoners who are part of the Council would automatically then be members of the Federation which would continue to run in parallel with the Council but with shared staff and newsletters to minimise costs.

## What can a Commons Council do?

- Manage agricultural activities
- Prepare and maintain a register of grazing
- Establish and maintain boundaries
- Remove unlawful boundaries and other encroachments
- Remove animals unlawfully permitted to graze.
- Regulate the use of common rights

## What can't a Commons Council do?

A Council can't be imposed on a common, they can only be established where there is substantial support from the:

- Commoners (includes all rights holders but especially those exercising rights),
- Owners
- Others with legal interests.

A Council would not be able to make rules that fall outside of its functions.

For example it cannot make rules about public access.

It cannot over-ride the normal need for landowners' consent for certain activities.

Local commoners associations will still run the day-to-day management of their commons and the Council will only intervene if asked, and as a last resort.

## How will the Council be managed ?

Cumbria will be divided up into five areas as shown on the map overleaf.

The Council will have seats for 15 Committee Members as follows:

- **10 Active graziers**, made up of 2 committee members from each of the five areas,. They must be a commoner who has grazed an even aged hefted fell flock for at least the previous two years
- **2 Non-active graziers**, to be from separate areas, must be a commoner who has not grazed animals on the common for at least the previous two years
- **3 Landowners**, at least one to be a non-institutional landowner, may need to show, if required, proof of ownership

Also 4 non-voting committee members can be co-opted onto the Council.

## How will decisions be made?

The Council will have a set of rules that would apply to all commons within the Council and if a breach cannot be resolved locally the Council can be brought in. Some Council decisions would be a simple majority vote but on decisions that limit the use of common rights a 75% majority would be required.

New rules for the Council would require majority support of the Council committee members. When new rules are proposed there would be notification procedures to all commoners and owners who are members of the Council.