

The Commons touch

Cumbrian commoners are custodians of an integral part of the county's landscape and culture. Moves are afoot to create a single voice to support local graziers. **Cumbria Farmer** explains the thinking behind the move to set up a commons council for the county

For centuries, common land was governed by Manor Courts and these gatherings of landowners and commoners made the decisions and implemented the judgements that affected local graziers.

Those days may be long gone – with just a handful of Manor Courts still in existence in the UK – but the Federation of Cumbria Commoners is working with Defra to recreate something along similar lines to support Cumbrian commoners associations for years, and perhaps centuries, to come.

Commons are an integral part of the Cumbrian upland farming economy, precious reserves for biodiversity and recreation, and a strong feature of the Cumbrian landscape and culture.

But there is no single management system for commons.

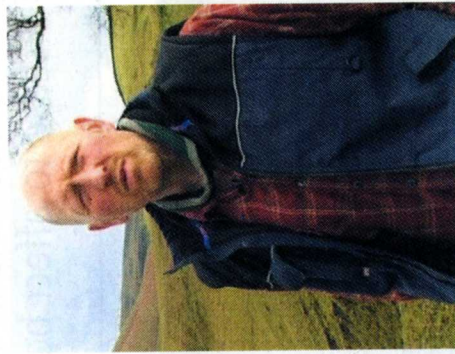
Commoners work together on the overall management of the common (for instance, over disease control, or gathering animals for inspection, marking or sale) through commoners' associations.

These are generally voluntary bodies, often with a constitution and appointed officers. But they don't have any real powers of enforcement.

"At the moment, disputes on commons can cause problems and be very drawn out as there is no entity with powers to enforce decisions," said Viv Lewis, secretary to the Federation of Cumbria Commoners, and a member of the team that is looking at a Commons Council for Cumbria.

She added: "A Commons Council will have a binding dispute resolution service and prevent a small minority disrupting the livelihoods of the majority."

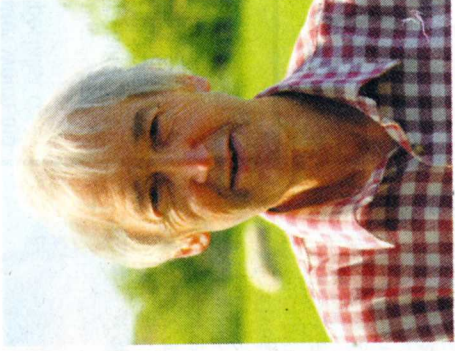
Since 2008, the federation has been working with Defra to see how the idea of a Commons Council can become a useful and effective reality in Cumbria.



Dave Smith: 'We're now trying to get other commons involved before the process goes too far'



Viv Lewis: 'At the moment disputes on commons can cause problems and be very drawn out'



Andrew Humphries: 'The demise of manorial courts removed from our commons a key management forum'

investigator of the national Foundation for Common Land, said: "The demise of manorial courts removed from our commons a key management forum and the capacity to respond to change."

"Commons Councils represent a core principle that is vital to future management, based on mutuality, trust and the capacity to ensure compliance among interested parties with secure legal rights.

"These principles have been strongly voiced and supported in the past few years and now action is urgently required to ensure that what we know works well can be put into practice on today's commons," added Mr Humphries.

The federation is hoping to submit an Establishment Order to Parliament by the end of the year.

To do this they will need to know which commons are committed to joining the council by the end of May.

For more information, please get in touch with Viv Lewis via viv@cumbriacommoners.org.uk or on 01931 713335 or see the federation website at www.cumbriacommoners.org.uk.

Lewis. She added: "This should be put right when part one of the Commons Act is enacted in Cumbria, but the Government has not yet announced a timetable for this so, in the meantime, a Commons Council can develop and maintain an up-to-date register here in Cumbria."

Andrew Humphries, a former lecturer at Newton Rigg and an

if there are disputes within a local commons association.

But there are other advantages too.

The current Commons registers created by the 1965 Commons Registration Act are a legal record, but there were many mistakes and anomalies.

"The registers haven't really been updated since 1970," said Ms

From that consultation, several of the larger commons associations have committed to a new council and the Federation team is working on the next stages, aiming to submit the case for an Establishment Order for a Commons Council to Parliament later this year.

"We had a vote in 2011 and 16 of the 34 commoners associations took part in that consultation," said Dave Smith, chairman of the federation and a commons grazer on the eastern Pennines.

He added: "We're now trying to get other commons involved before the process goes too far."

The major benefit of creating a Commons Council is the advantage of having a body that can manage the agricultural activities on the common, remove animals that are unlawfully grazing on commons, remove unlawful boundaries and other encroachments, and regulate the use of commons rights.

The council can step in, when asked,

Full range of high quality, locally produced biomass fuels suitable for woodchip & pellet boilers

