

Affiliated with Lancashire & Northumberland

Newsletter Winter 2015 –16



**ANNUAL GENERAL MEETING and CONFERENCE**

**Friday 4th March 2016, 2.00-4.00 pm at Newton Rigg**

**The floods—what really happened on fell farms and  
what's happening now.**

**What can fell farmers do to shape future land use and maintain  
viable farm businesses?**

**There will be a panel discussion and Q & A with representatives from  
RPA, Natural England, Environment Agency NFU and Cumbria Farmer Network**

**DO COME AND JOIN US**

**Looking Forward,**

We send our sympathies to those whose land and homes have been hard-hit by the serious flooding in parts of Cumbria. With all the problems of flooding at the end of 2015, I was looking forward to 2016 and the start of a New Year but it just keeps raining!

The Federation is a member of the Cumbria Farm Flood Action Group with the NFU, Farmer Network and other Farming Charities to assess the scale of the impact of the recent storms and subsequent flooding on farms, so we are all better placed to help you and your business recover and give real human support where it is needed. We will also provide an input to the Upland Mitigation and Catchment Management Group meetings, part of the Cumbria Flood Partnership.

I am sure all of you are still finding damage on your land and farm boundaries. Now you face the hard work of trying, as much as possible, to put things back to how they were. Its early days, but if you find Defra's Farming Flood Recovery Fund support is not working well on your common, please let us know so we can inform the authorities. If you are coming up against difficulties to get permission for something major and you think we might be able to help, please get in touch with myself or Viv.

We know that there are going to be all sorts of new pressures on common land with many ideas circulating to help reduce flooding; be it tree planting, slowing down water run-off and "back-to-nature" flood schemes. Our upland commons, with the natural soakage provided by boglands and heaths will play an essential role in future flood management, but building in resilience to flooding must go hand-in-hand with producing food. I believe that farmers and commoners must be at the heart of flood management planning, otherwise the final outcome will be disastrous for all. Solutions need to be underpinned by robust scientific evidence and local knowledge, not just instant reactions whenever floods occur. Over the years we have observed how water flows down the fells and over the rest of our land. Now more than ever, we are all going to have to stand up and tell others what we have seen and learnt as our knowledge is unique and highly relevant. We promise to keep fighting your corner, but we need your input, support and togetherness.

We have been trying to hurry BPS 2015 payments along and I am sorry to say with little success. It now appears that you may have to wait till May or June for your payment. The RPA classes common land as "super complex" but the new system for working out entitlements on commons has been in place since Spring 2015, so it really should have been sorted by now. Commoners deserve better treatment from the RPA. We will keep up the pressure on RPA as we know how important this money is to everyone's cash flow. On a more positive note Natural England say they will pay out the next instalment of UELS/HLS monies by the end of March.

Please try and come along to our AGM at Newton Rigg on Friday 4th March, we would love to see you there, hear your views on how to reduce flooding and let us

know if there is anything we can help with. Here's looking forward to some dry weather.

Joe Relph (Chairman)

## **The work of the committee—your voice on the fell and in national and local meetings .....**

As usual there has been a lot going on behind the scenes. The committee meets four times and year and we work on a range of issues. We publish the minutes of our meetings on our website, so please take a look if you want see what we do in more detail.

**BPS:** The implementation of the new BPS scheme has been shambolic. Unfortunately commoners with their complex claims and small numbers (they make up 6% of the claims) are put at the back of the queue while the RPA scrambles to meet its targets. The BPS on Common Land Working Group, of which we are a member, is urging the RPA at the very minimum to write all commoners and tell them specifically when they will receive their payment, so they can plan for the near future. We want the RPA to analyse what has gone wrong and assure us that lessons will be learnt and this is not just a teething issue in Year 1. For BPS 2016 we urge the RPA not to leave common land claims till last and pay up promptly, or at the very least make split payments for the home farm and common land.

**Countryside Stewardship:** most Commoners' Associations have not yet thought about applying for Countryside Stewardship (CS) as their UELS/ HLS agreements are still ongoing. But you may have looked at it for your in-bye land. In our opinion it doesn't work for upland fells or in-bye land and needs serious improving. Even Guy Thompson, Natural England's Chief Operating Officer agrees. He recently said it had got off to a "wobbly start ... and in some cases has been downright poor". We hope with this think of light Natural England will listen to us and other commoners' organisations about what we don't like about CS and how to make it deliverable on common land.

**Commons Councils:** you may wonder where we are up to in establishing a Cumbria Commons Council? The answer is progress has been slow and we've now met another barrier. Defra have told us that our consultation work and report is good enough to move to the next stage of instructing Defra lawyers to draft an Establishment Order. But here's the rub, Defra doesn't have the resources set aside

to do this. We will have to make a very persuasive case to Defra for an allocation of money.

We don't want to waste anybody's time or money. We be in touch with the Chairmen of the Commoners' Associations who showed an interest in joining a Cumbria Common Council to come to a meeting after lambing. We need to find out if the commoners are still willing to demonstrate "substantial support" i.e. at least 60% are in favour. If they are not then we are unlikely to go ahead.

If you want to find out more, or have strong views about this please get in touch with Viv, who is leading on this.

## **And not forgetting the local ....**

**Lake District World Heritage Bid Campaign:** we expressed disappointment with the Lake District National Park Partnership's decision to use the "united by Herdy" logo designed by the Herdy Company for the bid campaign. Put simply the farming community is not united by Herdy and we suspect that many other partners aren't either. Be that as it may, the deal is done. We will be making sure that any publicity/ images of fell farming do not have to be branded with this logo. It will be up to the farmers to decide.

The LDNP has recognised that their relationship with farmers and their organisations needs to improve and we have made some advances. There will be a Farming Task Force with an independent Chairman who is a farmer. They are taking up our suggestion to employ a National Park officer whose responsibility will be to work with the farming community. See page 5. for a short letter from Stephen Ratcliffe, Director of Planning and partnerships, LDNP.

**National Trust Sustainable Land Mapping project:** Alice Richards, NFU's Environment and Land Use Adviser attends the project stakeholder meeting. Before each meeting she sends us the agenda, asks us for our views and lets us know what has been said. This collaboration is working well. If you are a National Trust tenant and want to find out more, get in touch.

**RSPB Haweswater:** the RSPB have published a Management Plan 2015—2020 for Naddle and Swindale farms. Included in their 12 management plan objectives are "to manage our farming operations as a viable business producing high-quality livestock" and "to monitor and record changes that result from different grazing levels across the site and analyse their economic implications". We look forward to hearing more.

You can find the plan on the RSPB website: <http://www.rspb.org.uk/Images/>

**Planning applications for fencing on common land:** in September last year United Utilities (UU) withdrew their planning application for a 6 mile fence above Thirlmere to provide more time for dialogue with the organisations who objected, including the Federation. UU are planning to collect data on how the catchment is working and look at what affects water quality. In a couple of years this will help inform debates about the future land management of the area and issues such as whether a 6 mile fence is really needed.

We have also objected to Lowther Estates proposals for the car parks at White Moss Grasmere and Loughrigg Commons. The Planning Inspectorate says there will be a planning hearing in due course .

## **Financing the Federation**

As mentioned in the last newsletter, the Federation is self-financing and relies almost entirely on subscription income to keep going. This allows us to be independent and not beholden to anyone except you, our members. Members were told at the last AGM that the Federation made a small loss. The membership fee has remained at £15 for the last 6 years. Encouragingly the membership income has remained steady, but unsurprisingly the costs have increased. The Committee will be proposing to raise the subscription fee to £20 at our forthcoming AGM (4th March 2016). If agreed the £20 subscription fee will start in 2017.

All commoners will get an bigger slice of the CAP money this year, when it finally arrives! So we hope you will be prepared to invest an extra £5 from this increase to help fund the Federation, so it can continue to work on your behalf.

## **Message from the Lake District National Park**

**Stephen Ratcliffe, Director of Planning and Partnerships,**

The last few months have been challenging for many of us in Cumbria. Storm Desmond and its devastation, compounded by subsequent storms, will be felt for years to come. The farming community has been badly hit, and we are very much aware that this comes on top of an already difficult time for the industry.

Despite the devastation and task ahead, there are reasons to be positive. The crisis has led to the promising beginning of a new type of relationship between agencies, communities and farmers. This is being seen in both the clear-up operation, but also 5

the discussions on how we increase our resilience against future storms and flooding.

For our part, even prior to Storm Desmond, we were aware we needed to further develop our relationship with the farming community.

We believe the role of farming in the Lake District has not gained the recognition it deserves for shaping the very place we hold dear. The farming culture here is an important reason why we and over 30 other organisations have made the case that the Lake District deserves to be a designated as a World Heritage Site.

The World Heritage Nomination celebrates how farming and industry has shaped the landscape and culture of the Lake District. This landscape and heritage has inspired writers, poets and artists, which in turn has given birth to the modern conservation movement. It is this continuing and evolving interaction that makes the Lake District so special. We believe that if we take action together we can benefit from World Heritage Site and support the future sustainability of the Lake District's farming industry.

As well as potential opportunities such as World Heritage Site status, the Lake District has some big challenges. Attaining a sustainable and profitable future for farming whilst at the same time improving habitats and increasing biodiversity is one such challenge. And to work through these requires partnership working.

We have been working with the Federation of Cumbrian Commoners and other representatives to identify new ways in which we can work together. One of their suggestions is for us to have a National Park officer dedicated to the farming community and looking at joint working opportunities. We think this is a good idea and have agreed to appoint an officer as a trial for 18 months in the sincere hope that it will improve our relationships and provide us the opportunity to start tackling some of these big issues together.

## **The floods and Force Majeure and Derogations relating to your UELS and HLS agreements**

Did you know that you can be formally released from your Environmental Stewardship (ES) commitments where unforeseeable events, such as flooding mean that it is impossible or impractical for you to meet the terms of your ES Agreement.

**Force Majeure** applies when there is long term damage and you are unable to meet the management prescription required, for example:

- If you have lost ES funded capital works and you are unable to replace them ,

or you plan to replace them in the future if you get HLS or Flood Recovery Funding

- If land has been lost downriver, is covered with boulders and gravel, or other types of flood impacts and it is impossible to continue delivering your ES prescriptions on individual fields/features

You **must** make a Force Majeure request soon, as a time delay could be a reason for turning it down. You do this by filling in a “Request for consideration of Force Majeure” form. This will protect you from reclaims/penalties by RPA.

If in the short term you cannot follow ES prescriptions, but there is a realistic expectation that you will be able to get back to normal land management in the near future then you need to get a **Derogation**. For example: as a result of field scouring, gully formation, damaged boundaries, debris in fields or other flood related issues that can be rectified. This will allow a short term release from the need to comply with your Agreement prescriptions and protect you from reclaims/penalties.

Full details can be found in the Environmental Stewardship handbooks. You can get the forms from your local Natural England advisor or phone 0300 060 600, or you can download them from our website.

## **Claiming Additional Entitlements and Back Payments on Common Land**

### **David Morley, Environment Advisor, H & H land**

Since 2005, farmers have been able to claim Single or Basic Payment in relation to the common rights they hold. To date, the area each commoner could claim was calculated using the number of the rights they held as a proportion of **all the rights on the commons register**. That meant that, if some rights holders did not claim Single Payment (SPS), there was an area of the common that remained unallocated. Now, under the Basic Payment Scheme (BPS), the whole agricultural area for each common will be available to those commoners making a claim. Claimants will be allocated a revised area based on the number of rights they hold as a proportion of **all those rights used the claim BPS**. This could significantly increase the area that many commoners can claim.

In order to claim this extra area, commoners will need to apply for an equivalent number of additional entitlements. This should be done by submitting an “SPS Common Land” claim form, which has recently been sent by the Rural Payments

Agency to everyone who claimed on common land in 2005.

Within the same form, commoners can also:

- apply for the re-instatement of any entitlements lost as a result of them not being used for two successive years
- claim a “back payment” of SPS that was underpaid over from 2009 to 2014
- apply for additional Hill Farm Allowance (HFA) or Uplands Transitional Payment (UTP) relating to the increased area over the same period

Although there is no deadline for submitting a claim, it is important to do so as soon as possible. Only once all the claims on a common have been made, can the new areas be calculated accurately. In the meantime, it appears that all BPS claims including common land are going to be delayed.

There are a number of further complications regarding claims on common land:

1. Claimants who did not claim on common land in 2005 but have since taken on land with rights that was claimed by someone else in 2005 will not automatically be allocated any additional entitlements. They will need to use the form to make the case that they have been directly disadvantaged by the incorrect allocation of entitlements in 2005. Each case will be determined individually.
2. The RPA is re-mapping all common land in England. BPS payments will be based on the new mapped eligible area of the common, rather than the original registered area. Until this exercise is completed, commoners still do not know how many entitlements they need to claim their full area.
3. Historically, all entitlements relating to upland commons have been established as “Moorland”. However, many commons have areas that are classed as “Severely Disadvantaged” (SDA) but below the Moorland Line. It is not yet clear whether the RPA will re-allocate Moorland entitlements as SDA entitlements where necessary.

## **Update on the Implementation of Part I of the Commons Act 2006 in Cumbria**

**Alyssia Ashurst, Commons Registration Officer.**

The last 12 months have been a steep learning curve for the Commons Registration Authority, implementation of Part I has not been easy and it's taken much longer than expected to get up to speed on the new legislation, regulations and guidelines

but we're slowly getting there.

There are 15 types of application that can be made to the Commons Registration Authority; they generally fall into three areas:

- Corrective applications
- Recording Historical Events
- Recording New events

The forms are available on our website along with details of fees where applicable.

In the last year we have received around 80 applications, around 20 of these have either been withdrawn or rejected as they were not “duly made” or on the wrong application form. Defra have guidance on their website in regards to the purpose of each application and how to complete the form, supporting documents that are needed, criteria that needs to be met etc. We cannot stress enough how important it is to look at this guidance or seek your own professional advice before submitting your application. As the Registration Authority we must remain impartial and cannot assist you to make an application, our role is to determine the applications once they have been received. If an application is on the wrong form or it is not duly made it will be returned to the applicant.

Of the “duly made” applications that we have received 3 applications have been determined, all of which have been successful:

**Beckstones Beck, Near Keswick** - The applicant applied under Section 19 for the removal of land from the register claiming the land known as “Seat Howe” was wrongly registered due to a mistake made by the Commons Registration Authority. The applicant successfully proved that the Registration Authority made a mistake in registering the land, the land has now been removed from register unit number CL260

**Watering Place and Clay Pitt Near Lakerigg, Dalston** – The applicant applied under Schedule 2 Paragraph 6 to correct mistaken registration of property and land at Lakerigg Cottage. The applicant successfully proved that at the time of registration and at all times since the land had been covered by or within the curtilage of a building and at no times had been Common Land. The land was removed from register unit number CL205.

**Murton Village Green, Murton** – The applicant applied under Schedule 2 paragraph 8 to correct mistaken registration of land at Bridge House, Murton. The

applicant successfully proved that part of the land had been enclosed as a garden and was part of the curtilage of Bridge House and at no times had been used as a Village Green. The land was removed from register unit number VG7.

We are currently working on around 60 applications, notice of application has been issued on a further 4 applications, one of which is being referred to the Planning Inspectorate for determination.

Due to limited staff resources and internal procedures the processing of applications is taking much longer than expected. We are currently working with our management and legal team to introduce a Scheme of Delegation; it will enable the Commons Registration Officers to determine certain simple non contentious applications without the need for reports being sent to senior manager and presentation at committees. We hope to have this in place in the near future, this should hopefully speed up the application process for applications where rights are being transferred / apportioned, declarations of entitlement are being made or simple corrections such as name and address changes are needed.

The last 12 months have flown by, there's been a lot of change and a lot to learn but we are heading in the right direction. If you need advice or guidance please contact us at: [commons.registration@cumbria.gov.uk](mailto:commons.registration@cumbria.gov.uk).

**Please Note:** The transitional application period where certain types of applications can be made free of charge is now open and will end on 14<sup>th</sup> December 2017.

## **A portrait of Winton and Kaber Common—CL 21**

**by Maurice Hall, Clerk to Winton & Kaber commons**

### **Location**

Winton and Kaber Common is an area on open moorland in the east of Cumbria. It lies to the east of Kirkby Stephen, adjoins the boundary with North Yorkshire to the south, and County Durham to the east. Its northern boundary roughly follows the river Belah and the enclosed land within South Stainmore and Kaber parish. At its lowest point the land lies at 310m above sea level and rises to 662m. It is covered on the ordnance survey map NY80, with eastings 3850 and northings of 5075.

It is mainly heather/blanket bog in nature, with large tracts of peat hags on the higher parts, but has large swathes of drier, “white” ground, also. It lies to the north and drains entirely into the River Belah, a tributary of the Eden.

## History

Winton and Kaber Common was designated (under the Enclosure Acts 1845 – 1899), with the Commons Regulation Confirmation Act (Winton & Kaber Commons) drawn up in 1911 and finally ratified on 3<sup>rd</sup> August 1915 in the form of an Award from the Valuer for Acts – (Board of Agriculture and Fisheries).

The awards stipulated 4,150 stints in total, “exercisable at all times of the year, on and over all of the commons unless the Conservators shall consider it advisable to limit the times”, etc. However, a further 350 stints (bringing the total to 4,500) were set aside for the Lord of the Manor. The Conservators were also empowered to increase or reduce the stocking levels from time to time as they saw fit “according to the condition of the common”. Conservators also have the responsibility for determining the places on the Common where the right are to be exercised. This is to be reviewed by 6<sup>th</sup> April, every year. Over the years defined heafs (hefts) have been established and shepherded according to normal custom.

Conservators are made up of: 1) a representative of the Lord of the Manor; 2) a representative from Winton Parish Meeting; 3) a representative of the Kaber Parish Council; and 4) 2 rights holders from each of the parishes, elected annually. Total – 7 Conservators.

A total of 99 separate awards were ratified in 1915, each one relevant to a particular holding within the boundaries of the two parishes. The number of stints was determined by the acreage of the holding to which they were attached, and awards were made in favour of 68 individual land owners, with one having a single stint, and others up to as many as 396 for the owner of the local estate. A stint was defined as a legal right to graze one ewe or one gimmer hog. Each suckling lamb would require and additional one quarter of a stint. (Four ewes with lambs at foot occupy 5 stints).

## Historical Stocking Rates and Management

The Conservators adopted a policy of collecting annual stint forms from each rights holder – a practice still carried out today. On this form the stint holder has to declare the number of stints held, the owner of the stints (in case of rental agreements), land or hereditaments in respect of which stints are awarded, stock to be grazed and smit marks to identify the said sheep. This information was handed over to the shepherd whose job it was to manage the grazing according to defined hefts. His services were paid for out of a fund set up from a “stint rate”, levied on all those who grazed (not owned) stints. The work of the shepherd appears to have been dispensed with sometime after the great storm of 1947, when a large number of sheep were lost and

the common became grossly under-stocked for the first time. (There were lesser events in several winters of the 1930s, but none as devastating as 1947). Sheep numbers were re-built to the previous levels until another snow storm in the winter of 1962-3 again depleted the fell flocks. There is no evidence to suggest that the number of sheep on the common were ever greater than they should have been – indeed the Conservators had the right to fine anyone who turned out more sheep than they should have done.

Today, all the shepherding work on the common is done by individual graziers. However, there has long been a tradition of co-operation amongst hill shepherds on this and similar open fells, agreeing to gather flocks together, to assist in shepherding sheep and returning them to their rightful owners if they have strayed, and even having joint clipping days on each other's farms. This was a time when there was a sense of community centred on common grazing. Farmers working together for a common purpose.

## **Stewardship Schemes**

During the 1990s, the shooting syndicate (a group of three individuals who had purchased their gaming rights from the previous Trust) had also taken over the title "Lord of the Manor", and, therefore ownership of the common. They began to purchase stints from retiring graziers as a means of reducing sheep numbers on the fell. They had been advised that the grouse bag would be improved if fewer sheep were grazing the fell so that heather cover could be increased. In 1998, an opportunity arose for them to purchase a significant number of stints (800) at one sale. They were able to do this by bidding a sum in excess of the value for grazing rights. This practice reduced the overall stocking numbers by approximately 20%. Merely by buying up stints from retirees and removing the hefted sheep from them.

Very soon afterwards, the first proposal for a Countryside Stewardship Agreement had been put to the remaining graziers. Grazing rights on Winton and Kaber common had now become the possession of only eight remaining farmers. The co-operative working structure had begun to break down and hefts were increasingly difficult to maintain as too many flocks had been removed. Now, there was pressure from the "environment lobby", and, therefore, the government. The remaining few were in a difficult position, and it was vital that they secured the best deal possible from any scheme. It was also recognised that non-graziers had to be accommodated within the scheme.

In the event, the financial incentive proved irresistible and the sheep numbers were

halved for the winter grazing period (i.e. tuping to lambing) and reduced in the summer months by a lesser percentage. The scheme probably kept the biggest sheep flocks on the fell, but the farmers with smaller ones found it too difficult to comply with the restrictions. They found it more acceptable to take the payments as “non-graziers” and leave their stints empty. This has the added benefit of making compliance for those remaining a little easier. An unfortunate consequence was that the hefting structures became even more unworkable as overall numbers were reduced.

During the ten years of this scheme, the number of active graziers fell to just three, and the management of the commons has become even more challenging. The Conservators were aware of their obligations to adjust grazing levels according to the condition of the fell, but were now impeded by the constraints of the CSS. General opinion suggested that the 10 years had produced little noticeable benefit or improvement in the overall “condition” of the commons. There was no indication that grouse bags were better or bigger, while sheep performance has altered significantly, and tellingly, the fell remains in poor” environmental conditions. Allegedly.

A second Countryside Stewardship Scheme followed directly from the first, with further stocking density reductions, tree planting and more stringent shepherding protocols to distribute grazing more evenly over the common. The process of dismantling the traditional grazing patterns is still being perpetuated in the interests of conservation – to a tune orchestrated by people who have no real perception of common grazing traditions and customs.

### **A future for our commons?**

As for all commons the future for Winton & Kaber Common remains uncertain. With the continued hard work of FCC and others, it will all turn full circle and the value of traditional systems will prevail.

## **‘Should upland farming be encouraged to survive the challenges... ?’**

**In this article Andrew Humphries reports on the debate facilitated by the Royal Geographical Society (RGS) at the Rheged Centre Nov 8<sup>th</sup> 2015.**

The RGS is a leading world centre dedicated to the development and promotion of

knowledge and its application to the challenges facing society and the environment. The fact that the RGS decided to host a debate in Cumbria on hill farming is itself an encouraging sign. Almost 200 people cared sufficiently to attend, listen to the debate and ask questions. The audience was asked whether hill farming should be valued as a vital asset or destined to become a footnote in our island history, they overwhelmingly answered yes to the former.

The event focused on the following themes: agriculture, nature conservation, tourism, outdoor education and cultural landscape. Panellist and their witnesses were called upon to put their views. They then answered questions from other panellists and later from the audience. The Hill Farming advocates included Alan Alderson, Julia Aglionby, Philip Walling and Andrew Humphries.

Perhaps the liveliest exchanges related to re-wilding and the re-introduction of extinct indigenous wild animals. Sir Martin Holdgate wisely reminded the audience that sustaining biodiversity comes in many forms and that sympathetic agricultural management can, and often does provide for native flora and fauna. In the main, current conservation policies have a narrow focus and concentrate on 'protecting farmland biodiversity' often at the expense of maintaining and improving the beneficial farming systems (known as High Nature Value (HNV) farming) that deliver landscapes rich in biodiversity and culture, beneficial for soil conservation and climate change. Susan Denyer (World Heritage adviser with special interest in cultural landscape) challenged the current primacy of ecosystems benefits over cultural benefits and noted that emerging policies contain a strong recognition of cultural landscapes.

All in all, the debate was conducted with good grace. All acknowledged the importance of respecting each other's views and looking for consensus. But hearing is not the same as listening, and seeing is different to understanding. Leadership at all levels will be critical to make consensus a reality so that better outcomes on upland commons that safeguard and manage the uplands can be achieved.

A vital question is not whether we should be supporting upland pastoralism, but how it can be done? The current top-down culture of policy development and one-size-fits-all prescriptions is unacceptable as it marginalises hill farmers' participation in change management. The diversity of upland pastoralism and habitats demands a site specific approach which respects, includes and benefits from farmers' local knowledge and experience. Real progress in managing the uplands has to be based on partnerships valuing reciprocity and respect.

Science is currently falling short in its contribution to the uplands. There is a deficit of

robust science on all aspects of upland management for wise decision making. There are too many gaps in our understanding, too little experimental livestock husbandry and insufficient monitoring. Good research can explain what is happening and modelling tools help to consider what may happen in the future and while necessary, they are not sufficient. The perspectives of all those involved in the uplands are vital to provide the understanding on how to make wise decisions.

So where do common graziers figure in the process of safeguarding and managing the uplands? The move to modernise common land legislation came with the recommendations of the Royal Commission 1955-8. The Royal Warrant charged the commission to recommend **what changes to the law were desirable.**

*‘... to promote the benefit of those holding manorial rights and common rights, the enjoyment of the public...’*

**A key recommendation was the need for management and improvement schemes.** Bearing in mind that manorial courts have disappeared (with very minor exceptions), commoners rely on voluntary agreement which whilst desirable can sometimes be difficult, whether for day to day issues or in developing stewardship and other agreements. Part 2 of the Commons Act 2006 enables commons councils to be formed as democratic structures through which commoners, owners and others to work together to better manage agricultural activities, vegetation and the exercise of common rights.

My personal view is that Commons Councils offer a rare and real opportunity to empower commoners to participate fully and more effectively in common land management. Despite the challenges to Defra’s budget cuts, the Federation of Cumbria Commoners will look to take this forward, if the commoners want this. I hope that 2016 will secure an appropriate outcome.

I believe that if commoners feel empowered at a local level they can more effectively respond and manage change. They will have increased confidence and capacity to shape the future of the land they manage and be accountable for their decisions. The Federation has made considerable progress since 2003 and always should have the confidence to ‘be at the table’ as a key partner and one with ancient rights that need to be respected.

*‘If the land is to be used well, the people who use it must know it well, must know how to use it well, and must be able to afford it well’ (Wendell Berry – Farmer-poet)*

## Federation of Cumbria Commoners Committee

Chairman	Joe Relph	Lakes South Central	01768 483337
Vice Chair	Jim Campbell	Non-regional	01931 713412
<b>Committee</b>			
John Atkinson		Lakes South West	01229 885663
Ernest Coulthard		Kirkby Stephen	01768 371926
Harry Hutchinson		Howgills	01539 620635
Carl Walters		Lakes North Central	01931 713248
Duncan Ellwood		Lakes West	01946 841344
John Rowland		Lakes North	01768 779246
Dave Smith (Treasurer)		Eastern Fells	017683 61333
Vacant		Crosby	
Pauline Blair		Non-regional	01946 861630
William Steele		Non-regional	01786 341436
Ian Gorst		Lancashire co-opted	01524 770509
Charles Raine		Northumberland co-opted	01434 609000
Robert Benson		Owner Rep co-opted	01931 712577
John Turner		Owner Rep co-opted	01931 712671
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