

Notice of Delegated Officer Decision

Wednesday, 24th June, 2020

Date of despatch of Information: 24 June 2020



Part I

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1 **Greenham and Crookham Commons Regulations**

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Sarah Clarke
Service Director: Strategy and Governance

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Greenham and Crookham Commons Regulations

Committee considering report:	Delegated Officer Decision
Date of Committee:	24 June 2020
Portfolio Member:	Councillor Richard Somner
Report Author:	Paul Hendry, Countryside Manager

1 Purpose of the Report

This Report seeks this Council's approval for the Greenham and Crookham Commons Commission to proceed through the formal process as set out in the Greenham and Crookham Commons Act 2002 and also under s236 of the Local Government Act 1972 in order to introduce formal regulations for the management of commoner's rights. Note there are no delegated powers within the Constitution for decisions relating to the Greenham and Crookham Commons Act 2002 (The Act 2002).

2 Recommendation

- 2.1 That this Council provides consent to the Commission to seek approval from the Secretary of State for the introduction of regulations, a draft of which are set out at Appendix C. The Secretary of State is however the ultimate arbiter in this matter and the Commission will follow the due process as dictated by DEFRA guidance.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications related to the formal process seeking approval for regulations. There will be financial implications if and when the regulations are approved by the Secretary of State as there will be a means to impound cattle turned out without consent or contrary to the regulations. Note however that overall this should be a cost neutral exercise as a charge is proposed for the retrieval of cattle in order to recover actual costs. Belligerent and persistent offenders will however be subject to legal action through the magistrates' court and although costs may be applied, this is at the discretion of the court. Note that there are very few, around 4 active graziers on the Common so the legal issues may not be significant.

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Human Resource:	No implications. WBC has a partnership arrangement with BBOWT who manage the Commons on behalf of the council. It is their staff who will be involved in managing and enforcing regulations and levying fines.			
Legal:	WBC will ultimately determine whether legal action is appropriate in any particular case and therefore legal time and resource will be required. Overgrazing and resultant detrimental impacts on the Common is a trespass against the landowner. If BBOWT cannot address breaches of the regulations locally and legal action is required then this will fall to WBC. There are very few active commoners and therefore legal implications are not expected to be significant.			
Risk Management:	There is a risk that some commoners will test the resolve of the Commission, the council and BBOWT in enforcing regulations. Initially there may be a protest of some description with resultant media interest. It should be noted however that allowing the current overgrazing to continue could be more damaging to the reputation of these parties.			
Property:	The Commons are a Site of Special Scientific Interest (SSSI). The council has a legal duty to make sure that its activities do not damage the special interest of the Commons, further the council has a duty to ensure that it does not omit to carry out any management which is required to ensure that the special interest is not damaged, i.e. through neglect.			
Policy:	Environment Policy. The decision places great emphasis on protecting our environmental assets for future generations. Protection of lowland heathland habitats is also an objective of national policy.			
	Positive	Neutral	Negative	
Equalities Impact:				

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A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		Neutral		The introduction of regulations will not impact on equalities in any way.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		Neutral		No impacts.
Environmental Impact:			Positive	Introduction of regulations will have a positive impact on the habitat on the Commons and the SSSI as a whole.
Health Impact:		Neutral		N/A
ICT or Digital Services Impact:		Neutral		N/A
Council Strategy Priorities or Business as Usual:	Positive			The management and protection of our countryside and specifically addressing negative impacts is business as usual for this Service and its partners BBOWT and the Commission.
Data Impact:		Neutral		N/A
Consultation and Engagement:	We have consulted with BBOWT on this report and the Greenham and Crookham Commission have consulted with us on the introduction of regulations.			

4 Executive Summary

- 4.1 The Greenham and Crookham Commons Commission (the Commission) are a statutory body constituted under the Greenham and Crookham Commons Act 2002 who have a role in managing those Commons.
- 4.2 Despite the best efforts of the Commission to work with commoners to try to bring about compliance with some sensible restrictions, the Commons are being overgrazed to an extent whereby there are damaging impacts on many of the key species which exist there. A worrying trend given the Commons status as a Site of Special Scientific Interest. The most visible example of overgrazing and a failure to comply with common sense restrictions is the presence of cattle in winter and spring. The Commission, acting on scientific evidence produced by BBOWT, asked that no cattle are grazed during the months January to April. Cattle numbers on the Commons during those months are significantly above the zero limit.
- 4.3 Impacts of overgrazing on the Commons include; a reduction in heathland wildflower abundance, heather which is grazed low to the ground with a consequent lack of age structure, a significant decline in skylark and other ground nesting bird territories, and an increase in bramble and gorse cover.
- 4.4 Having exhausted other options, including seeking compliance with good practice guidelines, the Commission has no option but to now seek more a more formal sanction against graziers who refuse to cooperate.
- 4.5 Over several years the Commission has researched and developed a form of regulation and documented these in a draft document. In April 2018 the Commission consulted informally as part of the good practice guidelines provided by DEFRA for the introduction of regulations and bylaws. The Commission received several emails of support but also, perhaps not surprisingly, the current graziers registered a number of objections. The Commission met with the graziers in July 2018 but fundamentally there was no agreement on the content of the draft regulations document.
- 4.6 Since 2018 the Commission have been in discussion with DEFRA over the process and format of more formal regulations. They asked to review the draft regulations to ensure that no proposed regulation replicates restrictions already enforceable in existing legislation, to ensure the draft regulations are legally enforceable and to determine whether a Justice Impact Test (JIT) is required. Having met with DEFRA on site in 2019, they have confirmed that the Commission can move forward with the confirmation process (of the draft regulations). No JIT is required as DEFRA consider the impact on the justice system as being minimal.
- 4.7 Under s23 (1) of the Act 2002 this Council has to consent to the Commission making regulations. This Report seeks the necessary consent for the Commission to begin a formal process to first consult and then apply for, confirmation of a set of draft regulations.
- 4.8 In conclusion officers recommend that this Council provides consent to the Commission, under s23 (1) of the Act 2002 to seek approval from the Secretary of State for the introduction of the draft regulations. These regulations are necessary in order to protect the special interest of the Commons and to prevent the ecology of the Commons falling

in to unfavourable status. This Council has a duty to protect the Commons from damaging activities.

5 Supporting Information

Introduction

5.1 The Greenham and Crookham Commons Act 2002 contains enabling clauses which allows either the Commission or this Council to apply for regulations or bylaws to control certain activities on the Common. The Act 2002 also provides a legal foundation for the establishment of the Greenham and Crookham Commons Commission. The Act 2002 also establishes a number of duties and powers which are the responsibility of either, or both, this Council and the Commission. One of these powers relates to the introduction of regulations in order to manage the exercising of commoner's rights. The Act 2002 can be viewed, in full, here:

<http://www.legislation.gov.uk/ukla/2002/1/contents/enacted>

5.2 On the whole the exercising of rights poses very few issues and there are only a few active commoners, mostly those exercising the right of pasturage, i.e. grazing. Although the principle need is to control grazing numbers the draft regulations allows the Commission to address a number of other concerns, for example; animal condition, prohibited or restricted animals, provisions for driving on the Commons, means of stock identification etc. The regulations which seek to control these matters are much less controversial than the regulation which places controls on grazing numbers. It is overgrazing which is the fundamental issue at hand.

Background

5.3 Common land is private land owned collectively by a number of landowners, or by one landowner (West Berkshire Council as in the case of Greenham and Crookham Commons), but over which others have certain traditional rights, such as to allow their livestock to graze upon it, to collect wood, or to cut turf for fuel. These rights have become protected in law. The turning out of animals on Greenham and Crookham Commons has been a feature of that landscape for hundreds of years and has been instrumental in the development of the ecologically diverse habitat which exists today.

5.4 The incidence and practice of turning out cattle on the Commons has changed remarkably over the years. Whereas in the early part of the last century small numbers of cattle would have been turned out by several active commoners, this was by way of subsistence living, making enough from the practice to keep a small family fed and clothed for a year. In the winter the animals would have been returned to the layback land on the property to which the rights are attached, only to return when the commons could support grazing again.

5.5 In the last few decades this traditional use of commons to turn out stock has changed remarkably. There are much fewer active commoners. Residents living in properties with rights have no inclination to exercise their rights, nor any need to do so. The practice increasingly over the last few decades is for a small number of active commoners to turn out large numbers of animals on the Common, supplemented by rights they have acquired from other commoners, and in most cases, with no layback

land to return the animals to in the winter. What has been established is in fact small business enterprises which bear very little relationship to the traditional use of commons and which have helped shape its ecology over the years.

- 5.6 Current grazing practice has had a deleterious impact on the ecology of the Commons and an ongoing, often heated debate, has ensued concerning, on the one hand, the legal rights of graziers, versus on the other hand the council's duty to protect and enhance the ecology of the Common. Section 8 of the Act 2002 sets out the council and the Commission's overriding duty in this respect:

8. *General duty of Council and Commission*

(1) The Council and the Commission shall each have a duty to use their reasonable endeavours to exercise their functions in a manner which—

(a) restores and conserves the Common as a peaceful place of natural beauty and, in particular, conserves its flora and fauna and ecological, archeological, geological and physiographical features;

(b) conserves any part of the Common which is a site of special scientific interest as such a site; and

(c) subject to paragraphs (a) and (b) above—

(i) promotes and improves grazing on the Common;

- 5.7 The significant sub clause is highlighted in yellow. The fundamental responsibility of the council (and therefore BBOWT who are the managing agent) is to manage the flora and fauna and the Site of Special Scientific Interest. This takes precedence over the rights of graziers.

- 5.8 In the years since the Act 2002 came into force, and after the establishment of the Greenham and Crookham Commons Commission, it is true that the Commission actively encouraged grazing, by both cattle and ponies. At that time the great risk was that the loss of grazing 'pressure' would lead to the loss of important grassland habitat to invasive species such as birch scrub and gorse. For a time they achieved a reasonable balance with resultant ecological benefits and all parties appeared to be working towards the same objectives.

- 5.9 In the intervening time the management balance has gradually moved back to a point whereby the science is indicating that overgrazing is having a significant negative impact. In order to achieve some kind of balance the Commission, aided by grazing commoners, produced a guidance document, a good practice guide, which addressed all manner of issues which both supported, and aimed to control grazing. This had no statutory basis under the Act 2002, it was simply an agreed set of common sense principles. The Commission achieved only limited success by this means and grazing continued with unsustainably high numbers. Unhelpfully, winter grazing became an established practice, leading to complaints to the Council's Animal Health Officer and periodically DEFRA.

- 5.10 In 2016 BBOWT produced the document, 'Striking the Balance' and this is attached at Appendix D. This document makes it very clear that overgrazing is having a detrimental

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impact on the abundance of wildflowers. Notably this document is based on survey work collated over the years and also trials based on science. Although further research is being carried out it is clear the numbers of animals grazing on the commons are at unsustainable levels, specifically during the winter months.

5.11 Striking the Balance, as the name suggests, continues to try to balance the rights of graziers against ecological objectives. To this end it should be noted that the Commission is not seeking to reduce the numbers of cattle unnecessarily, only to reduce numbers at a time of year when the negative impact of overgrazing is greatest, i.e. when wildflowers are coming into flower/setting seed and during the winter months. Common sense would also indicate that in the winter, when there is nothing for the stock to eat, then there isn't any good reason for them to be there. Unfortunately that is not our experience on the Commons.

5.12 The table below shows that despite the Commission adopting Striking the Balance, and recommending its contents and the balance it strives to keep, this has largely been ignored. Cattle are consistently turned out on the Commons during the months of January, February, March and April whilst the shaded months indicate when stock numbers exceed the documents recommendations.

Year	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2013/14	0	0	0	0	0	0	118	128	0	116	117	122
2014/15	138	0	114	109	151	159	152	131	117	116	120	128
2015/16	130	143	140	114	109	135	127	106	136	120	121	116
2016/17	128	163	114	91	131	126	134	126	8	29	29	55
2017/18	99	98	92	108	100	100	145	137	0	69	9	0
2018/19	9	86	161	102	113	105	112	110	85	27	37	40
2019/20	64	116	73	98	96	99	76	78	74	21	0	30

5.13 An added consequence of winter grazing in particular is that the graziers make continued requests to BBOWT for permission to introduce supplementary feeding, something which is specifically prohibited under the SSSI legislation.

5.14 The graziers will make the point that for the last several years their animals have been 'locked down' on the Commons due to the restriction on cattle movements brought about by positive TB tests. This is not a relevant justification however. The governments vet has already confirmed that animals which test inconclusive for TB from a herd where TB is present can, under certain circumstances, be moved off the Commons, whilst the rest are slaughtered. All grazing Commoners should have contiguous land to which they can remove their animals freely under these circumstances.

5.15 It is now patently clear that the Commission has exhausted all options. Wildflower abundance is significantly reduced and the presence of more invasive species is increasing. It is likely that the reduction in some vulnerable ground nesting bird species is also attributable to overgrazing, although this may also be as a result of other factors not related to grazing (predation, recreational pressures etc.). Overgrazing is however a factor which is entirely within the control of the Commission and BBOWT IF they have

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the sanctions to fall back on. The proposed regulations are vital to the future effective management of the Commons.

- 5.16 It is not the Commission's intention to act contrary to the fundamental rights of the commoners. Commons rights are protected in law. The Act 2002 acknowledges this and makes provision, under s23(3) to ensure that these rights are not impacted such that commoners are precluded from grazing less than 2 animals. Further the proposed regulations, which follow an existing model (Dartmoor Commons), provide for any dispute to be heard by an arbiter.
- 5.17 The Greenham and Crookham Commons Commission do however require the consent of the council in order to proceed through the formal process as set out in the Greenham and Crookham Commons Act 2002 and also under s236 of the Local Government Act 1972 to introduce formal regulations for the management of commoner's rights, s.23(1) states:

23 Regulations as to management of commoners' rights

(2) The Commission may, with the prior approval of the Council, make regulations to secure the good management of the Common as respects the exercise of rights of common and the good husbandry of animals grazed on the Common.

- 5.18 s.23 (2) provides a list of matters which regulations make may provision for, these include but are not restricted to the following:
- (a) to ensure that the Common is not overgrazed
 - (b) to ensure the good husbandry and maintenance of the health of all animals grazed on the Common
- 5.19 The Act 2002, under s 23(3), allows regulations which fix, or provide for the fixing, the number of animals on the Commons which can be grazed at any time so long as the regulation does not preclude the grazing of two or less animals.
- 5.20 In accordance with DEFRA guidance, the Commission has carried out some informal consultation. Their intentions received support from other registered commoners. The grazing commoners produced their own response and this was discussed and considered by the Commission at a meeting with grazing commoners in July 2018. Some minor changes were made to the draft regulations as a consequence. Largely however the grazier's proposals were considered unacceptable as the effect of their submission was to remove the regulation controlling animal numbers.
- 5.21 As the final arbiter in this matter is the Secretary of State, the Commission will have to follow published guidance and process with respect to the making of regulations. This will require a formal consultation process, consideration of responses before submission for determination. Ultimately the matter may be determined at a Public Inquiry, in which case officers of this Council, BBOWT and members of the Commission may be required to present evidence.

Proposals

- That this Council supports the Commission and in line with s 23(2) provides the necessary approval for the Commission to apply to the Secretary of State for consent to introduce the proposed regulations at Appendix C.

6 Other options considered

- 6.1 Do nothing: of course the council can determine not to provide consent to the Commission and in this case the grazing of the Commons will continue without restriction. Bearing in mind the Council, as freehold owner, and BBOWT who have the land on a long lease, have a legal responsibility to ensure the status of the SSI is not damaged.
- 6.2 Continue collaborative efforts: This has not worked to date despite efforts to secure compliance with good practice, the findings of striking the balance, and appeals to graziers to recognise the negative impacts their actions are having. This has not been successful to date. The consequence being a notable reduction in key protected species.

7 Conclusion

Striking the Balance provides ecological evidence which identifies overgrazing as a significant factor in the loss of key species on the Commons. The Commission and BBOWT have applied all possible means to protect the key species which are being negatively impacted by the impacts of overgrazing. The Greenham and Crookham Commons Act 2002 provides the means to introduce regulations to control the activities of commoners. The council should take this opportunity to support the Commission in its efforts to introduce regulations which can be used should the collaborative efforts of the Commission and persuasion continue to fail.

8 Appendices

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Data Protection Impact Assessment
- 8.3 Appendix C – Draft Regulations
- 8.4 Appendix D – Striking the Balance document

Background Papers:

See report

Subject to Call-In:

Yes: No:

Wards affected:

Newbury Greenham

Thatcham Colthrop and Crookham

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Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:**
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's key strategy priorities?	
Name of assessor:	Paul Hendry
Date of assessment:	13/05

Is this a:		Is this:	
Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>	New or proposed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input type="checkbox"/>	Already exists and is being reviewed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Function	Yes <input type="checkbox"/> No <input type="checkbox"/>	Is changing	Yes <input type="checkbox"/> No <input type="checkbox"/>
Service	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	Protection of the ecology of the Commons
Objectives:	Support for a partner organisation
Outcomes:	Support provided for the Commissions intentions
Benefits:	Ecological benefits and sustainability

Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	None	This decision is not impacting on individuals rather the behaviour of individuals and applies to all equally.
Disability	None	As above
Gender Reassignment	None	As above

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Marriage and Civil Partnership	None	As above
Pregnancy and Maternity	None	As above
Race	None	As above
Religion or Belief	None	As above
Sex	None	As above
Sexual Orientation	None	As above
Further Comments relating to the item:		

Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

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Name:

Date:

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

Appendix B

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Environment
Team:	Countryside
Lead Officer:	Paul Hendry
Title of Project/System:	Greenham Common Regulations
Date of Assessment:	13/05/2020

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p><i>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p><i>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using any novel, or technologically advanced systems or processes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

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Regulations concerning the exercise of commoners' rights on Greenham and Crookham Commons

Greenham and Crookham Common Commission, September 2019

Use of vehicles in the exercise of commoners' rights

- 1 The exercise of any right of common does not automatically allow the driving of a vehicle on the commons. Any commoner or grazier given permission by the landowner to do so must comply with the code of practice for driving on the commons, approved by the Commission and communicated to vehicle users at the time such permission is granted. The code of practice as it may be amended from time to time will also be published on the Commission's website.
- 2 Notwithstanding the provisions of the code of practice as it may be amended from time to time, use of a vehicle away from clearly established tracks is allowed in the cases of removing a dead, injured or sick animal, or providing veterinary services to an animal which cannot reasonably be moved to a track or other accessible point.
- 3 Firewood, gravel, turf etc. collected under rights of common will be taken off the commons (or to a vehicle on a clearly established track if permission has been granted¹ to drive on the common) only by hand or by a hand-propelled device such as a wheelbarrow or handcart.

Rights to be exercised only in permitted locations

- 4 Rights to take gravel or turf shall be exercised only in areas identified by the Council² and agreed by the Commission.

Prohibited and restricted animals

- 5 Shod equines are not permitted to graze on the commons.
- 6 Stallions, rams, bulls or other entire male animals over six months old must not be grazed on the commons without the prior written³ permission of the Commission.
- 7 After consultation with the Commission the Council² may require the removal, as soon as reasonably practicable, of any animal which it considers may pose a risk to other animals or to the public. If such removal is urgent, the requirement to consult with the Commission is waived.
- 8 No person shall depasture on the commons any animal which he knows or has reasonable cause to believe is suffering from any disease which is a notifiable disease for the purpose of the Animal Health Act 1981 or any re-enactment or amendment thereof. A person who depastures on the commons an animal which is or which appears to be in a healthy condition and who subsequently discovers or is informed that that animal is suffering from such a disease shall as soon as is reasonably practicable arrange for the removal of that animal from the commons and for that animal to be tested. If the result of such a test confirms that that animal is suffering from such a disease that person shall undertake an inspection to ensure that other stock belonging to him and similarly depastured is not affected by such a disease. Further, if any animal is discovered to be suffering from a notifiable disease the person by whom it was depastured shall within 48 hours of such discovery notify the Secretary of the Commission thereof.

- 9 The Commission may, after consultation with the Council², exclude from grazing on the commons, for such periods as appear reasonably necessary, all animals, or animals of a particular description, where the Commission is satisfied that such exclusion is necessary for the maintenance of the commons or for the promotion of proper standards of livestock husbandry. Graziers will be given at least 31 days notice of any requirement to remove their animals for such reasons.
- 10 The Council may exclude livestock from areas of the commons defined by temporary fencing, for purposes of managing and maintaining the commons. Graziers will be given seven days notice of any such exclusions. In any case where where the total area of such temporarily fenced areas exceeds two hectares, or the exclusion will last for more than 21 days, the Council must obtain the prior agreement of the Commission.

Removal of deceased, ill and unthrifty animals

- 11 The owner of any dead, ill or unthrifty animal will arrange for its removal from the commons as soon as is reasonably practical, and in the case of dead animals within forty eight hours of becoming aware of the death.

Identification of ownership of grazing animals

- 12 All adult animals on the commons must carry some readily visible tag, mark or other device for the purpose of identifying their ownership.
- 13 If the Commission reasonably considers such devices to be indistinguishable, the Commission may, with 60 days notice, require the alteration of such devices (e.g. tag colour, design of brand etc.) in order to reliably distinguish one owner from another.

Notification of use of commoners' grazing rights by other persons

- 14 Within 28 days of any commoner renting any grazing right(s) to another person, both the commoner and the other person shall inform the Commission in writing³ of the agreement, specifying:
- the land to which the rights pertain,
 - the number and species of animals covered, and
 - the start and expiry dates of the agreement.
- 15 No grazing agreement may run for more than one year. Continuing agreements must be renewed annually, and the new agreement notified to the Commission as in regulation 14 above.
- 16 If a commoner rents grazing rights for any number of animals to another person, the commoner must make available to that person sufficient land to accommodate that number of animals during the winter or at any other time when a grazing limitation under regulation 23 below is in force, or in case the animals have to be removed from the commons for animal welfare or other reasons.

Notification of intentions to exercise grazing rights

- 17 By 31st January each year, any person intending to graze animals on the commons during the year beginning 6th April must inform the Commission in writing³ of:
- the maximum number of animals⁵ they will turn out on the commons during the year beginning 6th April,
 - the species and gender of such animals,
 - the number of such animals to be grazed under rights owned by the grazier,
 - the number to be grazed under rights rented from a commoner,
 - the name of the commoner from whom any such rights are rented,
 - the time period of any rental agreement, and
 - the colour of any tag, the design of any brand, or a description of any other method used to identify the owner of each animal.

Monitoring of numbers of grazing animals

- 18 All grazing commoners and other graziers will, within 14 days of being requested to do so by a representative of the Commission⁴, report:
- the number and species of adult animals (i.e. grazing units) they have on the commons,
 - the number of calves, foals or other juvenile animals they have on the commons,
 - the herd number and the individual animal number of every animal they have on the commons.
- 19 A calf or foal shall become a grazing unit in its own right when it is weaned, or when it reaches the age of nine months, whichever is the sooner. It will then be counted as using one grazing right.
- 20 Within 48 hours of any adult animal being turned out, or any calf or foal on the commons reaching the age of nine months, the owner will inform the Secretary to the Commission in writing³ of the herd number and the individual animal number of that animal.

Prohibited and restricted animal husbandry practices

- 21 No animal shall be treated with avermectin group veterinary treatments while on the commons, nor shall any animal be turned out on the commons within 45 days of having received such a treatment. Any animal which is to have such a treatment must be removed from the commons beforehand. The Commission, with the Council's agreement, may similarly prohibit the use of new veterinary treatments until they have been the subject of an environmental risk assessment and are considered to pose no harm to the ecology of the Commons.
- 22 Other than salt licks, there shall be no supplementary feeding on the commons except in exceptional circumstances (for example, movement restrictions associated with a disease outbreak) which prevent the removal of livestock from the commons. Supplementary feeding will take place only on those areas of the Common designated⁶ for supplementary feeding. Other than in an urgent case (for example sudden heavy snowfall) the prior agreement of the Commission is required.

Limitation of grazing rights

- 23 The Commission may, after consultation with the Council, fix the maximum number of adult animals (i.e. grazing units) of each species to be grazed on the commons. Such limitation will apply to the year beginning 6th April, and may include different limits for different periods of the year. Limits for the forthcoming year will be communicated to all graziers recorded under regulation 17 above, not later than the preceding 28th February. These limits are subject to change throughout the year depending on vegetation growth. Graziers will be given 56 days notice of any change.
- 24 Limits set under regulation 23 will be applied as a proportion of each grazier's total per species recorded for the year, under regulation 17 above. Within the constraints of rounding to whole numbers of animals, the same proportional reduction will apply to every grazier's rights irrespective of breed of animal.
- 25 In no case, except where the right is for only one animal, will the number of animals allowed fall below two. The minimum of two applies to each set of rights, so for example the minimum for a grazier who has one right of his own, and also rents ten rights from another commoner, will be three.
- 26 The Arbitrator to be appointed in accordance with Section 23 (3) (c) of the Greenham and Crookham Commons Act 2002 to determine an appeal against the number of animals to be depastured as prescribed under regulation 23 above shall be appointed annually by the Chartered Institute of Arbitrators. Unless both parties agree to submit written representations to him the Arbitrator shall arrange a hearing at which the appellant and a representative of the Council may address him orally and shall before he makes an award make an inspection of the commons. The costs of, and incidental to, the arbitration and award shall be in the discretion of the Arbitrator who may direct by whom the costs or any part thereof are to be paid.

Sanctions

- 27 An official responsible for administration (also known as a reeve) appointed or other person duly authorised by the Commission may remove from the commons and detain any animal depastured there in contravention of any of the foregoing regulations, including any animal whose individual animal number has not been notified to the Secretary to the Commission under regulation 20 above.
- 28 During the detention of any animal so removed from the commons the Council shall arrange for it to be properly fed, watered and, if appropriate, sheltered and to receive any treatment, veterinary or otherwise, as seems to the Council reasonably necessary for its well-being.
- 29 As soon as is reasonably practicable after removal from the commons of an animal in accordance with this Regulation the Council shall arrange for notice of its detention to be given to the owner of that animal. Such notice shall inform the owner where the animal may be collected.
- 30 Before an animal is returned to its owner the Council shall be entitled to charge and receive from the owner of the animal the cost of its detention, including the cost of its maintenance and of any treatment the animal has been given during its detention.
- 31 If within ten days of giving notice of its detention to the owner of that animal that animal is not collected by the owner the Council shall be at liberty to sell the animal and deduct from the proceeds of the sale all its costs and expenses incidental thereto before remitting the balance to the owner.

- 32 Where an animal is detained the owner of which the Council is unable to ascertain it shall advertise that detention on a notice board in a prominent position in the main car park for the Commons, and on the Council's website, for 21 days. The Council shall continue to keep the animal safely and if at the end of 21 days from the posting of the notice no enquiry from the owner in respect of that animal has been received by the Council it shall sell that animal and deduct from the proceeds of the sale all its costs and expenses incidental thereto. The Council shall then retain the balance of the sale money for six months and if in this time it is not reclaimed by a person who satisfies the Council that he was the owner of the animal so sold the Council may include that balance within its income for that financial year.

Penalties

- 33 Any person who contravenes any of the foregoing regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale as set by the Criminal Justice Act 1982 or Section 143 of the Magistrates' Court Act 1980 and in the case of a continuing offence to a further fine not exceeding £40 for each day during which the offence continues after conviction thereof.

Footnotes

- 1 Granted on an ad-hoc basis by the Council or any organisation appointed by the Council to manage the commons, within general principles set out by the Commission.
- 2 All references to the Council include any organisation appointed by the Council to manage the commons.
- 3 All references to writing or written communication include communication by e-mail to or from the Secretary of the Commission, whose postal and e-mail addresses will be made known to all commoners and to all graziers recorded each year under regulation 16.
- 4 A representative of the Commission may include a member of staff of the Council or of any organisation appointed by the Council to manage the commons.
- 5 This number cannot exceed the number of rights which the grazier owns or rents from commoners.
- 6 Designated by the Commission after taking advice from the Council or any organisation appointed by the Council to manage the commons.

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Striking the Balance – Assessing the level of grazing at Greenham Common; 2016 to 2019

BBOWT Ecology Team Feb 2020

Executive Summary

This report summarises the findings of the grazing monitoring at Greenham Common which has taken place between 2016 and 2019 inclusive. The results are set into context using the agreed sward height, flower cover, and cattle number limits. Management and monitoring recommendations are made.

Across the growing season in most years, a similar pattern in the sward height and the cover of flowers can be seen: that is, the sward becomes much taller and the cover of flowers much greater within the enclosure (in the absence of grazing) than outside the enclosure (where grazing is taking place).

2019 sward height data (in June) inside the enclosure is slightly more similar to that outside the enclosure, than over the previous years. In 2016 the difference is c.7cm and in 2019 it is c.3.5cm. This implies an improvement, namely a reduction, in grazing pressure. This may be as a result in the reduction in livestock numbers recorded over the summer months in 2018 & 19. However, given the small data set (4 values) this trend should be treated with caution.

There is no obvious trend of improvement in the cover of flowers in June, across the years.

There is a steady increase in the proportion of heather samples assessed as being 'over-grazed'. This may relate to the numbers of livestock present on site over the winter, which has consistently exceeded the limit of zero.

The proportion of samples failing grazing limits remains steadily high across the years, at over 70% of samples. The current threshold is set at 25%, over which the entire Common is assessed as 'overgrazed'. This may relate to the high numbers of cattle on site over the winter and early into the growing season, which prevent the development of the sward in spring.

While the number of cattle present over the summer for 2018 and 2019 has been within the prescribed limits, it is worth noting that the grazing pressure is not even across the Common. Some compartments receive on average, a much higher grazing pressure than is recommended for heathland grazing.

Given that the recommended and agreed grazing limits have not yet been fully implemented for any given year, it is recommended that the limits are adhered to and the monitoring continued for a number of years. At which point it will be possible to review the stocking density and the subsequent impact on sward and flowers; and generate evidenced recommendations.

It is also recommended that the limits on the cover of flowers should be reviewed after a further two years of surveying.

1. Introduction

Greenham Common is an important site for its contribution to local and national biodiversity, and as a cultural landscape, supporting the exercise of traditional commoners rights, especially grazing rights. It is well understood that grazing by livestock is an essential tool in the conservation management of lowland heath and grassland, such as at Greenham Common. Grazing changes the dynamics of a heathland by altering the structure and species composition. From an ecological point of view this can be both beneficial and detrimental depending on the level and timing of grazing.

To date there has been much discussion as to whether the right balance has been struck between the needs of the graziers and the conservation value of the Common. In 2016, following a request from the Greenham and Crookham Commons Commission to attempt to clarify this issue, a monitoring strategy was developed by the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) to assess the ecological impacts of the current level of grazing.

In 2016 the Conservation Management Committee (a committee of the Commission) agreed the conservation objectives outlined in a newly revised management plan for the Common. The objectives in this plan were used as the targets for assessing the level of grazing, from a conservation point of view.

This report outlines the key findings based on the results from the grazing impact monitoring, carried out annually between 2016 and 2019 inclusive. Other data, in particular the number of cattle, is also assessed. Finally management and monitoring recommendations are made.

Details of the methodology used for the grazing impact monitoring have not been provided in this document as they are available in the previous grazing report (May 2019).

2. Survey Results and Conclusions

2.1 Short term – Effects on grassland areas

The sward height and cover of flowers was recorded throughout the growing season, inside and outside a series of enclosures (which prevented livestock grazing, but allowed rabbit grazing). The difference in results between these two areas together with set limits (based on the approved management plan objectives) was then used to assess the impact of livestock grazing.

Annual variation

As might be expected, in most years there is a marked difference between the sward height inside the enclosure (where there is no livestock grazing) and outside the enclosure (where livestock grazing is occurring). This difference is also repeated in the cover of flowers.

Figs 1 and 2, show that sward height and cover of flowers, inside and outside the enclosures start and end the year at very similar levels; but that during the growing season the areas inside the enclosure develop more flowers and the sward grows taller than outside where grazing is present.

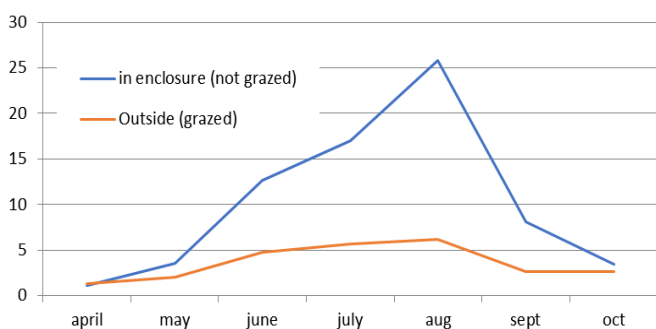


Fig 1: Sward height (cm), 2016

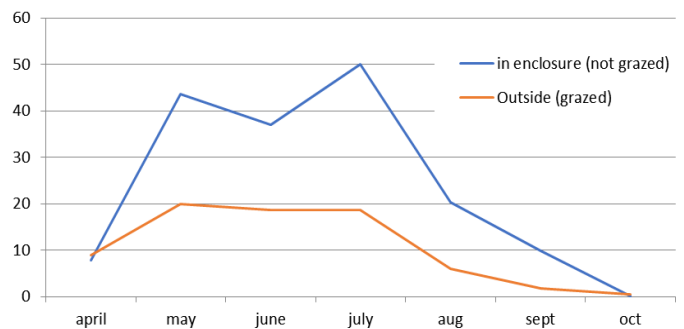


Fig 2: Cover of flowers (%), 2016

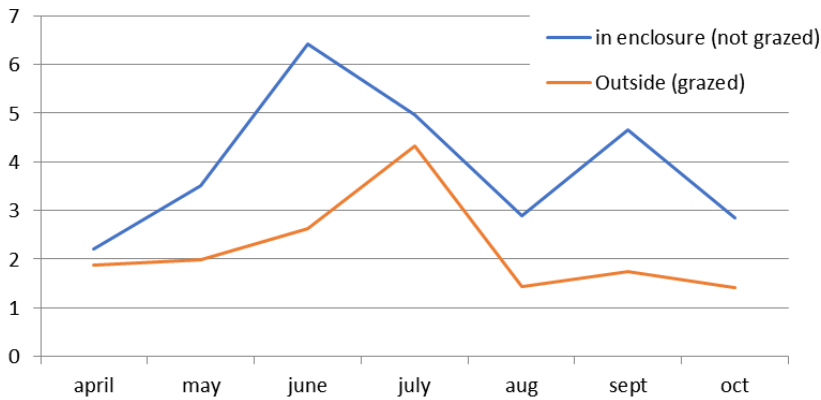


Fig 3: Sward height (cm), 2019

While this monthly growth trend was consistent across most years, in 2019 the annual growth pattern was more chaotic than in the preceding 3 years. Additionally across the growing season the sward height within the enclosure remained consistently taller than outside, but more marginally than in previous years. (See Fig 3). The unusual pattern may have been due to seasonal weather variation (see weather data – Appendix 1), 2019 was exceptionally warm.

Trend across years

Using June as an ‘indicator’ month it is possible to assess trends in sward height and cover of flowers, over the 4 years of surveying. June has been selected as the indicator month because there is consistent annual data available and it is also the peak time for flowering and grass productivity. In the months following June, perennials start to return their energy stores to their root systems ready for the following growing season. This is linked to the reduction in daylight hours.

Fig 4 shows that across the Common as a whole the average sward height in June has declined, regardless of whether or not it has been grazed. This decline is appears to be greater in the un-grazed enclosure. The cause for this is not known, but it may be because the sward here is more responsive to weather variations (such as increasingly dry summers), than where it is already short as a result of grazing.

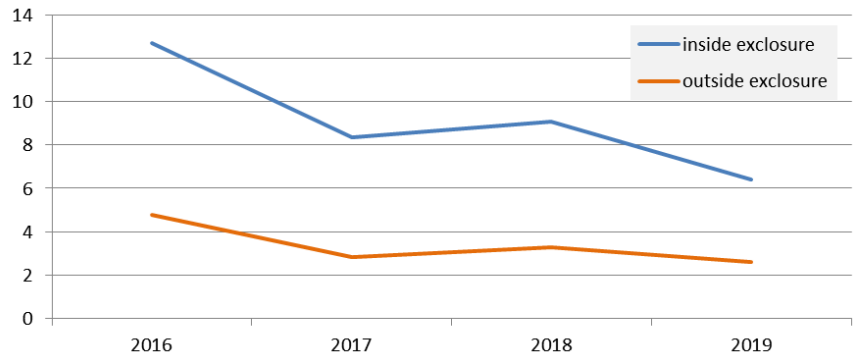


Fig 4: Mean sward height in June

It can also be seen that there is a very slight movement towards in the sward height in areas grazed and those un-grazed becoming more similar. (i.e. the blue and orange lines get closer). This is best demonstrated between 2016 and 2019. In 2016 the difference is c.7cm and in 2019 it is c.3.5cm. This may indicate that grazing pressure has slightly reduced (see stocking density). However this data set is very small, consisting as it does of only 4 data points and there is no evidence of the sward height increasing in the grazed areas; so this conclusion while gently promising, must at this stage remain tentative.

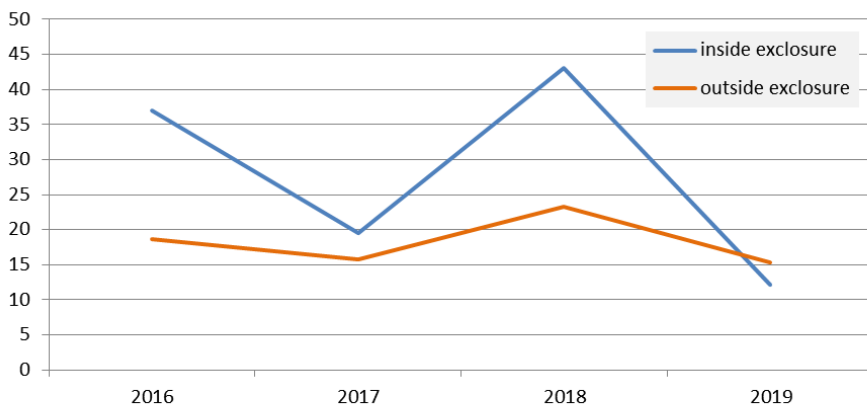


Fig 5: Mean cover of flowers in June

There is no apparent similar trend in cover of flowers in June when contrasting areas grazed and not grazed (See Fig 5). Data from 2016 and 2018 demonstrates that in un-grazed areas, the cover of flowers was substantially greater than in grazed areas – approximately twice as much. However, in 2017 and 2019 this difference is less pronounced and maybe due to seasonal variation.

What is interesting to note is that the apparent similarity of flower cover between inside and outside the enclosure in 2019 is not uniform across all three enclosures. The photo (right) shows the 'eastern enclosure', where the abundance of flowers inside the enclosure remains visually striking in contrast to the low cover outside. Also, one of the enclosures includes an area of gorse and bramble which is spreading and may be affecting (suppressing) the average sward height values. This enclosure was pre-existing one on the Common, re-purposed for this project; a new enclosure may be preferable (subject to agreement of the Commission)



Grazing pressure limits

The proportion of samples failing to meet grazing pressure limits and thus being classified as 'over grazed' can be seen in Fig 6.

The first thing to highlight is that the proportion of samples failing limits remains consistently high at over 70% of samples. (The current threshold is set at 25%, over which the entire Common is assessed as 'overgrazed'). It can also be seen that while the proportion of samples failing the sward height criteria has declined between 2017 and 2019, there is no clear trend of improvement for the cover of flowers.

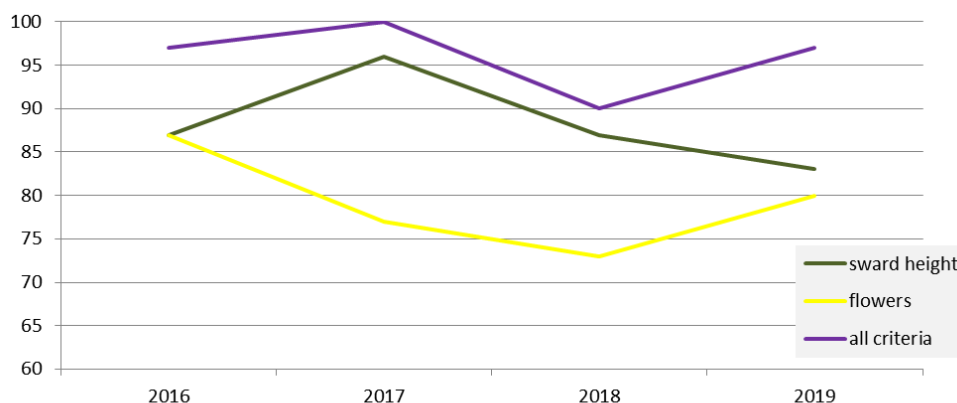


Fig 6: percentage of samples failing criteria in June

2.2 Medium term – effects on heather areas

At the end of the growing season, heather was assessed for: sward height; the presence of stem damage or breaks; and growth forms indicating high levels of grazing. None of the enclosures are in heather dominated areas, so all samples were taken within grazed areas.

Fig 7 shows that over all there is a steady increase in the proportion of heather samples assessed as being 'over grazed'. Across all four years it is the heather growth form and to a lesser extent the sward height which has driven this result.

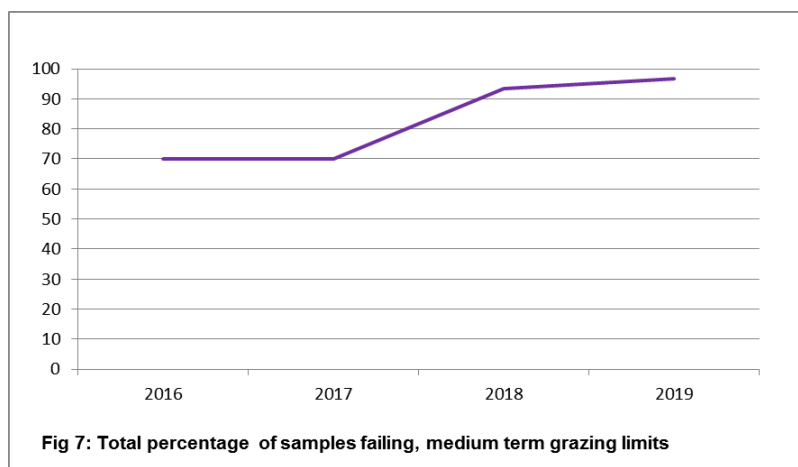


Fig 7: Total percentage of samples failing, medium term grazing limits

It is worth noting that as a slow growing woody species, the heather samples will reflect the grazing pressure received a year or so previous to one the in which the survey has taken place.

It is possible that this trend reflects the high number of cattle still on the site over winter (see stocking density), as this is the time of year that livestock focus on eating heather as there is very little alternative forage available.

2.3 Effects of grazing levels on other species

The level of grazing is likely to impact on a range of flora and fauna species at Greenham Common. Skylark has selected from those identified as priorities in the approved management plan, as there is current data this species.

Skylark

Skylark (*Alauda arvensis*) is a UK Red listed species due to the severe long term breeding population decline experienced across the UK (> 50 % between 1969-2007). The population at Greenham Common has been monitored since 2009 by an independent consultant. The results show a significant decline in skylark territories¹ (see Fig 8). The report concludes that while skylark was once a common species on site it has been steadily declining for several years, possibly due to a lack of suitable nesting habitat. Skylark breed in grassland, nesting on the ground in a grass tuft, preferentially where the vegetation is 15 – 40cm tall². Surrounding small scale vegetation structure is also essential to provide the fledged chicks with shelter from predators. Results from the sward monitoring show that in the grazed areas the sward height in spring (May) is between 2-3cm.

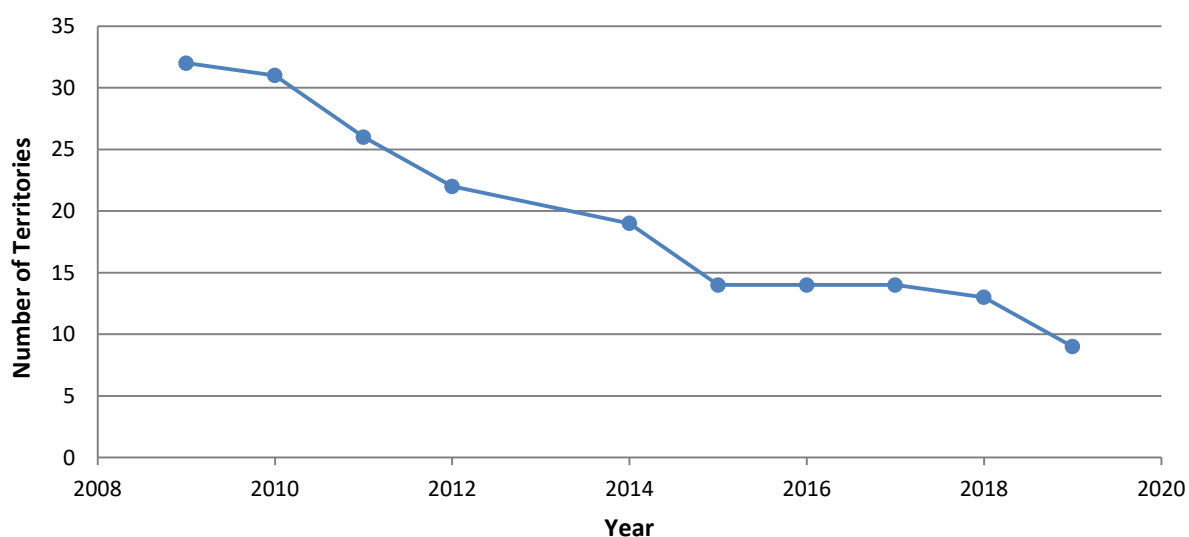


Fig 8: Skylark territories across Greenham Common

¹ Greenham Common ground nesting bird report 2019. A E D Hickman. December 2019

² A management guide to birds of lowland farmland. 2005. Winspear R and Davies G. RSPB.

2.4 Stocking density

The number of cattle (and ponies) present on the Common has been recorded monthly since October 2013, thus providing a good data set which reflects the grazing pressure.

Ponies have been excluded from this analysis because from 2015 onwards they have never numbered greater than 4, and as such cannot be significantly contributing to the grazing pressure. Prior to 2015 pony numbers were between 8 and 10.

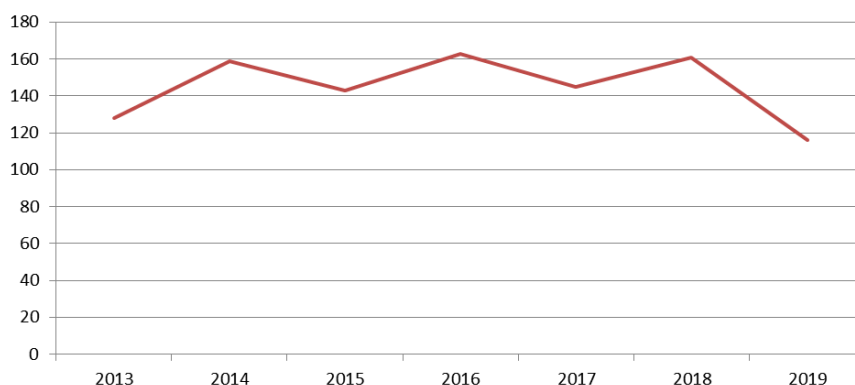


Fig 9: Maximum number of cattle, at any one time, per year

Fig 9 shows that the maximum number of cattle present on the Common in any single month has remained consistently high; with a drop in 2019 to just less than the set maximum (in late summer/autumn) of 120. (See Table 1 for limits)

It is possible to interrogate the data in more detail to see whether in any given month the number of cattle have exceeded or met prescribed limits.

Table 1: Cattle limits

0 cattle Jan, feb, March, april
 < 50 cattle may
 < 100 cattle june
 < 120 cattle july, aug, sept, oct, nov, dec

Table 2: Number of cattle per month present on the Common (empty cells = no data, red cells = limits exceeded)

Year	apr	may	jun	jul	aug	sep	oct	nov	dec	jan	feb	mar
2013							118	128		116	117	122
2014	138		114	109	151	159	152	131	117	116	120	128
2015	130	143	140	114	109	135	127	106	136	120	121	116
2016	128	163	114	91	131	126	134	126	8	29	29	55
2017	99	98	92	108	100	100	145	137		69	9	
2018	9	86	161	102	113	105	112	110	85	27	37	40
2019	64	116	73	98	96	99	76	78	74			

Table 2 shows that overall there has been a reduction in the number of cattle on site, and that during the majority of summer months in 2017, 2018 and 2019, the numbers have met the limits (ie the cells are white). However is clear that the number of cattle remains too high over the winter and especially in the early spring months, January to April.

When looking at the stocking density (number of cattle per hectare), the average density is 0.21 cows ha⁻¹ yr⁻¹. This is not far off the recommended density for reptiles of 0.2 livestock units per ha; a cow being roughly equivalent to a livestock unit. However, as would be expected, the cattle favour some areas more than others. For example the monthly counts hardly ever pick up any cattle in the woodland areas. This means in practice the total number of cattle (or grazing density) across the Common as a whole does not reflect the grazing pressure experienced by favoured compartments.

The most favoured and thus most heavily grazed compartments are those marked in red Table 3. Out of these compartments, 9, 10, 11 and 15 consistently have the highest stocking density. It can be seen that for these areas between 2013 and 2019 there is no obvious trend reduction in cattle density.

Table 3: Mean cattle per hectare for most favoured compartments
(red = density greater than the recommended $0.2\text{LUha}^{-1}\text{yr}^{-1}$)

Compartment	2013	2014	2015	2016	2017	2018	2019	max mean across years
1b	1.4	1.0	1.1	0.1	0.0	0.6	0.3	1.4
9	1.1	0.7	0.7	0.6	0.3	0.1	0.4	1.1
10	1.3	1.4	1.2	1.1	0.2	0.7	0.9	1.4
11	0.7	0.8	0.4	0.7	1.2	1.1	0.6	1.2
12	0.8	0.6	0.4	0.5	0.3	0.2	0.2	0.8
14	0.1	0.1	0.3	0.2	0.6	0.5	0.1	0.6
15	0.5	1.1	0.7	0.8	1.0	1.8	0.7	1.8
18	0.0	0.7	0.4	0.3	0.1	0.0	0.5	0.7
16w	0.0	0.1	0.4	0.3	0.1	0.1	0.1	0.4
max mean across compartments	1.4	1.4	1.2	1.1	1.2	1.8	0.9	

3. Recommendations

Management recommendations

The cattle numbers shown in Table 2 indicate that while the summer stocking density has more or less met the prescribed limits, the winter limits have not been adhered to. This means that the sward growth in the early months of the year has been constrained; and thus has likely resulted in the monitoring indicating the sward is 'overgrazed'. Given that the cattle limits have not yet been met, it is not possible to further comment on the stocking density. It is therefore recommended that the stocking density and importantly the timings throughout the year, recommended in the previous report are complied with. Once this has occurred for a number of consecutive years it will be possible to review whether or not these can be relaxed or tightened up, in light of the impact on the sward.

In summary these remain:

Stocking timing

Ideally it is recommended that:

- **1st January to 1st May - all stock are excluded from site.**
- **1st May to 1st June - up to 50 cattle and 10 ponies.**
- **1st June to 1st July - up to 100 head of cattle (and up to 10 ponies present).**
- **1st July to 1st January - up to 120 cattle (and up to 10 ponies). Stock should be removed sooner than 1st Jan if supplementary feeding is required (i.e. when natural forage is exhausted).**

If this is not logistically feasible, it is recommended that:

- **1st January until 1st June - all stock are excluded from site.**
- **1st June to 1st January up to 120 cattle (and up to 10 ponies). Stock should be removed sooner than 1st Jan if supplementary feeding is required.**

Monitoring recommendations

Given the apparent annual variation in the cover of flowers, possibly driven by the weather, it is recommended that the current limit of 30% cover should be reviewed after two more years of monitoring. The limit may need to be reduced, or set as a proportion of outside the enclosure, in a similar way to that already done with the sward height. The average cover of flowers both within and outside the enclosure over a 6 year time period will be used to inform the decision.

Appendix 1 – Annual summary weather data

The following weather summaries have been taken from the Met Office reports – ‘State of the UK Climate Reports, 2014 – 2018’³. 2019 data is only available as preliminary information and no data can be readily located for 2013.

2014

- Warmest year on record for the UK, England, Wales and Scotland in a series from 1910, and for Central England in a series from 1659.
- Lowest heating degree day index* and second highest growing degree day index⁺ for the UK in series from 1960.
- Fourth wettest year on record for the UK in a series from 1910.
- Marginally sunnier than average for England and Wales, but duller for Scotland.

2015

- 16th warmest year for the UK in a series from 1910, and 25th warmest for Central England in a series from 1659.
- Heating degree days in 2015 were slightly below average but not exceptionally so. Growing degree days were near average.
- Seventh wettest year on record for the UK in a series from 1910
- Sunnier than the 1981-2010 average for the UK overall.

2016

- 2016 was the 13th warmest year for the UK in a series from 1910, and 22nd warmest for Central England in a series from 1659.
- Growing degree days were slightly above average.
- Rainfall was slightly below average for the UK overall with 95% of the 1981-2010 average precipitation.
- Sunnier than the 1981-2010 average for the UK overall with 104% of average sunshine hours.

2017

- Fifth warmest year for the UK in a series from 1910, and eighth warmest for Central England in a series from 1659.
- Heating degree days in 2017 were fifth lowest and growing degree days equal- fifth highest in series from 1960.
- Rainfall for the UK overall was 97% of the 1981–2010 average and 102% of the 1961–1990 average.
- Sunshine for the UK overall was exactly 100% of the 1981–2010 average and 103% of the 1961–1990 average.

2018

- Seventh warmest year for the UK in a series from 1884, and fourth warmest year for Central England in a series from 1659.
- Heating degree days in 2018 were below average and growing degree days were third highest in series from 1960.
- Rainfall for the UK overall was 92% of the 1981–2010 average and 96% of the 1961–1990 average. June 2018 was the driest June for England since 1925.
- Year 2018 sunshine for the UK overall was 114% of the 1981–2010 average and the third sunniest year in a series from 1929.

2019⁴

- 2019 was warmer than average. Temperatures exceeded 30 °C somewhere in the UK on 10 days during the summer. Also noteworthy were the record-breaking warm spells in February and July as noted above, and record-breaking warmth for both the Easter and late-August bank holiday weekends.
- It was also a sunnier than average year.
- It was a rather wet year, with above average rainfall in March and then most months from June onwards. There were a series of heavy-rainfall events in February, March, April and June, and numerous incidences of flooding from the end of July onwards.

* the number of days on which an average household heating system comes on

⁺ the number of days on which conditions are conducive to plant growth (a constructed model; not based on an actual species)

³ <https://www.metoffice.gov.uk/research/climate/maps-and-data/summaries/index>

⁴ https://www.metoffice.gov.uk/binaries/content/assets/metofficegovuk/pdf/weather/learn-about/uk-past-events/summaries/uk_monthly_climate_summary_annual_2019.pdf

Delegated Officer Decision

Reference	Environment
	24/06/2020

Subject:	Greenham and Crookham Common Regulations
Decision taken:	To consent to the Greenham and Crookham Commons Commission applying for consent to introduce the regulations set out in draft form in my report attached, May 2020.
Reason for decision taken:	The Greenham and Crookham Commons Commission need council consent to apply to the secretary of state for regulations to control grazing. Without this consent they cannot progress regulations required to control the activities of graziers on the Commons.
Other options considered:	To continue to try to ensure compliance with the regulations on the basis of consensus.
Decision taken by:	Jon Winstanley
Job Title:	Service Director
Those consulted:	Commission, Graziers and all commoners. Within WBC, the Legal Services Team, Corporate Board.
Background papers:	Report to Corporate Board, attached, also legal advice in respect of delegated authority in this matter.

I confirm that I have been fully advised and have taken account of all the relevant facts in making this decision.

Date Decision Made	Date Decision will be Implemented (5 clear days)
24 June 2020	1 July 2020

Officer:	Jon Winstanley	
Witnessed by:	Moira Fraser	
Date:	24 June 2020	

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 01 July, then it will be implemented.

If you have any queries regarding this decision, please contact:

Name: Paul Hendry
Job Title: Countryside Manager, Transport and Countryside
Tel: 01635 519858
Email: Paul.Hendry@westberks.gov.uk

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