

Individual Decisions

The attached reports will be taken as an
Individual Portfolio Member Decisions on:

27 June 2007

Ref:	Title	Portfolio Member	Page No.
ID1478	Greenham Common Grazing Regulations	Geoff Findlay	1

Individual Decision

Title of Report:	Greenham Common Grazing Regulations		
Report to be considered by:	Geoff Findlay	on:	27th June 2007
Forward Plan Ref:	ID1478		

Purpose of Report:

To seek agreement on the Draft Grazing Regulations for Greenham and Crookham Common prior to submission to DEFRA

Recommended Action:

To agree the Draft Regulations

Reason for decision to be taken:

The Regulations are required to give the Council adequate control over grazing on Greenham and Crookham Commons

List of other options considered:

N/A

Key background documentation:

The Greenham and Crookham Commons Act 2002

Portfolio Member:	Councillor Geoff Findlay
Tel. No.:	Tel (01635) 871992
E-mail Address:	gfindlay@westberks.gov.uk

Contact Officer Details	
Name:	Paul Hendry
Job Title:	Countryside Manager
Tel. No.:	01635 519858
E-mail Address:	phendry@westberks.gov.uk

Supporting Information

1. Background

- 1.1 Greenham and Crookham Commons are subject to rights of common by virtue of the Commons Acts and the Greenham and Crookham Commons Act 2002 (the Act). This includes the right for some residents to graze animals, more usually cattle and ponies.
- 1.2 The Act was given Royal Assent in 2002 and amongst other provisions extends the rights of Commoners to turn out their animals across the whole of the Commons, including those areas where rights had been deregistered.
- 1.3 The Greenham and Crookham Commons Commission was constituted under the terms of the Act and has a considerable management role on the Commons. The Commission consists of 10 elected and 10 appointed Commissioners, including 3 appointments from the Council.
- 1.4 Over the last 7 years that commoners have been grazing at Greenham and Crookham there have been very few problems or disputes which the Council and the Greenham Commission have been unable to resolve amicably. Grazing has not been without its teething problems however, and a number of issues have proved surprisingly difficult to resolve.

2. Managing Grazing

- 2.1 Commoners have a right, in law, to exercise their rights and there are very few legislatively bound rules and regulations for them to adhere to. Most issues arise because of the varying and often conflicting objectives of both the commoners and the Council as managers of the Common. During periods of harsh weather for example the commoners may wish to provide supplementary feeding, whilst this is prohibited in most circumstances by the Council.
- 2.2 There are also conflicts between Commoners and inevitably the Council is called upon to intervene. The most recent example relates to the turning out of several bulls on the Common, each of differing breeds. The objective should be to agree on one particular breed to ensure the continuity of species. The Commission therefore resolved to draft a form of Regulation in order to provide some control over the commoners.

3. Adopting Regulations

- 3.1 Section 23 of the Act provides that 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'*.
- 3.2 Regulations were drafted by the Grazing Committee of the Commission and this was sent to all the commoners for consultation in 2005. The few responses which were received were accommodated into the draft. Over the intervening period the Regulations have been adopted by the commoners as an example of good practice and they have proved successful in managing most of the issues on the Commons. This adoption period allowed the Commission to establish whether the Regulations are appropriate.
- 3.3 The Draft Regulations remain unenforceable under the Greenham and Crookham Commons Act until such time as they are agreed by the Council and then confirmed by the Secretary of State.

4. Confirming the Regulations

- 4.1 Once the Portfolio Member has agreed the Draft Regulations they will be sent to the Secretary of State to be confirmed. Once confirmed they will become enforceable should this be required.

Appendices

Appendix - The Draft Grazing Regulations

Implications

Policy:	None
Financial:	There are no financial implications
Personnel:	There are no Personnel implications
Legal:	None, legal have advised
Environmental:	Supports the conservation aims on the Common
Equalities:	There are no Equalities implications
Partnering:	None
Property:	None
Risk Management:	None
Community Safety:	None

Consultation Responses

Members:

Leader of Council:	Clr Graham Jones
Overview & Scrutiny Commission Chairman:	Clr Brian Bedwell
Policy Development Commission Chairman:	Clr Quentin Webb
Ward Members:	Clr Owen Jeffery – Thatcham South and Crookham Clr Terry Port - Thatcham South and Crookham Clr Billy Drummond - Greenham Clr Julian Swift Hook - Greenham

Opposition Spokesperson: Clr Royce Longton

Local Stakeholders: The Commoners and the Commission have been consulted

Officers Consulted: Annette Thomas Legal Services

Trade Union: Not required

Is this item subject to call-in.	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input type="checkbox"/></p> <p>Considered or reviewed by OSC or associated Task Groups within preceding 6 months <input type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p>		

Grazing Regulations for the proper management of Greenham and Crookham Commons and to ensure proper standards of welfare and husbandry.

4nd Draft for agreement by the Commission 8th Feb 06

1. All graziers wishing to graze animals should declare their intentions with regard to numbers, breed, gender, and reasons for grazing to the Commission, by the 31st January in each year, prior to turning animals out onto the Common. The Council may, after consultation with the Commission, fix the maximum number of animals of each species to be grazed on the Common.
2. All animals on the Common must bear a mark or tag, or be marked in any other way, so that the ownership of those animals can be easily identified.
3. The use of avermectin group veterinary treatments is prohibited, due to their residual effects on invertebrate life on the Common.
4. The following are not permitted to graze on the Common at any time;
 - Shod equines.
 - Any animal which has become unthrifty, or is in such a condition that to remain on the Common would be likely to cause the animal unnecessary suffering.
 - Any animal, or animals of a particular description where the Commission is satisfied that exclusion is necessary.
5. Stallions, rams, bulls or other entire male animals over six months old must not be grazed on the Common without the prior written permission of the Commission.
6. Graziers are responsible for ensuring the good husbandry and maintenance of health of all animals to be grazed on the Common. Graziers are responsible for day to day welfare inspections, or for arranging these inspections and are responsible for all associated costs for their livestock and for removing any dead animal, or animal which has become ill or unthrifty. Graziers will ensure that any dead animal is, whenever reasonably practicable, removed from the Common as soon as possible after its death has occurred.
7. There shall be no supplementary feeding on the Common except in exceptional circumstances and only on those areas of the Common designated for supplementary feeding under those circumstances. These areas will be agreed in advance with the Commission.
8. The Commission, in consultation with the Council, and with prior notice of not less than thirty-one days, may ask for livestock to be removed for an agreed period* to allow for the proper maintenance of the Common, or for the promotion of proper standards of livestock husbandry.

*This period will not normally exceed thirty-one days in any calendar year.
9. If a grazier breaches any regulation, any animal may, after consultation with the grazier, and reasonable notice, be removed from the Common by an agent of the Council and the costs recovered from the grazier.