

## **Brendon Commons Council**

Minutes of the Seventh Meeting that took place at 7pm on Thursday 10th March 2016 in Brendon Village Hall.

- 1) **Apologies** Heidi Baker, Moss Tilley, Tom Floyd, Andrew Floyd
- 2) **Minutes of Sixth Meeting 12<sup>th</sup> November 2015** were approved and signed
- 3) **Matters Arising** None that were not covered by the Agenda
- 4) **Membership of the Council**  
**N.B First Election and Appointments end on 31<sup>st</sup> March 2016 Schedule 1 of Establishment Order sets out the process for Election of subsequent members**

Nominations were announced at the meeting (in their categories) it was noted that If the nominations do not exceed vacancies the Returning Officer shall declare the candidate(s) to be duly appointed; in any other case the returning officer shall cause an election by ballot of those present and entitled to vote to be held forthwith (this was not necessary).

### **Nominations / Duly elected members.**

**Landowners Representative :** Ben Williams

**Active Graziers Representatives:** Tom Burge  
Liz Bradborn  
Ian South

**Non-Active Graziers Representative** Robin Thorne

### **5) Financial Report**

The Treasurer reported the bank balances of the Council and Association Accounts outstanding creditors and amount owing regarding distribution of the Scoresdown. ELS/HLS monies that had been subject of discussion. The balance following distribution was deemed to be sufficient to cover expected costs to the year end and cheques were drawn.

Last year's accounts had gone through the audit procedure but the Treasurer wished to raise some queries with the auditor.

It was noted that the rules regarding Lloyds Bank Treasurers Accounts prevented the Council account being converted to one.

**6) Appointment of Officers as from 1<sup>st</sup> April 2016 (Secretary and Treasurer).**

After discussion both officers were re-appointed for the next year, costs would be limited regarding Secretarial duties. It was hoped that help might be provided by Defra regarding extraordinary expenditure on Rules. And registration queries recovered from enquiring parties.

**7) Stocking Including a). Cattle Experiment 2015** it was heard that the feedback had been submitted but there was concern that the experiment should not be considered a derogation because of rules limiting derogation numbers within an agreement period. This issue would be followed up at the next meeting with the Project Officer. ( see DONM below)

**b) i) TB issues Proposed protocol.**

The Draft Protocol drawn up at the Extraordinary Meeting of 4<sup>th</sup> February was formally adopted:- It was noted that procedure might need to adapt to the date of breakdown in relation to the cattle grazing period in the UELS/HLS and that the 1<sup>st</sup> March was a key date. It was noted that any procedure should attempt to honour the HR1 & HR2 commitments within the UELS/HLS

Suggested procedure:-

- a) Any commoner suffering a TB breakdown should immediately notify the Secretary.
- b) The Secretary would notify NE and the Active Graziers.
- c) The Active Graziers would call a meeting within a fortnight, by which time the affected grazier(s) must have decided if they would cover the shortfall themselves or would be requesting cover from other Active Graziers.
- d) It was agreed that the procedure should try and avoid claims of Force Majeure or a derogation because of the consequent payment reduction.
- e) That a default position of the 50/50 of HR1 & HR2 payments split between the TB affected grazier and covering grazier would exist should parties be unable to reach agreement.

\* As agreed in separate document.

### **b)ii) TB control plan.**

Following the recent TB breakdown relating to N&M Floyd it was noted that both major cattle graziers were affected. A way forward had been agreed with the APHA subject to agreement of the minority cattle grazier (Nick Skelton). The cattle graziers would meet and any resulting agreement would be confirmed by a letter signed by all parties which would be sent to the APHA and Council.

### **c) Stocking record**

An updated stocking calendar following Active Graziers meeting was circulated.

### **d) Sheep Marks and Contact**

current list to be displayed on website separately with Secretary's contact details

Bradborn	Green M on side (sheep were Kerryhills)
Burge	Black stripe down back yellow horns
Nigel Floyd	Blue on backend or blue F in a circle
Ray Floyd	Red across back pink horns
South	Orange backend
Tilley	Purple backend yellow between ears
Woollacott	Green middle of back
Woolhanger	W on right shoulder

## **6) Update on current issues**

**6.1) UELS/HLS** Details of the UD13 option was circulated and it was noted that Liz Bradborn had offered to monitor the archaeological features for an appropriate fee. It was agreed to forward the information and to explore possibilities.

Capital works (ENPA Grant) cutting to be done by Ray Floyd

**6.2) Swaling** a swaling plan amended by the Project Officer was agreed and the Swaling team alerted to the requirements.

**6.3) SPS** It was reported that the case officer was attending a meeting on the 18<sup>th</sup> and expected to inform the Secretary of the results on 21<sup>st</sup> March with regard to the Section 72 claim. The fee claim was held pending that result.

**6.4) BPS** concerns were voiced regarding the responsible person requirements and what this meant in the Brendon Common situation were the

Council were 'in control' the matter had been discussed by the BPS Commons Working Group and further detail would be reported as it was revealed..

**6.5) Re-wetting** nothing further had been heard

**7) AONB**

**7.1) Stock Farm activating units** Nothing further heard Secretary requested to alert them again to the practical issues relating to access and to make it clear that without these issues being clarified the activation of rights could not be considered.

**7.2) Badgworthy Allotment Fence** No repair had been carried out a number of possible contractors were noted and prices would be sought for urgent repairs.

**7.3) Higher Tippacott Rights** There was an issue regarding rights that on the register are attached to land that is in the process of being sold. The rights on the land were being claimed as rights in gross by a third party but the register showed the rights attached to land. Council has not received a definitive legal interpretation from either of the parties concerned. It was agreed to seek clarification of legal advice received concerning the treatment of the rights in the register. *see a solicitor*

**7.4) Attacks by Dogs** the Council's concerns should be raised with ENPA and a request made for Dartmoor type notices to be displayed.

**8) DONM Project Meeting and AGM Wednesday 13<sup>th</sup> July.**

**Meeting closed 21.00**

**Action Points:**

Contact AHVLA/ Council following TB measures agreement (Cattle Graziers)

Contact Stock Farm re Active Grazier proposal (Secretary)

SPS,BPS,Rules (Secretary).


Follow up Live Register issue(Secretary- Costs to be deducted from payment) (ongoing from 6<sup>th</sup> meeting)

Fence repair ( BLC)

Tippacott Ridge gorse (Secretary)

Dog attacks (secretary)

Signed by Chairman.....



Date. 13/7/16