

## DARTMOOR NATIONAL PARK AUTHORITY

Friday 14 April 2023

Present: W Dracup, G Gribble, P Harper, G Hill, J McInnes, J Nutley, N Oakley, C Pannell, M Renders, L Samuel, P Sanders, P Smerdon, D Thomas, P Woods (Chair), A Cooper, R Glanville, D Moyse, P Vogel

Officers: K Bishop, Chief Executive (National Park Officer)  
R Drysdale (Director of Conservation and Communities)

Apologies: S Morgan

### **3488 Declarations of Interest**

Mr Harper declared a personal interest in Report No. NPA/23/012 – Agri-Environment Agreement Rollovers on Dartmoor, due to having visited Mr Anton Coaker for discussions prior to the meeting.

Mrs Oakley declared a personal interest in Report No. NPA/23/012 – Agri-Environment Agreement Rollovers on Dartmoor, due to being employed by Natural England.

Mr Glanville declared a personal interest in Report No. NPA/23/012 – Agri-Environment Agreement Rollovers on Dartmoor, due to his being in receipt of a modest payment from the Rural Payments Agency (RPA), as well as stating that his tenants would be unable to farm without their payments from the Rural Payments Agency.

Mr Dracup declared a personal interest in Report No. NPA/23/012 – Agri-Environment Agreement Rollovers on Dartmoor.

Mr Sanders, on behalf of all Members, declared an interest in the Part II item – NPA/23/013 – Permission to Appeal the High Court Judgment in the case of Darwalls vs Dartmoor National Park Authority, due to having received a number of email communications from some of those registered to speak at the meeting.

### **3489 Minutes of the meeting held on 3 March 2023**

Save for an amendment to page two, to read as follows:

*“The Deputy Chair, reported that formal approval from the US State Department had been received to enter into a sister park arrangement with Cuyahoga Park.”*

Mr Sanders proposed, Mr Nutley seconded and Members agreed that the minutes be signed as a true record.

### 3490 Chair's Report

The Chair reported the following:

- The All Party Parliamentary Group meeting in March was well attended; Trudy Harrison, Parliamentary Under Secretary of State for Defra, attended and made a commitment to protected landscapes and especially to those people who live and work in them.
- National Parks England has been looking more closely at its purposes and *modus operandi*. The conclusion and intention is for the organisation to focus more on how it influences policy and resources to deliver National Park purposes.
- Mrs Oakley will leave the Authority's membership at the end of her current term; this will leave a vacancy for a Secretary of State appointed Member. The shortlisting has taken place, as has the first day of interviews. The second day was due to take place next week. The panel's recommendations are put to the Minister and Secretary of State who will make the ultimate decision on who to appoint.

The Chair advised Members and the public that it was her intention to swap Items 5 and 6 on the Agenda.

### 3491 Public Participation

The Chair advised Members that there were a number of registered speakers; those who had registered to speak on the subject of Item 7 – Permission to Appeal the High Court Judgment in the case of Darwalls vs Dartmoor National Park Authority would be heard first. She urged speakers to pay heed to the three minute rule.

**Mr Tom Usher, Chief Executive, Dartmoor Preservation Association (DPA)** read from a prepared statement, as follows:

*"Thank you Chair and Members for this opportunity to speak. I'm here on behalf of the Dartmoor Preservation Association who, as you will know, have been working to keep the moor wild and free for 140 years, defending access, preventing inappropriate development and working to conserve the heritage and ecology of the moor. The last time we spoke in January we urged to you see leave to appeal the backpack camping decision and made the offer that if you did we would immediately investigate the possibility of the DPA becoming a focus for a public appeal of funds, subject to taking all the proper, professional advice. You did seek leave to appeal and so we took that professional advice and, being satisfied that it was in line with our charitable objects, we started fundraising. You have now been given leave to appeal so we are coming back before you now to fulfil our offer. To be clear, we have raised funds for public access in the round. Our sights are set far ahead and focussed on people. In this over-urbanised island, where we live our hyper-connected lives, it is an incredible privilege to have untamed spaces and we want to save that beauty and freedom for future generations. In terms of access, we have a specific interest in youth and marginalised groups of people*

*who would not normally be able to get onto the moor. However, in our view, the biggest public access threat at the moment is the backpack camping ban and therefore that is our highest current funding priority. You have already taken the leadership step of seeking leave. You now have the confidence that your legal step has merit or you would not have been granted leave. You have clear and huge public support from tens of thousands of people and you have received many endorsements from organisations such as the BMC, the Open Spaces Society and the Ramblers, to name but a few. These organisations are the eco-system and fabric of public access in the UK so you can be comforted that you are supported at every conceivable level. For our part, the DPA has built a public access fund that I can tell you is very near to £100,000 and likely to go over that amount should you vote to pursue the appeal. That fund has been built by the general public, dipping into pockets at a time of great financial stress, because they believe in what they are doing and want to demonstrate their support for the National Park. So, you have a valid legal case; you have broad and deep support from around the world; you have momentum and you now have a source of funds. People are seldom neutral about Dartmoor and there has been discussion and disagreements over this backpack camping issue, possibly because it is a lightning rod for a raft of other issues on the moor. We remain clear that the only way forward on Dartmoor, for any issue, is through collaboration and partnership, especially with those that manage and own and care for the land itself. We reiterate our respect for those that work the land day in and day out to deliver the Dartmoor we are trying to protect and we will continue to work with anyone and everyone who wants to see Dartmoor archaeology, ecology, heritage and access protected. You will continue to have our support if you appeal.”*

In response to a Member query, Mr Usher advised that the fundraising had been as good as DPA had hoped it would be. There had been one notably large donation made but, with this one exception, most donations had been between £10 and £20 from thousands of peoples’ ‘back pockets’. Donations have been relatively steady with some high points, as one would expect when publicity was increased. There was a significant leap when the Appeal Court granted the Authority leave to appeal.

**Mr John Howell, Chair of the Dartmoor Commons Owners’ Association** read from a statement as follows:

*“Camping is permitted on about 210 square kilometres of the moor. That’s 52,000 acres, enough space for ten million small tents. It’s a partnership between the owners and the Authority, because neither has the resources to manage camping alone. The permissions are to be held by the Authority in rolling three-year licences. This was mostly created within five days of the court ruling in January, with some added later, like your own land. Our members recognise that we’re custodians of the wildest area in southern England, with immense value for physical and mental well-being. But we’re also very concerned about the maintenance of its environmental quality.*

*Camping’s just one issue. The management of Dartmoor is extremely complex, and becoming more so as we attempt to address more*

*environmental outcomes. Natural England has drawn everyone's attention to what the owners already knew – the fact that our SSSIs are mainly in poor condition. That's leading to an Independent Inquiry, as part of which we've requested that access is covered alongside environmental and agricultural issues. This needs to be all access issues, not just camping, and put into the context of achieving nature and peatland recovery. The time has passed for an appeal on the High Court ruling to be appropriate.*

*We're not represented in the Authority, and I can't explain the complexities and issues behind this matter in only three minutes. Personally, I feel strongly that if the Authority makes an appeal, it must pay itself with public funds. If you take money from a single interest group, then you're setting a very dangerous precedent, for any pressure group to lobby and pay you to seek changes to the law. If a group raises money for an appeal, then it must appeal itself.*

*There are much better ways to resolve this. If it's in the public interest, then let's debate it alongside all of the other priorities for the use of this landscape. Together we can work towards an amendment of the 1985 Act, which will be applicable for today and not for the situation 40 years ago. The Darwall case has shown the need for this, but it can't be resolved through more legal argument. It's become politicised, but we should all be equally concerned about safeguarding the environment we share and promoting people's welfare. Spend money on a facilitated dialogue and a public inquiry, not on a legal challenge. Let's find a solution fit for the 2020s, not try to twist 1980s legal wording through increasingly specious arguments. In the meantime, we've given you 52,000 acres of assured free camping space."*

In response to a Member's question as to whether he felt that the 'permissive approach' would negate current management problems, Mr Howell advised that there had always been a lack of flexibility within the Byelaws. The permissive approach would allow for an abused area to be taken off the camping map which would allow it to recover. This would, for the first time, link responsibility to rights which is not currently written within law. Following the Member's supplementary question Mr Howell confirmed that landowners had no issue with the backpack camping, as per the true definition – that people would walk onto the moor, stay for one or two nights and would leave no trace.

With regard to the poor condition of the Sites of Special Scientific Interest (SSSIs), Mr Howell stated that his referral was not a causal link to access and camping; it was more due to the grazing issues which were to be discussed later on the agenda.

**Ms Julia Wilson, The Stars are for Everyone**, read from a statement as follows:

*"Dartmoor was my place of solace as a child growing up on the moor outside South Brent. I spent my free time roaming it on foot and on horses and it kept me feeling alive and strong through family disruption and mental health*

challenges. I am passionate about Dartmoor, learning hedge-laying and stone walling and I have a desire for long-term eco-system restoration and a thriving Dartmoor landscape for everyone. To have that much freedom and a feeling of being part of something bigger than the personal challenges of life was a privilege. I want that for as many people as possible through Ten Tors, Duke of Edinburgh or personal wild camps. This change in the law for me is devastating and I stand here today to encourage that this decision is appealed. The ability to roam freely and pitch a tent is more than just a leisure activity; it ties us to something that is more deeply human where we feel a connection to the natural world. It is experiences like this that instil respect for the land and those working on it and I strongly believe that this is an essential part of Dartmoor's long-term protection – to give people the right to love and care for it. I fear that this ruling sets a precedent for further removal of access to Dartmoor with access based on permission. Things such as horse riding, walking, running and the freedom to go out and explore could, over time, potentially be restricted. For me this was, and it still, one of the most important experiences that I treasure and I want to uphold this for now and for future generations. Being close to this free roaming land has instilled a deep respect for the living world. I see access and small scale wild camping as a solution to move towards the world we need to see in the face of ecological climate collapse and breakdown, which is our collective concern. For me, this ruling, and my desire for it to be overturned is about connection, resilience and the choices we make now for the future. The recent ruling has inspired so many people living on Dartmoor, close to it and further afield, to express how important this wild land is to them. The opportunity to camp and belong without the express permission of a landowner is a fundamental part of this. The 3000+ people who joined the peaceful protest in Cornwood are testament to this. It is vitally important that all those who come to Dartmoor treat it with care and respect. I am an advocate for this; I am also an advocate for taking this to appeal and finding ways we can all collectively get around the table and talk about Dartmoor's future, with our mutual care for the land at the forefront of the discussion. Let us appeal this decision and keep the conversation going about how we can all contribute to ensure a thriving Dartmoor landscape.

**Mr Russell Ashford** read from a statement as follows:

*“My name is Russell Ashford. I've been a farmer on Dartmoor for my entire life, and I own Buckfastleigh West Common and graze my stock there. I work closely with the DNPA, chairing both the Hill Farm Project and the Farming in Protected Landscape Panel. I am therefore able to represent the views of many of Dartmoor's land managers. I'd like to focus on the practical difficulties of managing camping on the commons using the byelaws arrangement we've had for nearly 40 years.*

*As the Commons Owners have pointed out to you before, the problem is not the right of camping, but the way it's managed. The Dartmoor Commons Act 1985 is so poorly written that not only can the rights of access be questioned and appealed, but the responsibilities for managing it are largely non-existent. The public has the rights, the Authority has responsibilities, but these are only*

*discretionary and not obligatory. This means that the burden falls unfairly on the owners of the commons.*

*By allowing permissive camping, we've actually linked rights with responsibility. If the right of camping is abused in a certain place, then the camping map can be adjusted. You discovered this abuse for yourselves when the Rainbow Family camped on Holne Moor in 2020.*

*The permissive camping approach would have worked well on a corner of my common at Chalk-Ford. This small area of about half a hectare is treated like a mini Spitchwick with regular "careless camping" involving bonfires, barbeques, litter dumping and "wild toileting" and it is no joke having to deal with the aftermath as I'm sure your Rangers would agree.*

*With active dialogue between the Authority and ourselves, the permissive map system would have proved to be a really important piece of governance, addressing issues such as these. I want to make it clear that we are not opposed to backpack camping, or DofE or any other way in which youngsters and everyone want to use the common but it must be managed and it must be managed better than it has been in the past.*

*Please also spare a thought for the lack of car parking facility facing a common such as mine. The only access is along just two, quite lengthy bridlepaths. We've made available car parking space on our private land at Cross Furzes for about 8 cars if parked sensibly. If these spaces are taken up by those parking for a number of days while camping, it severely limits the space available to the day visitors. This leads to irresponsible parking, congestion of the roads, blocked gateways and even blocking the bridlepath itself.*

*As we've explained before, the previous arrangement of camping managed through the byelaws wasn't working and the problem has got steadily worse over the last 20 years. There is no good outcome from a legal appeal. As Mr Howell has argued, there is a huge opportunity for a constructive discussion and a public inquiry. Please choose the route of respect and not that of continued conflict. We owners are passionate about our land and we agree with the camping rights community on more things than we disagree. It will be better if we talk it through between us, rather than the uncertain prospect of going through the courts."*

The Chair advised that she had exercised Chair's discretion to allow a statement to be read on behalf of Mr and Mrs Darwall. The issue is an important one and all sides of the argument should be heard.

**Mr Joseph Hess, Land Agent, read a statement on behalf of Mr and Mrs Darwall, as follows:**

*"My name is Joseph Hess. I am the Land Agent for Mr and Mrs Dawrall and Blatchford Estate. I have got five points to make.*

- (i) *The Court of Appeal's recent order giving permission to appeal should not be mis-read or over-estimated. It is acknowledged, in accordance with the Court rules, that there was an arguable position but no higher than that. The reality is that the Chancellor of the High Court, the most senior judge in that division of the High Court, came to a considered view after detailed submissions, over two days in Court, made on your behalf, by your lawyers instructed by you and after a detailed search of the Devon County Archive.*
- (ii) *You have twin duties: to conserve and enhance Dartmoor National Park natural beauty, wildlife and cultural heritage and promote opportunities for the public to understand and enjoy the special qualities of Dartmoor National Park. They are in conflict here in a way which I cannot see how you can reconcile. Where they are in such conflict, you are supposed to put the first of these principles first, the Sandford Principle otherwise known as. You are prioritising the second over the first and, by doing so, are pushing in the direction of even greater conflict between the two. Your arguments risk regularising all forms of camping on the commons.*
- (iii) *You are not behaving as a public authority should. You are behaving like a campaigning organisation. That is not your purpose and duty. First, you have indulged a mass trespass and from all the quotes in the media you have briefed extensively in a very biased way. Your Chief Executive wrote that the Darwalls are seeking to restrict access to Stallmoor. That assertion is completely untrue. That is not the behaviour that commands respect. You need respect if you are going to discharge all your duties. Secondly, if you take money from external bodies to fund a legal campaign, indeed, you encourage that funding; you fetter your discretion as a public authority. You become beholden to a pressure group; that is unwise for a public authority. Thirdly, you do not, unlike a county council or a borough council, have a benefit of general power of competence in section 1(1) of the Localism Act 2011 to act like an individual may generally do, such as engage in a political and media campaign of this nature.*
- (iv) *The landowners willingly came to the table after the High Court gave its judgment to agree a scheme of permissive access for wild camping. Those permissions have been given willingly, in good faith and with goodwill. By taking an appeal forward you risk imperilling this for the public.*
- (v) *In short, you do not need to pursue this appeal; you should not pursue this appeal and, if you do, you risk creating a situation which is worse than the current one. If you fail, you risk landowners withdrawing their permission. If you succeed, you unleash camping of all sorts on the commons which you have publicly said you do not want.*

In response to a Member query, Mr Hess advised that he did not have instructions from his clients to answer any questions with regard to the prepared statement.

The Chair advised Members that the next speakers would be addressing them with regard to the Agri-Environment Agreement Rollovers on Dartmoor.

**Mrs Charlotte Faulkner, Chair of Dartmoor Hill Pony Association,** read a statement as follows:

*"I am Chair of the Dartmoor Hill Pony Association, a constituted membership organisation, using their rights to graze semi-wild Dartmoor hill ponies on Dartmoor. Alarm bells were set off in February by an email announcing that HLS rollovers would include at least 50% stocking reductions over the next five years. The Dartmoor Hill Pony Association has explained on many occasions to Natural England that their various edicts are depleting pony numbers on Dartmoor. The phrase 'the farmers decide' which stacks odds against the ponies as only 10% of the commoners have held onto their pony herds against all odds. They are always the minority vote; they lose. This is accentuated by Natural England allowing ponies to be swapped for cattle which is understandable at a time when the demand for livestock reduction is squeezing the financial viability of farm businesses.*

*We ask for your support in getting Natural England to consult with the Dartmoor Hill Pony Association to see how this can be rectified. Why? Because we are talking about England's last semi-wild equine population. It is recognised as genetically rare and, as such, important to the equine species worldwide. It is classed by Defra as endangered, as defined by the United Nations and is now on the Rare Breeds Survival Trust watch list. A further cull would make the population genetically unviable; this contravenes the UK's commitment to COP15 goals and targets to address biodiversity decline. The Dartmoor Hill Pony Association recommends that Natural England consults with the UK Genetics for Livestock and Equine Committee before the latest edict to check its impact on genetic viability for the semi-wild hill pony population. The UK GLE has said that it would like to talk. Maybe our local National Park, the home of these ponies, should also lobby.*

*The Dartmoor Hill Pony Association recommends Natural England discuss its plans for Dartmoor with their own Natural England Scientific Advisory Committee before issuing livestock reduction cuts as part of the five year HLS rollover, as they hadn't done so up to a few days ago. I will add that there is a growing number of upland specialist ecologists who state, with scientific evidence, that the livestock numbers reductions proposed by Natural England will result in a loss of biodiversity.*

*The Dartmoor Hill Pony population is a very specialised subject and we ask that the expert advice of the Dartmoor Hill Pony Association be taken full advantage of during ongoing discussions. We have some proposals we have been working on for the future management of ponies under ELMS (Environmental Land Management Schemes) and feel we have some positive solutions to the current situation. So we politely request that that we are invited to the table as discussions go forward to avoid the Dartmoor hill pony disappearing. Never can it be replaced; they are only found on Dartmoor. The general public are showing their concern on a petition which, when I last looked, was signed by over 40,000 people. Don't let them down. The ponies are on the green watch list and our failure will be if they go onto the red list.*



*Another extinct mammal because we are blind to see what our actions cause and what we have on our doorstep.”*

**Mr John Howell, Chair of the Dartmoor Commons Owners’ Association,**  
read from a statement as follows:

*“Grazing is at the heart of the balance between conserving the environment and producing food on Dartmoor. This matter is of far more fundamental importance than that of camping rights. The management of vegetation is central to Dartmoor’s landscape, its environment, livelihoods and access.*

*Dartmoor’s land cover has been changing for thousands of years, but the present situation comes from management over the last hundred years. Common grazing rights have no direct responsibility for environmental conservation, so management agreements have had to be used. The trouble is that we haven’t got things right, and the vegetation isn’t what anyone wants.*

*Natural England is right to highlight the plight of the SSSIs and the peatlands, and to take decisive action to resolve the situation. But their assessments are flawed and their approach is very unlikely to achieve what’s needed. They’re focussing on reduced grazing, but there needs to be a much more nuanced set of measures. These must be applied locally within and between commons. They need to be adaptive to what livestock are where and when. We’re constrained by the open landscape, the breeds that can live on the moor, the economics of managing them for periods off the moor, by labour costs and market prices, and by the insecurity of government policies.*

*We know that simple stock reduction doesn’t work, but that reductions in certain places at certain times will work. What we don’t know is what Natural England wants, because it’s poor at sharing information. This makes it hard to propose ways in which we can achieve what’s wanted. We need to be allowed to devise our own measures and so be the solution and not the problem. The commons must remain a managed landscape. It’ll always need farmers and their animals. Practices must change, but we must ensure that it remains worth farmers being there or we’ll lose a key tool and impoverish our communities.*

*The recent call for an Independent Inquiry is appropriate and gives us the best opportunity in 50 years to look at the situation rationally. The work of the Authority in brokering discussions is valuable, and it has the support of the owners and farmers.*

*The one year breathing space we are all asking for from Natural England and the RPA is essential to allow this to happen. But we also need clarity of purpose and flexibility in approach. We may need to alter the landscape to ensure good outcomes. We must be open to change and we must address this holistically, including access issues in the mix.*

*I request the Authority to embrace the opportunity given to us by the two challenges of grazing and camping, to work with all stakeholders to find an up*

*to date way to govern and manage this precious environment. Please support a broad facilitated dialogue and a public inquiry, and let's have productive discussion rather than destructive conflict."*

**Mr Philip French, Chair of Dartmoor Commoners' Council**, read from a statement as follows:

*"First I'd like to endorse the report that you have before you today. It sets out the position as we would see it from a Council point of view. I'd like to clarify one specific point regarding Natural England and SSSIs. Natural England has actually been setting stocking rates on a lot of these commons through agri-environment agreements for over 20 years now. Periodically they turn up and request further stocking reductions if they felt that the SSSIs weren't delivering. Continually, their only answer is more stock reductions. Frankly if you're going down the road and something is not delivering, is it not the time to review that policy. If this policy is implemented there are serious implications for the National Park as a whole in terms of the huge amount of extra vegetation that will be on the commons. This will create huge fire risks, add to your erosion problems and will actually substantially impede public access. By removing winter livestock, and a Natural England winter on Dartmoor is 1 November to 30 April (not a normal winter) many of our high, reared flocks of hill sheep will be completely lost, along with the skill set of the commoners who deliver; that will never be replaced. We need to develop a policy, outlined in 5.2 and 5.3 of the report. It would be very regrettable, as is likely, many of the 23 commons now in HLS (High Level Stewardship) agreements now were to drop out. This would effectively leave them with no management and you would lose the fire fighting teamwork that commoners do. We need agreements that are workable for commoners and the environment. Referring to section 4.2 of the report, we consider and please with government for the implementation of a 1+4 year option for the 5 year HLS rollovers. This is vital for the actions outlined to be implemented. The current pressure on our commoning members is intolerable; it is not acceptable. For Natural England to say well, you can have one year, but then you've got to implement our policies after that, frankly no-one goes into negotiations with a blank cheque book."*

In response to a Member's query, Mr French advised that if landowners pulled out of the HLS agreements, the management of the SSSIs, including the clearance of vegetation, fire fighting etc, would reduce, due to their facing 50% reductions. In his view, the current number is at a critical level for the management of commons. If cut by 50%, there would no longer be the active manpower to undertake these tasks.

### **3492 Agri-Environment Agreement Rollovers on Dartmoor**

Members received the report of the Head of Conservation and Land Management and the Chief Executive (National Park Officer) (NPA/23/012).

The Chief Executive (National Park Officer) advised Members that Agri-Environment schemes were government programmes, set up to help

landowners manage their land in an environmental way. They were voluntary and offered payments on the basis of profits foregone and costs incurred. Whilst they were voluntary, the payments are increasing in importance due to payments under the Basic Payment Scheme were reducing. This scheme was also paid to farmers to assist them in maintaining their land in good agricultural condition. This was particularly important for hill farmers.

The current Agri-Environment Schemes were in the process of being phased out, to be replaced by Environmental Land Management Schemes (ELMs) from 2024. The Rural Payments Agency (RPA), the government's administrator for current agri-environment schemes was offering farmers extensions to existing agreements. There was now the potential for five year extensions. Natural England (NE) acts as an adviser to the RPA. It offers advice, especially regarding the condition of SSSIs.

The National Park Authority has no formal role in the administration of current agri-environment schemes. It does administer Farming in Protected Landscapes (FiPL) but this scheme is very different. It does not offer money for 5/10 year agreements; it offers funds for specific short term projects. FiPL is also broader; combining programmes under four headings – people, place, nature and climate. Current agri-environment schemes are narrower in their purpose.

Within Dartmoor, there are 23 agreements, mostly on common land, that are either expired, or are due to expire soon. The RPA first wrote to agreement holders offering a potential extension, asking agreement holders if they indeed wanted to extend. It is understood that Natural England contacted all commons associations with expiring agreements, outlining the principles which would underpin their (NE's) approach to supporting an agreement's extension. The principles included that stocking rates should align with established evidence of restoration or maintenance of key habitats and, on a SSSI, the achievement of a 'favourable' condition. In addition, winter grazing, except by ponies, would need to be justified by clear and specific environmental outcomes.

The communication offered annual review meetings with agreement holders and NE staff would be in contact to discuss any extension going forward. Commoners would have to produce a management plan – without this they would effectively be unable to apply for an extension. Following this initial communication, it is understood that there was further communication to two specific commons which included indicative stocking levels. For one common, that represented an 80% reduction across the year, compared to current numbers. The Authority understands that that information was then shared across other commons who concluded that they would be facing the same level of reduction in stock.

The Authority was not consulted in advance of those communications, nor, it is believed, was the Dartmoor Commoners Council. From conversations with NE, the Authority understands that there is greater flexibility and that NE is not

looking at 80% reductions across all of the commons associations with expired or expiring agreements.

The Authority's position has been to encourage NE to provide greater clarity. It has also endeavoured to bring the various stakeholders together. Its position is that which is outlined within the Dartmoor Partnership Plan – a statutory document which the Authority is charged to prepare, in consultation with other bodies. The Plan is very clear regarding the vision for Dartmoor, going forward, where farming and forestry provide public benefits and helping with the environmental management of the National Park.

The Authority has suggested to NE that all expired or expiring agreements are extended for 12 months, with minimal or no change. A meeting was convened on 4 April 2023 which NE, RPA, Historic England, Commoners' Council, Commons Owners' Association, Farm Community Network, Duchy of Cornwall and officers of the Authority. The outcome of the meeting was unanimous support for an independent review. There was also significant support for the extension of current agreements for a 1+4 model: year one – minimal changes to stocking rates, years 2-4 – an adaptive management scheme (changes to stock levels made but changes continuously monitored). NE and RPA agreed to examine the suggested model; RPA indicated that it was happy with the model but was concerned that it may not have the funds at the end of year one to offer a four year extension. The proposal may, therefore, need ministerial support.

The condition of SSSIs on Dartmoor has been a driving force for NE; conditions have not improved. More is required to improve nature recovery. The current agreements are not doing enough for nature. Stocking levels are but one of a number of factors that need to be considered. The independent review would need to look at all of the factors and start to build a process of engagement in order to hear the views of everyone; plan a way forward that would maintain that engagement.

Members commented as follows:

- Commoners are not aware of Natural England's objectives; what are they hoping to enhance with these measures?
- Congratulations to the Chief Executive (National Park Officer) and other officers and independent parties for moving so quickly; a difficult situation at the Authority does not have responsibility for this issue;
- The future of hill farming on Dartmoor is extremely worrying; the situation could become untenable for farmers;
- Natural England hopes to improve the condition of SSSIs by reducing stock levels; based on data from their officers. Further consideration was needed as this was clearly not an answer;
- Any independent enquiry needs time to gather information; there would need to be a moratorium for farmers. The enquiry should be permitted to run its course and, during this time, farmers should be permitted to continue to work within their current limitations.

Mrs Pannell proposed the recommendations, which was seconded by Mrs Samuel.

**Resolved:** Members noted the current position regarding agri-environment agreement rollovers on Dartmoor.

It was proposed by Mr Sanders, seconded by Mr McInnes and agreed by all Members that the meeting would move into Part II proceedings.

## **PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED**

*It is recommended that, in accordance with s.100A of the Local Government Act 1972 as amended, the following Agenda item is taken in the absence of the Press and Public, on the grounds that exempt information within the meaning of Part I Paragraph 1 & 2 to Schedule 12A of the 1972 Act (as amended) will be discussed, namely:-*

- 1. Information relating to the financial or business affairs of any particular person (including the Authority).*

### **3493 Permission to Appeal the High Court Judgement in the case of Darwalls vs Dartmoor National Park Authority**

Members received the report of the Chief Executive (National Park Officer (NPA/23/013)).

**Resolved:** Members authorised the Chief Executive (National Park Officer) to take all necessary action to proceed with the appeal of the High Court judgment in the case of Darwalls vs Dartmoor National Park Authority.

It was proposed by Mr Sanders, seconded by Mr Cooper and agreed by all Members that the meeting return to Part I proceedings.

The meeting closed.