

Minutes of West & East Putford Parish Council Meeting held on Tuesday, 8 August 2017 in Bradworthy Methodist Church Schoolroom at 7.30pm.

<p>Chaired by: Councillor Mrs P Geen</p>	<p>Clerked by: Sue Squire</p>	
<p>Present: Councillors</p> <p>M Cornish Mrs R Crout Mrs L Drake Mrs P Geen J Jessel Mrs M Lewis N Moulder D Pomeroy M Thomas J Wooldridge</p> <p>Mr R Dixon, Natural England (NE) Chris Goodall, Natural England (NE) Lisa Schneidau, Devon Wildlife trust (DWT)</p> <p>2 members of the public</p>	<p>Agenda: - Welcome & introduction by the Chairman Items raised by members of the public Apologies Declarations of Interest / Dispensations Common Moor Finance Urgent items raised at the discretion of the Chairman</p>	
		Action:
<p>32.</p>	<p>Welcome and introduction by the Chairman. Councillor Mrs Geen explained that the reason for the meeting was to discuss Common Moor. She welcomed everyone and introduced the representatives from Natural England and Devon Wildlife trust.</p> <p>Special thanks were expressed to Rob Dixon (NE) for his work in providing the answers to the questions raised ahead of the meeting for Councillors to study and also for arranging a site meeting at Thornhillhead Moor, Buckland Brewer.</p> <p>A welcome was also extended to members of the public, Mr D Walters and Mr S Doncaster. Mr Doncaster originally raised the topic of Common Moor with West & East Putford Parish Council in September 2016.</p> <p>Councillors were thanked for submitting questions and the high level of commitment for attending this additional meeting.</p> <p>The Parish Clerk was also thanked for her work and the arrangements / preparations for the meeting.</p> <p>The current team of Parish Councillors had shown a considerable amount of commitment to take on the issue of Common Moor and the meeting was looking forward to obtaining clarification on the details for a decision to be made. Councillor Mrs Geen felt the Parish Council could be proud of the work undertaken so far.</p> <p>It was explained that the first part of the meeting would cover the overview from NE and DWT followed by an open discussion.</p> <p>The second part would involve Parish Councillors only. Members of the public were welcome to be present at both parts to observe.</p>	
<p>33.</p>	<p>Items raised by members of the public. None.</p>	
<p>34.</p>	<p>Apologies. Councillors A Bewes, P Bond, Mr R Harris (Forestry Commission),</p>	
<p>35.</p>	<p>Declarations of Interest and Dispensations. Some initial advice had been received from Jamie Hollis, Senior Solicitor and Monitoring Officer at Torridge District Council who was due to confirm this in writing. Advice had been received from the Devon Association of Local Councils which was advised to the meeting.</p> <p>More work was required on this and would be an item on the Agenda of the next Parish Council to discuss on 20 September 2017.</p> <p>Councillors Mrs Drake, Cornish, Moulder and Pomeroy declared a personal interest, being Commoners.</p>	

36. Common Moor.

Rob Dixon (NE), Chris Goodall (NE) and Lisa Schneidau (DWT) gave an overview of the draft stewardship plan and agreement proposed for Common Moor.

Chris Goodall, Team Leader for North Devon (NE). She had taken a close interest in the agreement, advising that the site is designated as an important site, currently in decline. Without intervention, it will be destroyed and a loss to the country.

Rob Dixon thanked Councillors for the questions and the Parish Clerk for fielding the details, involving a lot of hard work.

All Councillors had seen the answers to the questions and the draft Management Plan prepared by DWT.

RD outlined why a Stewardship Agreement and Management Plan was needed:

- Vision
- Finance
- Partnership Working
- Time Lines
- Monitoring Evaluation

- ❖ The site is important and its condition had declined
- ❖ There had been previous efforts to get a management plan in place
- ❖ There would be improvement to the Moor's wildlife, for people to enjoy
- ❖ Two scheduled monuments (barrows) were included on the Moor

Ongoing management would involve maintained firebreaks and control of scrub by a twice yearly cut. The Countryside Stewardship details were explained and benefits to the site with this in place.

Vision. What will the Moor look like in 10 years?

It is difficult to walk at present. There would be less gorse, scrub and grasses.

There would be an increase in flowering plants, birds and insects.

Common Moor is one of only two sites in the country for a species of hover fly.

Firebreaks would be maintained for 10 years.

Finance.

- The agreement would commence on 1/1/18 for 10 years with a break clause of 5 years
- Payments would be for annual management (scrub clearance, bracken control) and capital works e.g. interpretation board.
- The first annual payment would be in October 2018. The figure quoted was £15,086 per annum. The second half of the payment would be received during January to June following the initial payment
- There would be no capital works payment in the first year to help with cash flow
- DWT will do the burn (swaling) for the first year into the agreement (January 2019). The cost would have to be found for the second burn, taken from the initial £7,500 payment (50%) together with Agent's fees if an Agent was appointed.
- LS confirmed that DWT would train people to swale safely. There were options for people in the Parish to be involved in the work.
- Completion of the claim form was due in early May 2018. Other half yearly payments would be made automatically.
- Question 24 regarding the legal agreement. RD could not think of a possible breach that would occur. If swaling cannot be carried out, due to bad weather for example, payments would not stop.
- Scrub control is funded at 80% and 20% from the annual management payment. Three quotations would be required.
- Work on the barrows that are scheduled monuments. These would be included in ongoing bracken and scrub control and there would be a 100% payout from Historic England.

Partnership working and responsibility of partners.

- In agreement with the Parish Council, DWT do the work in the first year free of charge.
- NE will provide help and advice and help with the swaling.

Timelines would include a break clause with the agreement commencing on 1/1/18.

NE have to complete the draft Agreement by 30/9/17 because of the scheme rules and details of what

would be required were given. This will need Parish Council approval at the next meeting.

A Side Agreement would be required among the agreement holders. The example circulated to Councillors would require adapting. RD had contacts to progress this which would cost in the region of £500 - £700 although the invoice would be deferred until the payments were being made.
If the Parish Council wished to operate the break clause after 5 years, 2 or 3 months warning would be required.

Monitoring evaluation and review processes.

Common Moor is a SSSI (Site of Special Scientific Interest), surveyed every 5 years, the last time being in 2012.

A question was asked about the position regarding Brexit and the European funding which would fund the Countryside Agreement.

RD confirmed the funding would continue certainly for 5 years. The Agreement is underwritten for 10 years.

Lisa Schiedeau, Devon Wildlife trust echoed everything that NE had said explaining that NE is the government nature organisation, DWT is its counterpart grassroots charity which works to further wildlife in Devon, to try and get Devon much richer which is carried out in a number of routes.

In addition, the trust has for the last 30 years been running an advisory project in North Devon highlighting the importance of culm grassland.

The River Torridge catchment has 35% of the entire UK culm grassland which is internationally important with all the different species that come with it.

LS manages 5 different projects, mainly in the Torridge catchment, the biggest of which is the culm grassland project. They are all based on project funding and these details were explained.

It was explained that culm grassland acts like a sponge and is an important habitat.

LS has run projects with Parish Councils in the past and sees it as a good opportunity to help wildlife.

LS explained her role where there are also two experienced farm advisors, working closely with wetland teams who work on a practical side.

The work they do is assisting landowners with agreements. At present there is work on 3 Higher Tier Agreements, 2 private farmers and Common Moor.

Higher Tier Level Agreements are becoming scarce and it was emphasised this was a big opportunity with no guarantee that it would be repeated for the Parish.

LS gave details of the support DWT could offer. There is funding until 2020 and DWT has long term commitments to culm grassland.

Funding could not be guaranteed after 2020.

Practical work would be done in the first year and help with training and support given.

There could be a move towards a consultancy or contracting arrangement.

Only contractors with the relevant insurance could undertake swaling, which DWT and the Parish Council have in place.

RD knew of 4 contractors who could do swaling.

She encouraged all to make most of the opportunity.

Councillors had previously supplied a range of questions relating to the management of the Moor by the Parish Council which were forwarded to NE and DWT and answers had been circulated to Councillors ahead of the meeting to study.

An open discussion and debate took place with Councillors and other attendees, summarised as follows:

- It was hoped that the work improving the Moor could be done as soon as possible.
- What does the term 'declining' mean?

Answer: It is a fairly complex system involving the number of species found per square metre, vegetation smothered, overgrown with rank grass. It was important not to lose anything that was on the Moor and after the burn it was known that species appear, which had been the case very quickly after Common Moor was burnt in March 2017. Due to Brexit, 2018 will be the final year

for Countryside Stewardship Agreements.

- It has been implied that the Parish Council could use the spare cash available from funding, after payment to contractors, for its own use (projects). What formal legal document would be available to confirm that once the obligations on the Moor are fulfilled, the surplus is for Parish Council use?

Answer: The amount of funding is £274 per hectare per year. The Parish Council can use it in whatever way it chooses. In year 3, the Parish Council would do a scrub clearance. RD had allowed £5,000 for this, leaving £10,000 to pay a land agent or to go on administration fees.

- Is there a timeline for the foreseeable future of the works required to help understand what is involved?

Answer: RD would produce this. LS felt that two timelines would be helpful (1) for the practical side and (2) for administration.

- On reading the Management Plan, it appeared that the scrub alongside the highway is going to remain.

Answer: This could be addressed and adjusted accordingly.

- If the Parish Council agrees to proceed, could the Parish Council purchase a tractor and flail topper for Councillors / Commoners to do the work? When the first burn was done in March 2017, DWT marked out the area. The machinery would be an asset to the Parish Council and it would obviate the need and reliance on contractors and the weather.

Answer: The payment line would need to be checked as would insurance and a risk assessment would need to be carried out.

- The burn area of the Moor is split into 7 blocks, 5 on one side, 2 on the other. How often would each block be burned?

Answer: Once every 2 years.

It was thought that the eastern side would require more attention. The block close to the road would involve wind direction monitoring as a road closure for this purpose would not be popular.

- What is green hay?

Answer: It is a way of taking seed source by bailing.

- In response to the question on the use of herbicides, who is responsible for dealing with species such as Japanese Knotweed and Himalayan Balsam?

Answer: The landowner. It is compulsory to control it.

It was thought the Moor was sprayed 10 years ago. As the Moor is ownerless, could this be a problem?

Answer: There is funding available from Defra for work on an important SSSI site such as Common Moor.

- Why can't DWT take over the complete management of the Moor? Why do they need the Parish Council?

Answer: DWT feel it is more effective and desirable for people to manage land. It is not possible for the trust to take on every piece of land as it would not be effective.

In addition, it would be illegal for NE to have a legal agreement with DWT.

- The matter has been discussed for years. If it is so simple, why have people been shying away from it?

A Councillor explained that the issue had never been discussed at this length before. There had been disagreement when NE wanted to fence and graze the area and the Parish Council had always maintained it should be burned.

RD was aware that fencing was not the choice for everyone. Burning was not as good as cattle grazing.

- There was concern about the Parish Council's capacity to deal with the Stewardship Agreement. How could a small Parish Council manage this when DCC and TDC were not interested?

Answer: The Parish Council needs to be sure it is something it wishes to proceed with. If there is not the capacity to do so, this would be completely understood. It was reiterated that 2017 and 2018 are the last opportunities to proceed with a Countryside Agreement.

- What will happen if nothing is done?

Answer: The 1947 aerial photograph was referred to, shown at a Parish Council meeting on 6/12/16. This showed it was frequently burnt in the past. Without burning the area would eventually become scrub and dense gorse.

- Another suggestion was to lease the area as a research tool to see the effect under different forms of management with the suggestion of a species count.

Answer: DWT has extensive experience of culm grass and there was little confidence that anything new would be learned. Other disadvantages were that it would increase the effort and capacity required from the Parish Council which could over complicate the process. The advice

- was to move slowly and find a management method all were happy with.
RD advised that if the Parish Council did not manage the Moor, no payment would be made.
- It had been stated that no dormice had been seen but this was refuted.
 - There was concern that wildlife would be affected with only 10% of scrub remaining.
Answer: This issue could be a discussion among the Parish Council. Scrub takes over when a site is abandoned and when one is managed, it is typical for 10% to be left.
The balance tips in favour of some species. It would alter the balance rather than obliterate the species.
 - It has been said that 45% of a barrow is on the Moor but it could not be found.
Answer: A picture was shown on RD's mobile phone.

The Chairman thanked RD, CG and LS for attending.

Councillors then debated the issue as a Parish Council, summarised as follows, with a view to making an in principle decision subject to ratification at the September meeting and clarification of any further items raised.

- ❖ ML. Nothing to add. There is no need to fell the oak trees.
- ❖ LD. There was concern over chemicals being used and reference made to Question 38 with the reply.
It was stated that matters would be made worse if chemicals were not used which help the roots rot away providing a good habitat for some species. Any chemicals used would be painted on and not sprayed. Japanese Knotweed was discussed. It was very labour intensive if it was dealt with by hand.
Councillors understood that it did not appear the Moor could be managed without the use of chemicals and confirmation was given that Glyphosate had not been banned.
- ❖ MT. It was clear there were still a lot of technical issues to sort out, a lot of which were unknown as far as the administration. He was in favour of going ahead but carefully.
- ❖ MC. If the Parish Council pulled out of the opportunity, all support would cease.
- ❖ NM. All for going ahead slowly.
- ❖ DP. A lot of issues to be ironed out particularly with Commoners. In favour to proceed.
- ❖ JW. In favour of going ahead as the Moor will deteriorate. After 67 years of living in the Parish, he could not remember what it looked like and future generations would question what the Parish Council have been doing. There was concern about it becoming a fire risk.
- ❖ JJ. The Parish Council doesn't have to do it. Can the Parish Council do it and should it be done? The Parish Council could be entering into a 10 year agreement under contract law and if it cannot be fulfilled, penalties would be imposed. It involved more than just burning, there is a lot of administration which is very complicated and a lot of work has to be put in. He thought the contract and management agreement was one sided and had decided to abstain in a vote.
- ❖ RC. She felt it should be done, being in favour of preserving wildlife but was concerned about the additional work for the Parish Clerk, feeling the Parish Council should be aware of the burden of paperwork.
She referred to Question 23 if the Parish Council could not pay the penalty and was told it would be taken out of the payment.
- ❖ SS (Parish Clerk) advised that she was grateful for the opportunity to become involved and valued the experience gained. She stressed that without the help of NE and DWT, it would not have been possible for the Countryside Agreement to be submitted to NE as she was unaware of many technical terms and issues, although much of the form had been completed by her without assistance.
She continued that if the Parish Council agreed to proceed, she would be willing to continue with the work but her main concern was about the Parish Council's finances which were being drained due to the overtime being paid and aware that the funding would not start to be received until October 2018.
She advised that a Land Agent had informed her that the charge would be £60 - £85 per hour and that the Invoice would be deferred until the payments kicked in. She was not in a position to do that.
Councillors were in full agreement for the Parish Clerk to continue with the administration.
Enquiries to be made if the funds from the National Savings and Investments account could be accessed to temporarily assist in the Clerk's payment.
Alternatively, DCC or TDC to be approached for financial assistance in the region of £2,000 for 14

Clerk

	<p>months. A Councillor also suggested that the money could be provided by an individual to the Parish Council.</p> <p>❖ PG invited Councillors to form a sub committee. Councillors Mrs Drake, Thomas, Moulder, Pomeroy and Cornish would form this. JJ noted that these Councillors were Commoners and spoke about a conflict of interest if payments to Commoners were made. This was fully understood and accepted by the Councillors who would comprise the sub committee.</p> <p>Councillor Moulder proposed that the Parish Council proceed with the agreement to manage Common Moor. Councillor Jessel added the caveat 'subject to agreement on the draft agreement, Clerk's costs and a formation of a sub committee'. Seconded by Councillor Wooldridge.</p> <p>This was an in principle decision subject to ratification at the next Parish Council meeting on 20 September 2017.</p> <p>In favour: 8. Carried. 1 against. 1 abstention.</p>	<p>Clerk to advise NE & DWT</p>
<p>37.</p>	<p>Finance. The following payments were approved and authorised: Mrs S Squire Reimbursement for advertisements in the North Devon Journal (£59.40) Western Morning News (£88.50) advertising the meeting £147.90 Postage £ 6.50 Mileage to the venue 60 miles at 45p per mile in line with DCC £ 27.00 £181.40</p> <p>Bradworthy Methodist Church Hire of Schoolroom on 8/8/17 £ 45.00</p> <p>A detailed financial statement to be available at the next meeting.</p>	<p>Ch.No.328 Ch.No.329</p>
<p>38.</p>	<p>Urgent items raised at the discretion of the Chairman. None.</p>	
	<p>Date of next Meeting: Wednesday, 20 September 2017 in Bradworthy Primary Academy at 7.30pm. The meeting ended at 9.45pm.</p>	
<p>Summary of Decisions: ➤ Agreement to proceed with the management of Common Moor subject to agreement on the draft agreement, Clerk's costs and a formation of a sub committee.</p>		
<p>These Minutes are agreed by those present as being a true record.</p>		
<p>Signed: Chair of West & East Putford Parish Council:</p>	<p>Date:</p>	