

## DARTMOOR COMMONERS' COUNCIL

### Minutes of the Meeting of the Dartmoor Commoners' Council held at Two Bridges Hotel, Princetown on Wednesday 6 December 2023.

#### Participants:

Mr P French – Chairman	Mr W Dracup	Mrs K Little
Mr L Branfield – Vice-Chairman	Mr K Edwards	Ms T May
Mr P Abel	Mrs C Faulkner	Mr M Radmore
Mrs M Alford	Mr P Heard	Mr J Reddaway
Mr R Ashford	Mr G Hill	Mr J Shears
Mr P Cleave	Mr J Jordan	Mrs P Warren
Mr A Coaker	Mr S Lee	Mrs A Webber
Mr J Cooper	Mr R Leigh	
Mrs S Sloman	Mrs K McKechnie (DLPO)	Miss L Talbot

#### 1. Chairman's Introduction

The chairman welcomed everyone to the meeting. A moment was taken to acknowledge the passing of David Powell, a founding member of Council. The Chairman thanked those Council Members who attended the recent meeting hosted by Sir Geoffrey Cox MP. It was considered useful for all.

#### 2. Apologies for Absence

Received from Mr T Stratton & Mrs A Willcocks.

#### 3. Confirmation of Minutes

The minutes of the last Council Meeting had been circulated to all Council Members requesting that any comments be made ahead of tonight's meeting. No comments were received & the Minutes of the meeting held 18 October 2023 were confirmed & signed.

#### 4. Matters outstanding from previous meetings:

##### 4.1 Approval of Financial Accounts: Year Ending 30 June 2023

As reported at the last meeting, the secretary raised some queries with the accountants that have now been resolved. Revised draft copies of the financial statements were then sent to all Council Members ahead of the meeting. The accounts for year ending 30 June 2023 were formally approved by Council.

##### 4.2 Changes to Bovine Identification, Registration & Movement – Consultation

The Chairman thanked Ann Willcocks & Layland Branfield for formulating Council's response with input from himself. A copy is available from the Office upon request.

##### 4.3 Meeting Dates for 2024

The revised meeting dates for 2024 were confirmed (see Appendix A).

#### 5. Correspondence Received

A list of correspondence received had been circulated to all Council Members with copies emailed to some Members upon request. No further questions were raised.

#### 6. Matters brought forward at the discretion of the Chair

None

## 7. Reports from Members representing Council at meetings:

- **Visitor Behaviour Meeting:** 9 Oct – Philip French & Karla McKechnie
- **Dartmoor Rural Crime Initiative:** 9 Oct – Philip French & Karla McKechnie
  - Karla reported there are lots of police changes within the force & they are interviewing for new cover on the Rural Crime Team.
  - Community Protection Warnings can now be issued to address some matters - it carries a bit more weight & can be used to recognise repeat behaviour.
  - Karla was shocked to learn that a drop in visitor numbers to Dartmoor has been reported.

Mary Alford asked what DNPA is doing to tackle cyclists, in particular those out on the moor at night. Simon Lee answered that DNPA is doing what they can with the resources available. He asked Council Members to report incidences to him, which he will endeavour to follow up. It was agreed that there is almost a social anarchy in effect with people not willing to adhere to laws or take advice.

- **RPA Commons Stakeholder Group\*:** 9 Oct – Tracy May & Ann Willcocks
- **National Park Forum:** 10 Nov – Philip French
- **Dartmoor Steering Group:** 16 Nov – Philip French

\*Notes available. If any Council Member wishes to receive copies of any notes, please email [office@dartmoorcommoners.org.uk](mailto:office@dartmoorcommoners.org.uk)

## 8. Natural England Stop Notice: Unit 61 of South Dartmoor SSSI

The Chairman reported that Council had not received any formal communication providing an update on the current situation & that as far as he is aware, the action taken by NE is advisory & no Stop Notice has been issued. To date, it is understood that NE has not made any contact with neighbouring commons. The Chairman is keen to keep lines of communication with NE open.

## 9. Sheep Clearance Reports from Quartermen

The poor weather did cause some issues with gathering. However, any reports of sheep out were dealt with quickly.

Tracy May reported that the Forest clearance went well but asked that Commoners be reminded of the regulations with regards to rams & lamb rams which should not be out on the common between 31 July & 10 November.

It is essential that all Local Association Secretaries relay messages from Council, relating to livestock husbandry for cattle, sheep & ponies, to their members.

## 10. Update from Dartmoor National Park Authority

Simon Lee reported that:

- Adverts/interviews are being held for **new Rangers** who should be in place by January.
- There are currently 469 outstanding issues on the **rights of way network**. The Ranger team will have a concentrated focus on resolving as many of these as possible in Jan, Feb & Mar.
- A review has been undertaken of the ranger fleet & DNPA are hoping to reduce their **carbon footprint** by approx. 21% over the next 3 years. This will be mainly achieved through upgrading the fleet with more fuel efficient alternatives.

## 11. **Magistrate Court Hearing: Mary Alford vs Dartmoor Commoners' Council**

The Chairman reported that the Judgement had been delivered & the appeal by Mary Alford against the Council was dismissed. Although the Judge concluded that any third party can contest an entry on Council's Register of Commoners, she ruled that the particulars on Council's Register were not inaccurate, that the small grazier concerned was an active grazier & therefore eligible to stand for Council.

The Judgement relating to the matter of costs ordered Mary Alford to pay Council £16,791.79. Payment has been made & the Chairman thanked Mary Alford. The Secretary reported that the total costs to Council for the grievance was £28,034.36. Council's claim for costs, once the judgement went in its favour, was for £22,076.95. The Secretary explained that legal costs incurred prior to the Notice of Appeal to the court cannot be recovered. Therefore, the difference of £11,242.57 amounts to the legal costs incurred between April & October 2022 when Council sort legal advice on how to deal with the grievance procedure.

Robert Leigh put it to Council that Mary Alford is given until the next Council Meeting to cover the shortfall or be met with a proposal that she be 'censured', and to be removed from representing Council on any working parties or external organisations.

A heated discussion ensued with several Council Members expressing some contentious thoughts & various allegations being made. The Chairman advised that openly making personal attacks against Council Members, past & present, was not acceptable & that any concerns or evidence on such allegations should be made privately to him. Other members proposed Council move on as there is a need to stop the bickering & focus on the bigger issues impacting Dartmoor at the moment. Mary Alford requested that the assertions made about her be put to her in writing by the person making them.

**A proposal to move on was made by Anton Coaker, seconded by Russell Ashford & supported by all Council Members.**

Following the conclusion of the court case, the Chairman wanted to raise the matter of Council's Secretary having to appear in court, something which is not in the job description, with the expectation of having to do unlikely to appeal to anyone taking on this role. The Chairman has sought some legal advice which concludes that the Dartmoor Commons Act 1985, tasks solely the secretary with the maintenance of Council's Register. There is nothing in the Act to allow Council to be involved in any initial additions, amendments or deletions that the Secretary makes to the Register. It is only if anyone disagrees with an entry in the Register made by the Secretary that the Act provides a challenge mechanism & permits Council to become involved. As such, the Chairman recommends that a procedure should be put in place to support the Secretary & they should be given the authority to seek professional advice if they deem it necessary.

Mary Alford suggests a meeting where all of Council goes through all grievances to see where they are & offer suggestions. However, she is reminded that, under the Act, there is no mechanism requiring a full Council to become directly involved & that small committees have been appointed by Council to consider these grievances. It was made clear there are no new grievances pending.

The Secretary advises that she frequently deals with discrepancies on the register, the majority of which are dealt with amicably & professionally. She confirms that changes

are only made when there is the documentary evidence to support such amendments. However, all four grievances considered to date appear to have a common denominator & she has been subject to abusive & bullying letters from parties involved, including land agents & solicitors, trying to influence her decisions. The Secretary considers that the recent court case has been a learning curve for Council & it is important that steps are put in place, to prevent such a lengthy & costly situation arising again. Having the authority to seek professional advice if necessary would help with this.

**A proposal that the Secretary should be able to seek professional advice without prior approval from Council was made by Will Dracup, seconded by Russell Ashford & supported by all Council Members apart from 1 abstention.**

**12. Date of Next Meeting**

The next meeting of Council will be held on Wednesday 24 January 2024 at 7.30pm at the Two Bridges Hotel, Princetown.

The Chairman declared the public meeting closed & proposed a motion to go into a closed session. The outcome of these discussions is recorded in the confidential section of the meeting minutes, available to Council Members only.

**Signed: *Philip French***

**Date: *24 January 2024***



**CONFIRMED MEETING DATES OF  
THE DARTMOOR COMMONERS' COUNCIL  
2024**

Wednesday	24 January 2024 (10-minute slot for members of public to address the Council)
Wednesday	13 March 2024
Wednesday	01 May 2024
Wednesday	19 June 2024
Wednesday	31 July 2024 – Annual Meeting (10-minute slot for members of public to address the Council)
Wednesday	11 September 2024
Wednesday	23 October 2024 (Annual Accounts & Independent Examiner's Report)
Wednesday	04 December 2024