

**HAMPSHIRE COUNTY COUNCIL****Decision Report**

<b>Decision Maker:</b>	Executive Member for Culture, Recreation and Countryside
<b>Date:</b>	25 September 2013
<b>Title:</b>	Management of Common Land at Yateley and Shortheath
<b>Reference:</b>	4881
<b>Report From:</b>	Director of Culture, Communities and Business Services

**Contact name:** Kerriann McLackland, Countryside & Rural Estate Manager

**Tel:** 01962 846589

**Email:** kerriann.mclackland@hants.gov.uk

## 1. Executive Summary

1.1. The purpose of this paper is to seek approval to submit an application to the Planning Inspectorate (PINS) for consent to install fencing at Yateley and Shortheath Commons. The purpose of the fencing would be to enable livestock to be introduced which would enhance the management of the sites.

1.2. This paper seeks to:

- a) set out the background to the proposals including the consultation process which has been undertaken;
- b) clearly identify the fencing proposals which would form part of any PINS application;
- c) consider the financial impacts of the proposals;
- d) highlight the impacts of introducing grazing to the site;
- e) look at the key issues arising from the proposals including access by all user groups;
- f) set out the next steps for the project if approval to proceed is given.

## 2. Contextual Information

### Yateley Common

2.1. Yateley Common is a large fragmented block of heathland common in the extreme north east corner of Hampshire. It is the largest single registered common unit in Hampshire outside of the New Forest. The Common is divided into several parcels by roads and several ownership units.

- 2.2. The A30 runs east/west through Yateley Common, with the Hampshire County Council owned area, Yateley Common Country Park, to the north of this road comprising 180.3 ha (445.6 acres). To the west of the Country Park, the Common is occupied by Blackbushe Airport. The areas to the south of the A30 are owned by the Ministry of Defence and Elvetham Estates, both now managed by the Hampshire & Isle of Wight Wildlife Trust. It is only the part of the Common occupied by Yateley Common Country Park which is the subject of this paper and part of any subsequent PINS application.
- 2.3. The Common is recognised for its nature conservation importance and is protected by national and international designations. Much of the Common is designated as a Site of Special Scientific Interest (SSSI) as part of the Castle Bottom to Yateley and Hawley Commons SSSI and is also within the Thames Basin Heaths Special Protection Area (SPA). The SPA designation is due to the presence of important populations of Nightjar, Woodlark and Dartford Warbler.
- 2.4. In terms of public access, there is a full right of access on foot and on horseback, under a deed entered into under the 1925 Law of Property Act (commonly known as s.193 consent) and there is an extensive network of bridleways and a footpath crossing the Common. In a separate but related process, the bridleway network is subject to a package of diversion proposals which seek to enhance and make safer the horse riding provision for those equestrian users who prefer to use bridleways as opposed to the wider general right of access.
- 2.5. There are registered commons rights on Yateley Common including rights associated with fuel and bracken gathering and grazing but, as far as is known, none are now exercised.

#### Shortheath Common

- 2.6. Shortheath Common is also a lowland heathland common and is located near Bordon in the east of the county. It totals 57.6 ha (142.2 acres) and is owned entirely by HCC. It is split by a local B road however almost 90% lies to the south-east of the road.
- 2.7. Shortheath is also nationally and internationally recognised for its nature conservation value. It too is designated as a SSSI and also as a Special Area of Conservation reflecting the outstanding mire, dry heath and bog woodland plant communities present.
- 2.8. In terms of public access there is no s193 consent at Shortheath, however, there is a general right of access on foot as granted by the Countryside and Rights of Way Act 2000 and also a network of footpaths and bridleways.
- 2.9. Again there are registered commons rights on Shortheath but as far as is known none are exercised.

### **3. Progress to date**

- 3.1. With both Yateley Common and Shortheath Common, HCC officers work closely with Natural England to ensure that best practice is followed both in relation to maintaining and enhancing the biodiversity and recreational value of the commons. Natural England has indicated positive support for the introduction of livestock and for this to be beneficial to the future management of the land.
- 3.2. Following this support both sites have pursued the community engagement and consultation process advocated by Natural England known as 'Common Purpose'. The consultation process was undertaken on behalf of HCC by Footprint Ecology.
- 3.3. Having completed phase II of the consultation process at both sites, it is now the appropriate time to reflect on the outcome of the consultation and to decide whether or not to proceed with an application to the Planning Inspectorate.
- 3.4. Phase I of the consultation considered the management techniques available for the heath (e.g. grazing, burning, mowing and turf-stripping), with broad support being given for grazing as the preferred option at both Yateley and Shortheath.
- 3.5. Phase II then considered the fencing requirements needed on both sites in order to introduce livestock safely and enable their effective management. Again, in both cases, there was broad public support for the proposals although there were notable concerns in relation to the detail which have resulted in amendments to the original proposals. Plans showing the proposed fencing proposals (as amended) are provided in Appendix 1A (Yateley Common – Brandy Bottom), 1B (Yateley Common – East End), 1C (Yateley Common – West End), 1D (Yateley Common – Cricket Hill) and Appendix 2 (Shortheath Common).
- 3.6. In both locations local Members have been invited to be involved with all stages of the consultation process. As a result there is full awareness of the issues involved and Members have indicated broad support for the proposals.  
  
If Executive Member approval is given to proceed with a PINS application, local Members will continue to be invited to engage with the process and we will continue to work with them to ensure that any concerns raised by residents are taken into account.
- 3.7. With the Yateley proposals there has also been specific additional engagement with the Yateley Common Management Committee and again there is broad support for the proposals.

#### **4. Finance**

##### Yateley Common

- 4.1. The current estimate of cost to install necessary fencing, gates and cattle grids is £125,000.
- 4.2. Of this total, approximately £65,000 will be funded by Natural England through the Higher Level Stewardship Scheme.
- 4.3. The remaining £60,000 can be funded through money already received from the Defra Single Farm Payment Scheme and held by the Countryside Service.

##### Shortheath Common

- 4.4. The current estimate of cost to install necessary fencing, gates and cattle grids is £136,000.
- 4.5. Funds will be available from Natural England through the Higher Level Stewardship Scheme and there may also be some contribution through the proposed Whitehill Bordon development by way of developer funding for mitigation - particularly in relation to cattle grids.
- 4.6. A further £60,000 has also been identified from the Single Payment Scheme monies held by the Countryside Service.
- 4.7. Other possible funding streams that have yet to be fully explored, include the Woodland Heaths Project, which is a Heritage Lottery Fund bid led by the South Downs National Park Authority.
- 4.8. It should be borne in mind that these cost estimates are all provisional and that the external funding streams cannot be confirmed until the necessary consents have been obtained. If Executive Member approval is granted to seek PINS consent for the fencing proposals, then work will continue to maximise external funding sources.
- 4.9. If grazing is introduced to the Commons, not only will this optimise the management in terms of habitat quality, it will also reduce revenue costs due to the amount of labour and machinery costs associated with the mechanical management currently undertaken. It is difficult to quantify these savings as there will still be labour and other costs associated with the grazing livestock. Mechanical management will still be necessary as part of the range of tools available.

#### **5. Key Issues**

- 5.1. The prominent objection to the proposals at Yateley was in connection with equestrian use and focussed on the inconvenience caused to riders by having to negotiate gates, the design and safety of gates and the risk of horses being spooked by cattle. In direct response to these concerns the following amendments have been made to the original plans:

- a) At any time there would be at least two units of the common that would not be grazed so riders (and other users) would know that they would not encounter stock in these areas.
- b) That the gates installed will comply with best practice as promoted by the British Horse Society (BHS). There are differing views within the equestrian community as to the best gate design and therefore we are working closely with the BHS to come to an agreed best practice.
- c) In some places the fence line has been moved in from the boundary to effectively provide a stock-free corridor for use by horse-riders and others. This particular amendment may be more controversial with others whose main concern is to preserve the open nature of the common.

5.2. The other recommendations arising from the consultation and to be adopted are as follows:

- a) The fencing results in six grazing compartments with smaller peripheral areas of the common being excluded from fencing (as shown on the plans in Appendix 1 and 2).
- b) Where for practical or other reasons (such as improved equestrian provision), proposed fencelines do not follow the perimeter of the Common, the reasons for exclusion and the means of managing the excluded areas and retaining full access to them will be set out in the PINS application.
- c) Any grazing to be limited to cattle (rather than cattle and/or ponies as originally proposed).
- d) A full risk assessment to be carried out and implemented before grazing animals are put on the site.
- e) Opportunities to be offered to visitors to the Common with their dogs and horses, if grazing is introduced, to become accustomed to the livestock through familiarisation events before the grazing animals are put out on the site.
- f) Interactions between grazing animals and visitors are monitored during the first few months and at the start of each grazing season to identify and deal with any problems.
- g) Signs to be used at all car parks and access points advising visitors when livestock are to be put on the Common with dates and numbers.

5.3. The main concerns arising from the Shortheath consultation arose around details of fencing provision near individual dwellings and the retention of suitable vehicular access points whilst ensuring stock were contained on the Common. As a result much time and effort has been invested in discussing requirements with individual residents as to the best means of achieving the access whilst preventing stock straying onto their properties. Many of these concerns have now reached a solution which is satisfactory to both parties, however, there are some which remain to reach a conclusion. Therefore it is likely that there will be further detailed amendments to the fencing plan to accommodate the needs of these particular residents.

- 5.4. The other recommendations arising from the consultation at Shortheath were largely the same as those for Yateley with the following differences:
- a) Pony grazing need not be ruled out however no bulls, cows with calves or stallions will be permitted.
  - b) A monitoring scheme should be implemented to assess the response of the vegetation and any change in status of key species (particularly field cricket) as a result of the reintroduction of grazing.
- 5.5. It is intended that these additional recommendations would be adopted.

## **6. Future Direction**

- 6.1. Enabling the reintroduction of grazing on both of these sites (which historically would have been grazed by local commoners) will enhance the effective management of these internationally important lowland heaths. Adding grazing to the range of tools available for management will increase the mosaic of habitats and habitat structures which are so essential to healthy heathland. It will reduce costs associated with reliance almost solely on mechanical means and will see the important cultural and landscape link between commons and livestock re-established.
- 6.2. If approval is given to proceed with a Planning Inspectorate application then it is intended that this will be submitted as soon as possible with a view to receiving a decision within six months of submission. If consent is granted then it would be intended to put the fencing works out to tender for installation by the end of 2014 and the commencement of grazing in 2015.

## **7. Recommendations**

It is recommended that the Executive Member for Culture, Recreation and Countryside:

- 7.1. Approves for an application to be submitted for Planning Inspectorate consent for the proposed fencing and other infrastructure at Yateley Common.
- 7.2. Approves for an application to be submitted for Planning Inspectorate consent for the proposed fencing and other infrastructure at Shortheath Common.
- 7.3. Approves in both cases for minor adjustments to be made to the plans as currently identified to either meet the needs of individual residential access points or to follow best practice in any relevant issue such as gate selection for equestrian access or the siting of cattle grids on traffic management grounds.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

- 1.1 EIAs have been completed for both sites and have shown that there is no significant disadvantages to any of the relevant groups

### **2. Impact on Crime and Disorder:**

- 2.1 There is no negative impact arising from the proposals and there is the potential that fencing will reduce the incidence of fly-tipping in some locations.

### **3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

The introduction of grazing will reduce reliance on machinery for management therefore reducing the energy consumption. Additionally heathland is an important carbon sink and therefore enhanced restoration will reduce our carbon footprint.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

As above.

Appendix 1A – Brandy Bottom, Yateley Common



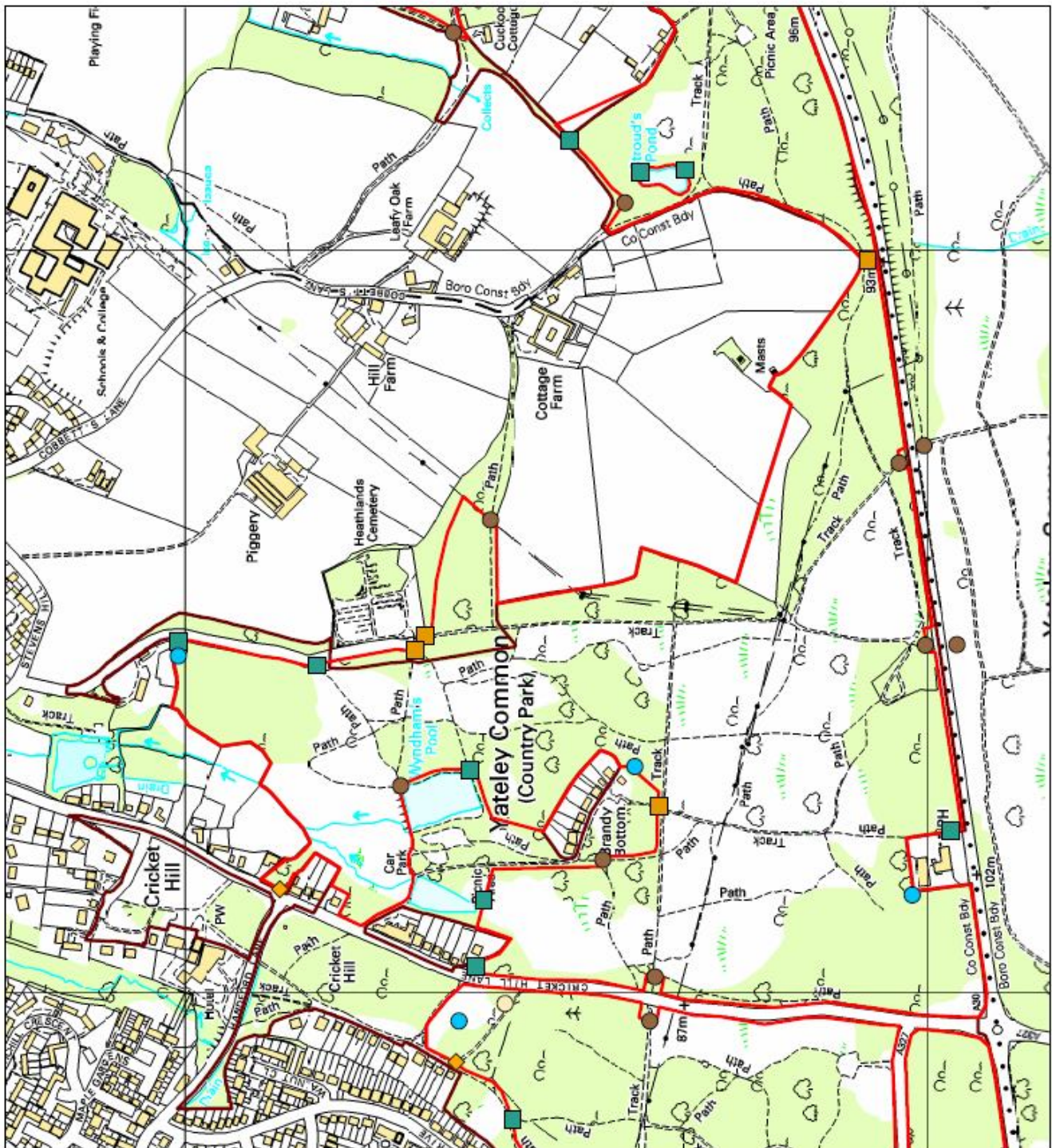
Map showing proposed location of fencing and other infrastructure required for the reintroduction of grazing at Brandy Bottom, Yateley Common.

**Legend**

- Bridleway gate
- Cattle grid
- Cattle grid with bypass gate
- Corral
- ◇ Field gate
- Kissing gate
- Two in one gate
- Water
- Proposed Fencing
- Countryside Service Sites



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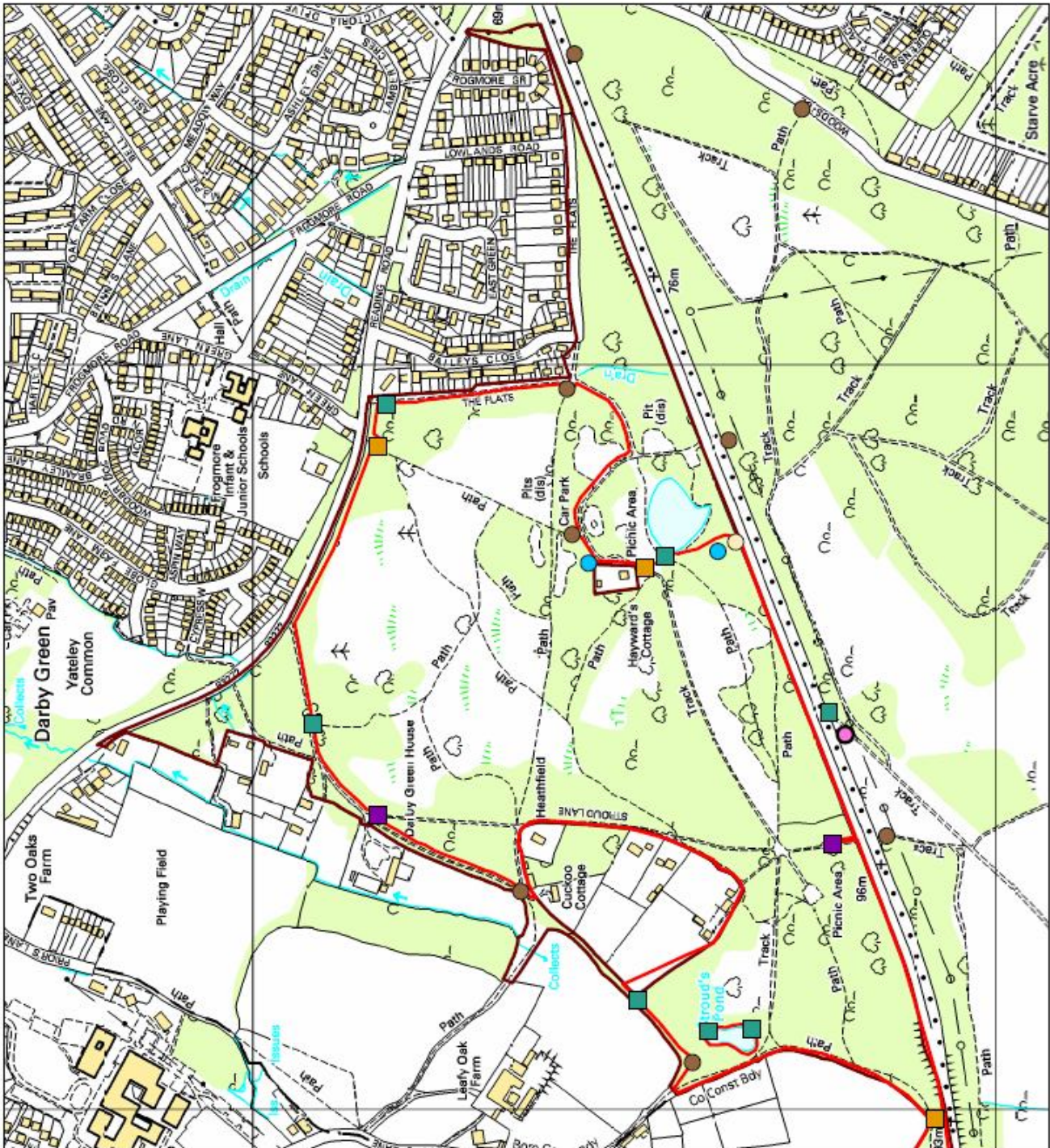
Map showing proposed location of fencing and other infrastructure required for the reintroduction of grazing at East End, Yateley Common.

**Legend**

- Bridleway gate
- Cattle grid
- Cattle grid with bypass gate
- Corral
- Field gate
- Kissing gate
- Two in one gate
- Water
- ▭ Proposed Fencing
- ▭ Countryside Service Sites



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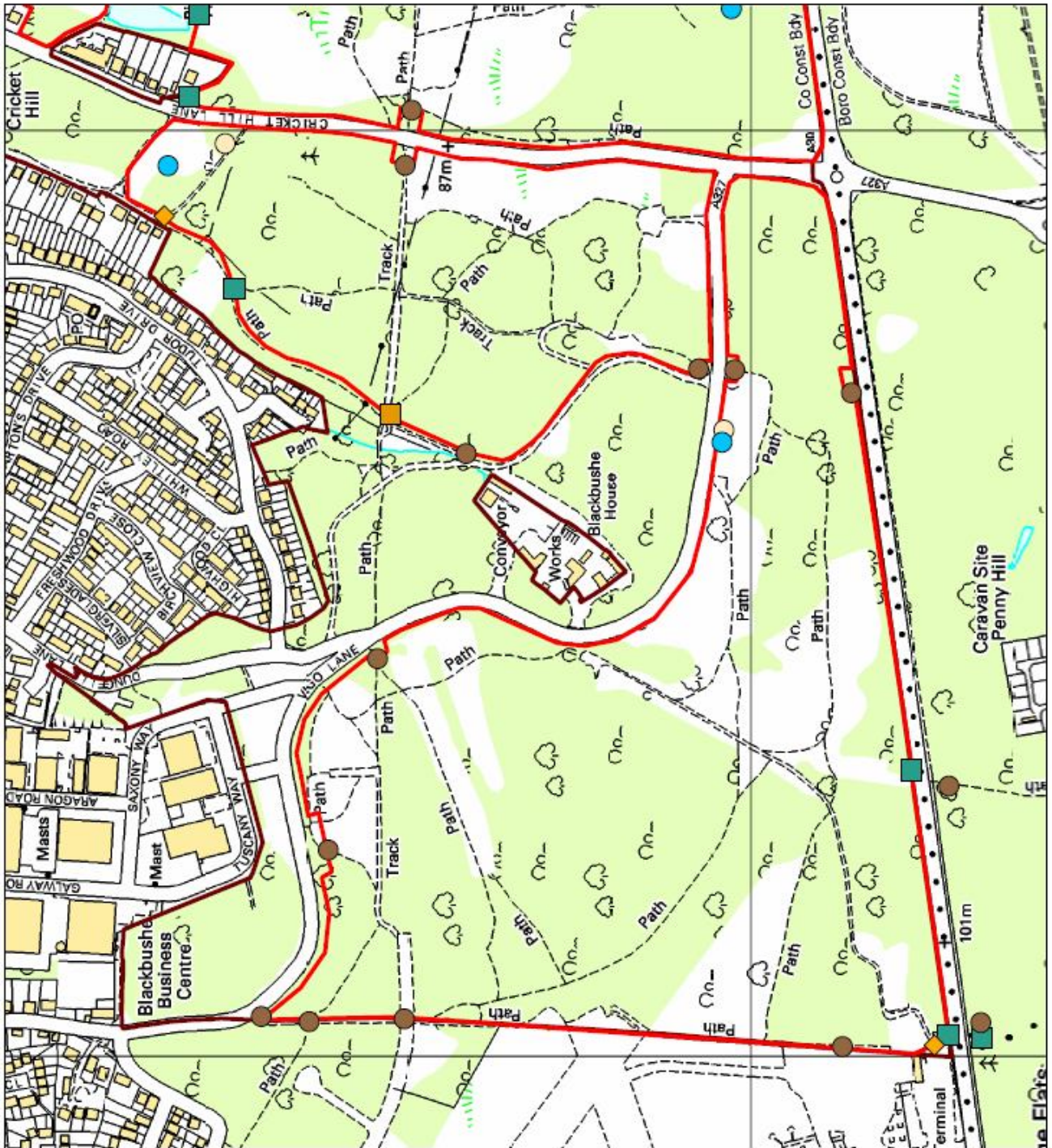
Map showing proposed location of fencing and other infrastructure required for the reintroduction of grazing at West End, Yateley Common.

**Legend**

- Bridleway gate
- Cattle grid
- Cattle grid with bypass gate
- Corral
- ◆ Field gate
- Kissing gate
- Two in one gate
- Water
- ▭ Proposed Fencing
- ▭ Countryside Service Sites



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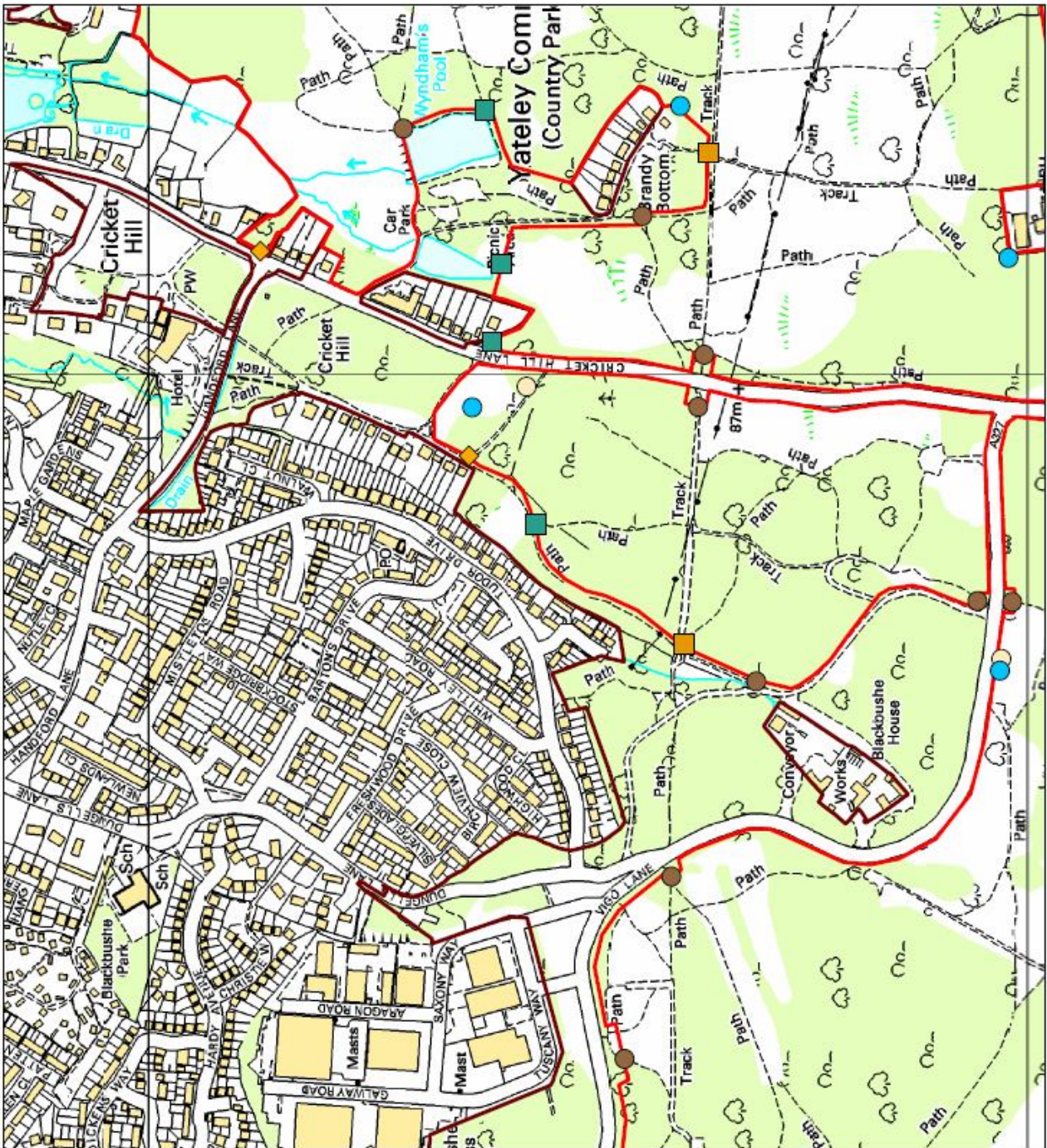
Map showing proposed location of fencing and other infrastructure required for the reintroduction of grazing at Cricket Hill, Yateley Common.

**Legend**

- Endleway gate
- Cattle grid
- Cattle grid with bypass gate
- Corral
- ◆ Field gate
- Kissing gate
- Two in one gate
- Water
- ▭ Proposed Fencing
- ▭ Countryside Service Sites



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Map showing proposed locations of fencing and other infrastructure required for the reintroduction of grazing to Shortheath Common

