Land Commons

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Introduction

In Ireland the traditional management of commonage has broken down. Symptoms of decline in England, Scotland and Ireland leading to loss of co-operative governance, collective management, customary practices and ethically based good neighbourhood abound.

A sophisticated customary commons management system with clearly defined grazing rules was part of this traditional system. In each of the three countries severe damage from overgrazing occurred due to increased sheep numbers in the 1980s and 1990s. However, the greater problem now is in fact the opposite, undergrazing causing loss of the grazing resource due to coarse vegetation and scrub encroachment and loss of ecological integrity.

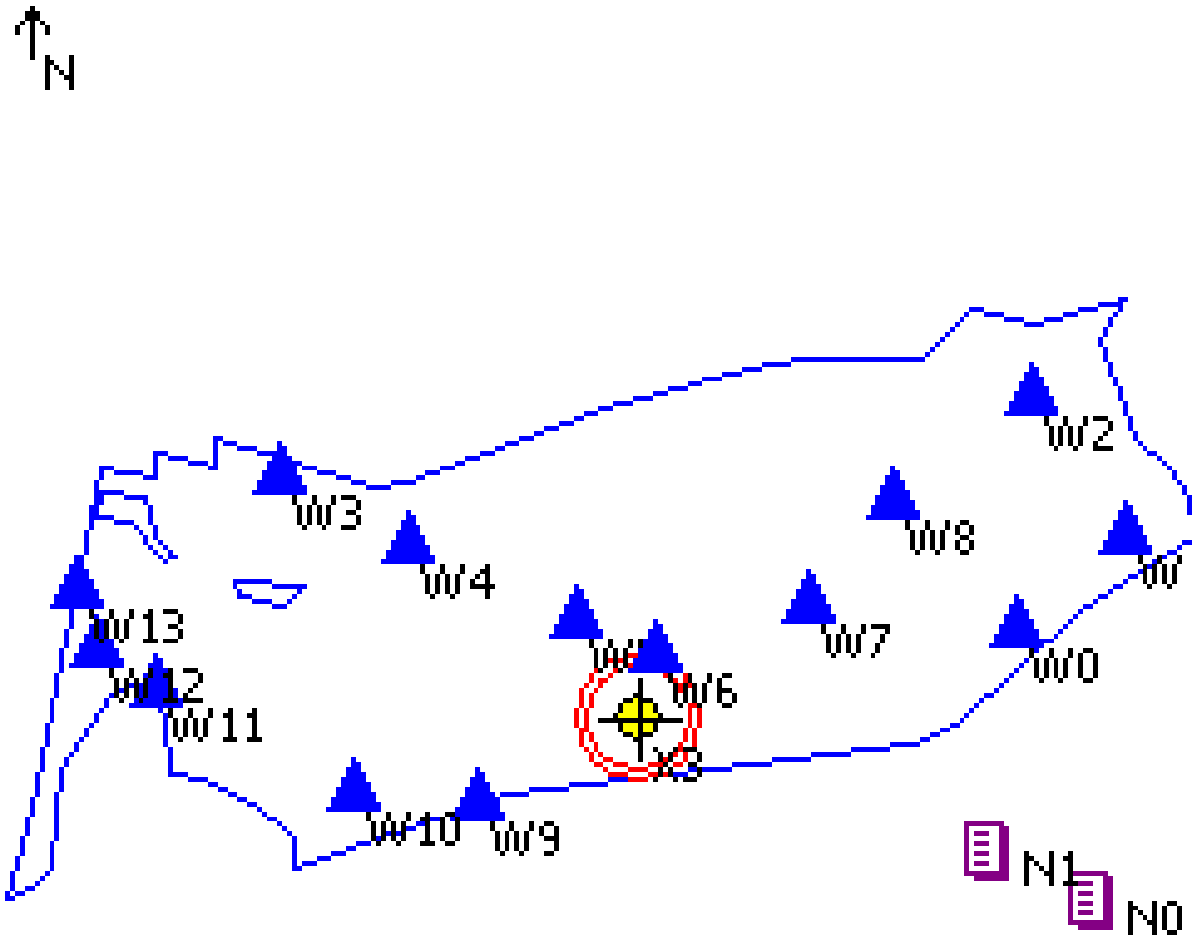
The journey from the 1980s/1990s and what can be learned...

- Owenduff/Nephin CFP 1999 - severely damaged
- Managing commonage under the Commonage Framework Plans
- Monitoring survey 2004/2005 – condition of habitat not improving
- Drastic measures required - commonage closed over 5 winter months
  - Livestock off-wintered
  - Capacity of enclosed lands taken into account
- Appropriate stocking rate introduced
- 2011 significant improvement on half the area and 2 year extension of special measures required on remainder

Methodology developed along the way informs our approach to planning the management of commonages today...

MA 20I – X3

- CFP 1999 = S*100, 90% BP, Ling 4cm, Veg ht 3cm
- Resurvey 2005 = S*100, 95% BP, Ling 7cm, Veg ht 15cm
- Resurvey 2010 = MS60, 3% BP, Ling 11cm, Veg ht 24cm
- Waymarks (2005 vs 2010)



Scale: 784 meters.

Map: MA_20i-X3

MA_20i-X3

S*(1999 No photo) - MM50(2004)-U(2010)

WM1: S*- MU30

WM2: S* - MM40

WM7: S* - MS70

WM8: MS70 – MU20

WM11: MU20 -U

Next steps following the Commonage Stocking Review ... a series of pilot plans be carried out e.g. in counties Donegal, Mayo, Galway, Kerry and Wicklow.

- These would encounter and have to work through the difficulties of bringing farmers together into co-operative groups to act as effective collective land management bodies. These pilot plans can then be used as a template to show how the structured collective group works in an integrative and reflexive way within an ethical framework of subsidiarity and sustainability to achieve sustainable management of the commons. Access to funding through agri-environment schemes, and planned use of the commonage resource will provide an incentive for farmer shareholders to embrace the cooperative arrangement.

The task of the convenor

- The task of the convenor to facilitate the setting up of an effective co-operative governance structure comprising the shareholders for collective sustainable management of the commons.

- The convenor has been approached by a core group of commoners who tell him the customary governance has broken down and they are concerned the common is no longer being sustainably managed. They believe him to be the person best able to bring the shareholders together in a management plan that will respect their rights and obligations and options for the future of the commons resource.

The task of the convenor contd

- The convener will familiarise himself with the commons and get to know the commoners.
- The convenor will initially meet shareholders individually and later on as a group.
- He will get their Land Registry Commons shares, grazing rights and unregistered grazing where applicable.
- He will get recent SPS applications showing LPIS details for commons. He will be able to match these shares with DAFM sustainable stocking figures from the Commonage Review.

The task of the convenor contd

- He will correspond with the statutory agencies into whose remit the commons fall. He will find out what Natura or other designations are on the commons. He will discuss the available options for agri-environment scheme entry for the group. Glas, Glas+, or Glas Targeted Outputs Scheme
- Where in his professional opinion having assessed the commons the Stocking review figures need to be appealed/amended. The convenor/environmentalist, will carry out an ecological survey, which will lend itself to ongoing monitoring. The survey should provide the ecological evidence for recalculating the capacity; to either increase, reduce stock numbers or stay the same

The task of the convenor contd

- Young and active farmers should be encouraged to take up the additional capacity where it is indicated. The convenor must ensure there is sufficient off-wintering capacity for any additional numbers. If the increased demand cannot be met in this way, sustainable management criteria would suggest that each shareholder must increase stock in proportion to his/her share. He will get to know their farming system and how the commonage fits into this.
- The scenario may arise where otherwise active farmers are non active on the commons for particular reasons e.g. elderly farmers. The convenor will attempt to get active shareholders to take on this allocation. Clarification is needed from DAFM on how this affects the elderly farmers SPS/DAS. These persons should continue to be active in the collective decision making.
- The convenor then turns to the dormant shareholders and endeavours to get them to lease their shares and negotiate a consideration for this, where possible.

The task of the convenor contd

- The collective group will decide if they wish to form a committee or a voluntary association with or without legal agreement, or a limited company or a trust (*See Options*). All of these options will be discussed and the management matrix will be agreed by the whole group.
- A management plan including a *Grazing plan* for the commons is then prepared by the convenor which will incorporate the upland agri-environment scheme with full or near full participation of the shareholders and with an inherent flexibility to respond to changes as they occur.

Drawing up the *Grazing Plan* must take account of

- reference area, grazeable area
- Current condition of habitat
- Min-Max EE numbers,
- Different levels of grazing on the same site from too high to ungrazed – damaged to rank
- Hefting traits and shepherding
- grazing season and closed periods
- Capacity of enclosed lands and housing
- Breed of sheep and introducing cattle on heaths

Some Case Studies in the Irish Commons showing the group co-operating in collective land management

- Owenduff/Nephin SAC/SPA north of Clew Bay (circa 300 shareholders)
- Twelve Bens/Garraun Complex SAC in Connemara, Co. Galway (circa 100 shareholders).

Commonage - Essaun, Carheenbrack, Glendahurk, Glenthomas, Meennacloughfinny, Srahacorick, Treel Commonage Co. Mayo

Farmer A	P2441000					
TOWNLAND NAME	**LAND PARCEL_ID**	**2013 DECLARED ELIGIBLE AREA HA**	**CURRENT SUSTAINABLE EE MIN**	**SUSTAINABLE 7 MONTH GRAZING**	**SUSTAINABLE EE WHEN UNDAMAGED MIN**	**SUSTAINABLE EE WHEN UNDAMAGED MAX**
ESSAUN	P1601000x	22.36	22.83	39.14	22.841	28.551
CARHEENBRACK	P2440403x	27.16	12.38	21.23	26.846	33.557
GLENDAHURK	P2441100x	40.33	42.35	72.59	54.561	68.201
GLENTHOMAS	P2441300x	6.77	7.89	13.52	11.305	14.131
MEENNACLOUGHFINNY	P2443607x	6.58	4.01	6.87	8.469	10.586
SRAHACORICK	P2445101x	3.86	1.91	3.28	3.593	4.491
TREEL	P2445201x	35.02	40.10	68.74	59.807	74.759
		142.08	131	**225**	187	234

The eligible area is derived from the farmer share of the commonage land parcel.

Sheep and cattle must be off-wintered during the closed period from 1st November - 31st December and 14th February - 14th May each year.

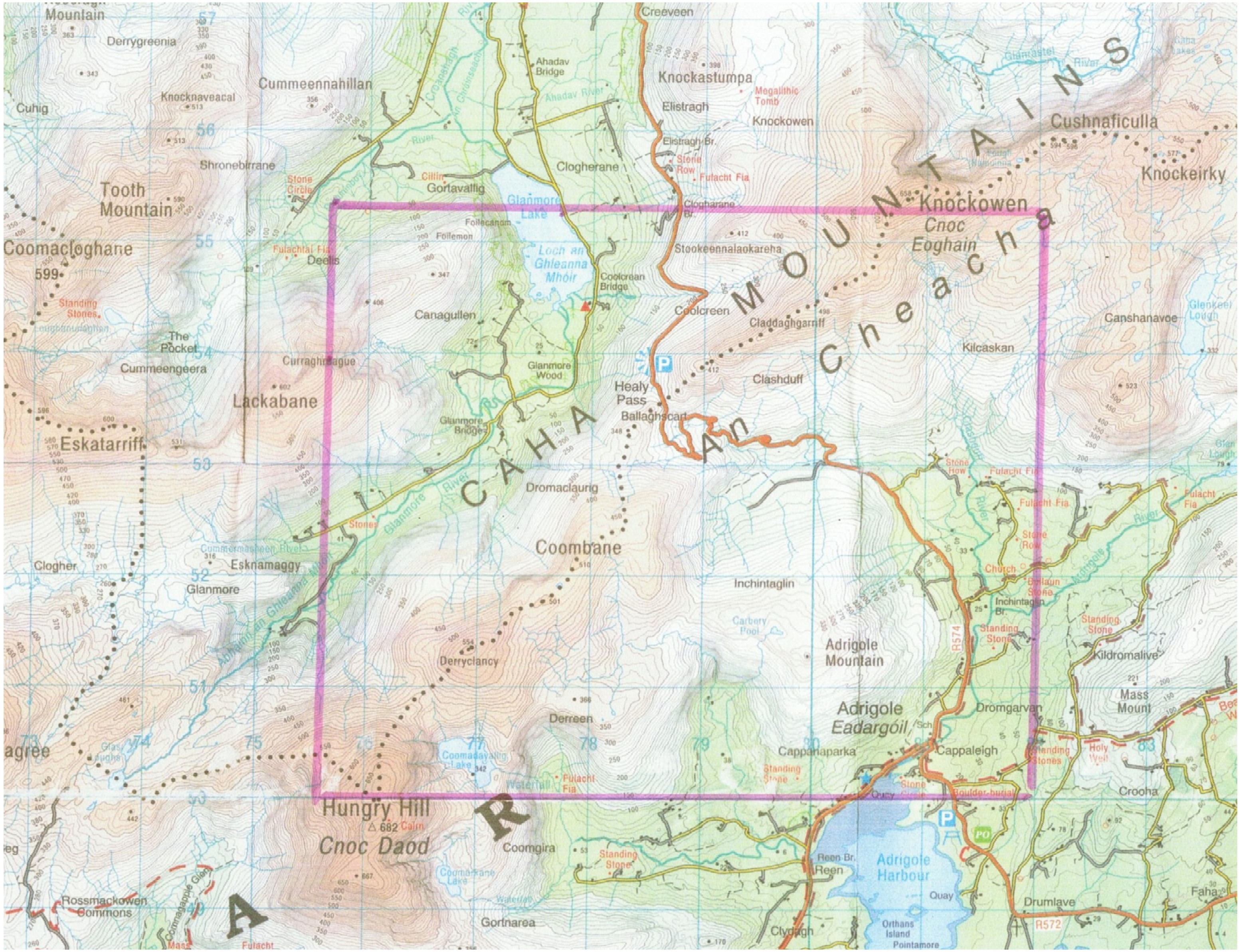
The off-wintering period applies to the whole restricted commonage area comprising the designated SPA/SAC commonage areas and the non designated commonage areas.

This includes a significant area of non designated commonage along the southern flank stretching from Doontrusk and west as far as Mallaranny.

Commonage - Essaun, Carheenbrack, Glendahurk, Glenthomas, Meennacloughfinny, Srahacorick, Treel Commonage Co. Mayo						
NAME	**HERD NO.**	**2013 DECLARED ELIGIBLE AREA HA**	**CURRENT SUSTAINABLE EE MIN**	**SUSTAINABLE 7 MONTH GRAZING**	**SUSTAINABLE EE WHEN UNDAMAGED MIN**	**SUSTAINABLE EE WHEN UNDAMAGED MAX**
Farmer A	P2441000	142.08	131	**225**	187	234
Farmer B	P2440000	36.47	34	**59**	52	65
Farmer C	P2441100	97.07	66	**114**	104	130
Farmer D	P2450000	40.14	20	**34**	41	51
Farmer E	P2450100	37.21	20	**34**	43	54
Farmer F	P2450200	150.48	78	**133**	154	193
Farmer G	P1120000	135.09	70	**119**	138	173
Farmer H	P1690000	35.45	32	**54**	49	61
Farmer I	P2441200	147.96	102	**175**	178	223
Farmer J	P2441300	17.26	14	**24**	17	21
Farmer K	P2450300	200.67	19	**32**	39	49
		1039.88	**587**	**1004**	**1002**	**1253**

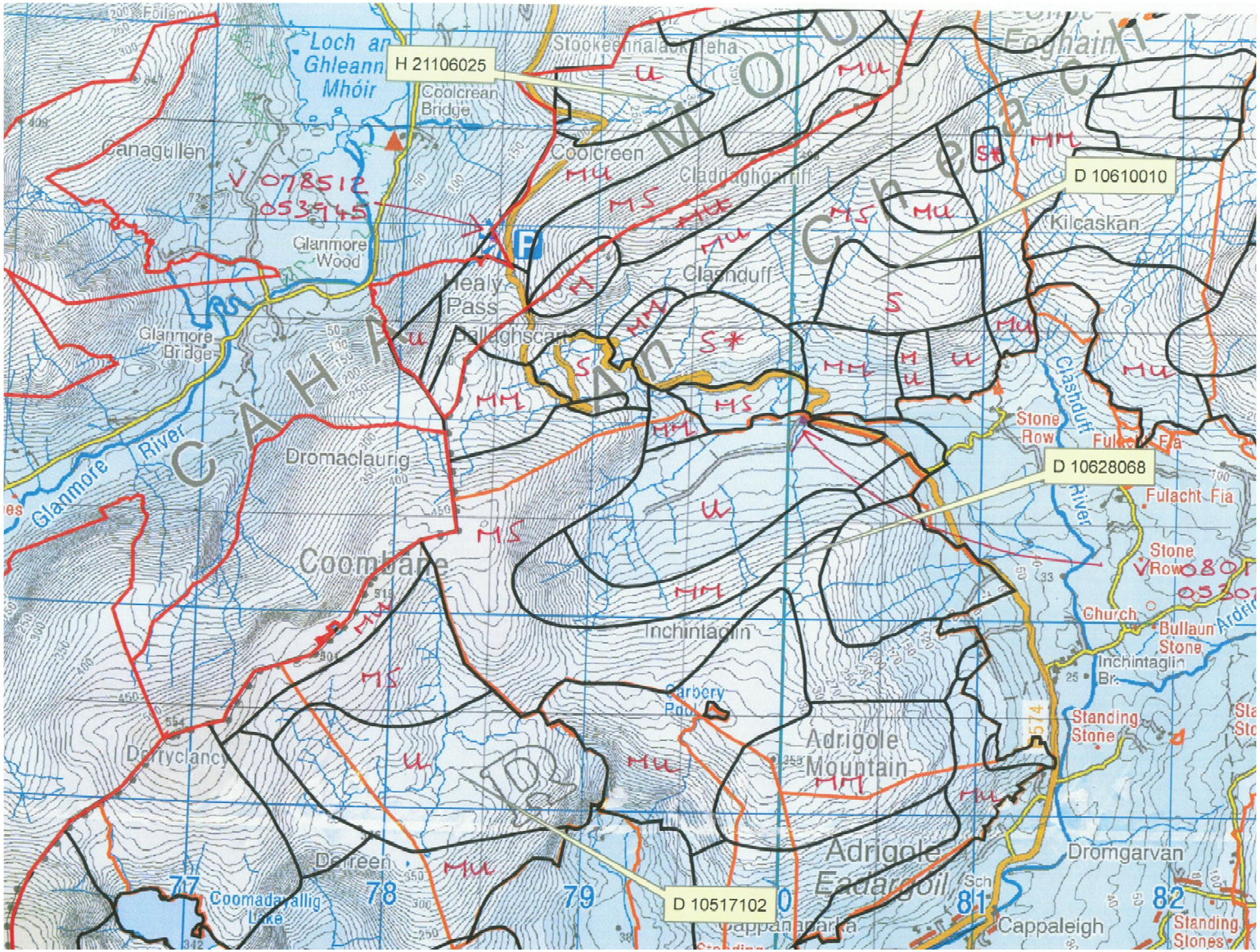
Planning every commonage is different - examples……

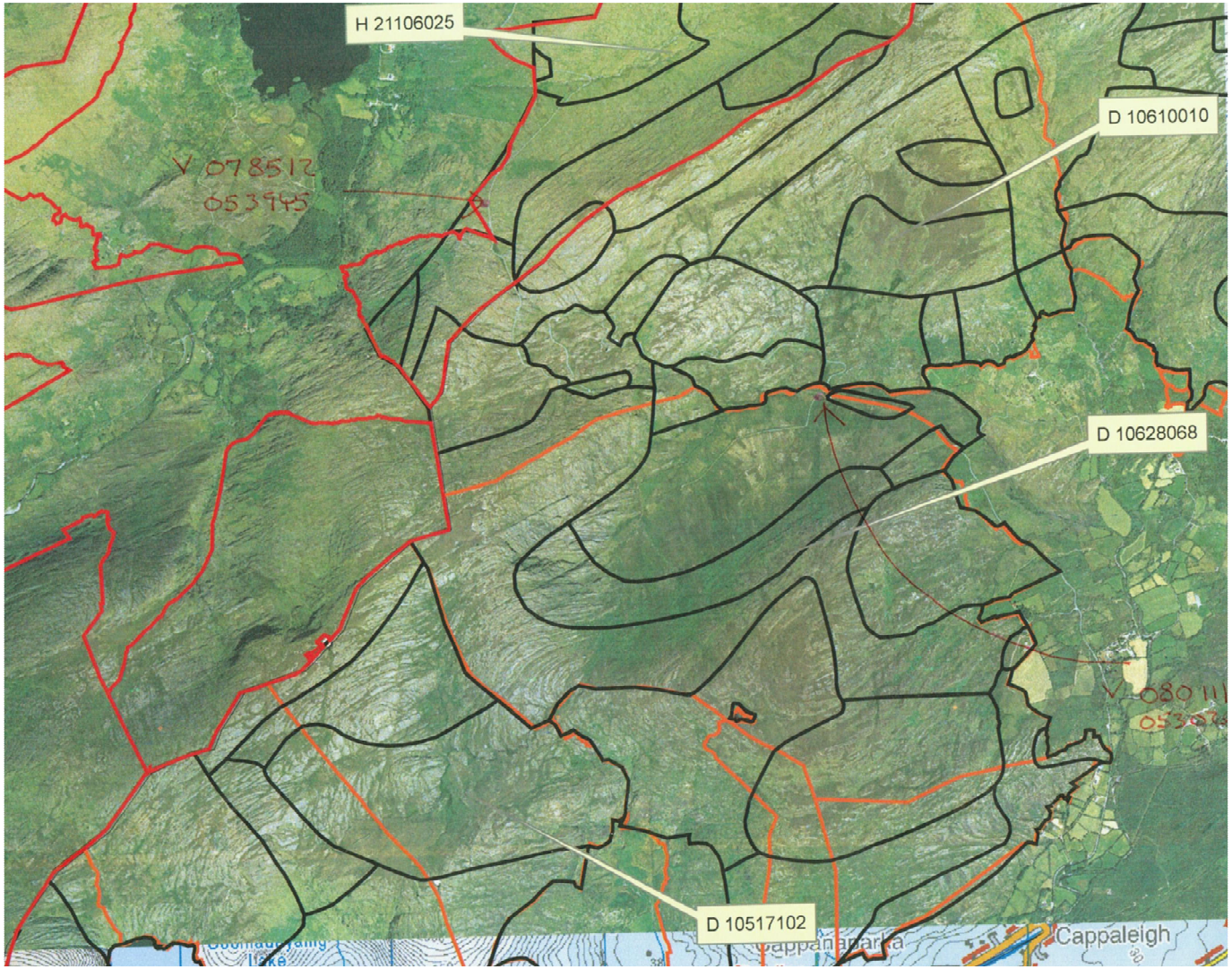
- Large commonage were Louisburg taking in area of Mweelrea Mountains c.150 shareholders possibly 75 active.
- Achill similar situation. In-active high but some actives far in excess of multiples of EE allocation
- Sligo a 1,000 acre commonage, 4 shareholders only 1 active – seriously below min EE requirement.
- Caha Mountains – within min/max range.



Mountain
Derrygreenia
Cuhig
Knocknaveacal
Cummeennahillan
Tooth Mountain
Shronebirrane
Coomacloghane
599
Standing Stones
The Pocket
Cummeengeera
Lackabane
Curraghnalague
Eskatarriff
Clogher
Glanmore
Esknamaggy
Cummeennashee River
Glanmore River
agree
Rossmackowen Commons
Hungry Hill
682
Cairn
Cnoc Daod
Coomgira
Gortnarea
Coomarkane Lake
Derryclancy
Derreen
Coomadayallig Lake
Waterfall
Fulacht Fia
Coombane
Dromaclaurig
CAHA MOUNTAINS
An Cheacha
Gortavallig
Glanmore Lake
Loch an Ghleanna Mhóir
Canagullen
Glanmore Wood
Glanmore Bridge
Coolcrean Bridge
Ahadav Bridge
Ahadav River
Clogherane
Creeveen
Knockastumpa
Elistragh
Elistragh Br.
Megalithic Tomb
Knockowen
Stone Row
Clogharane Br.
Stookeennalaokareha
Coolcreen
Healy Pass
Ballaghscart
Claddaghgarriff
Clashduff
Knockowen
Cnoc Eoghain
Cushnaficulla
Knockeirky
Canshanavoe
Kilcaskan
Inchintaglin
Carbery Pool
Adrigole Mountain
Adrigole
Eadargóil
Cappanaparka
Cappaleigh
Dromgarvan
Standing Stones
Holy Well
Crooha
Mass Mount
Kildromalive
Church
Bullaun Stone
Inchintaglin Br.
R574
Adrigole Harbour
Reen
Reen Br.
Quay
Orthans Island
Pointamore
Clydagh
Drumlave
R572
Faha

CFP Habitat Condition Values



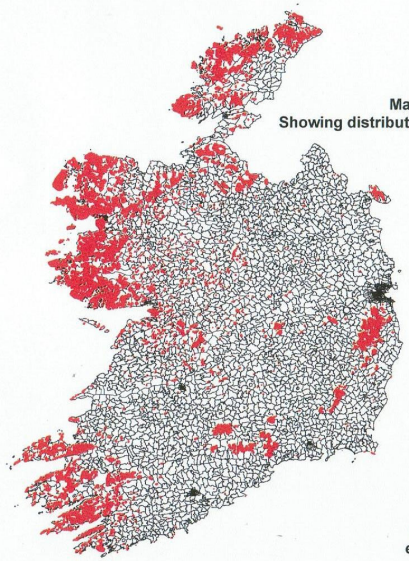

H 21106025
D 10610010
D 10628068
D 10517102
Cappaleigh

FID_	
PARCEL_ID	D10610010
A_LPIS_HA	383.94
TLANDNAME	CLASHDUFF
LPIS_REF_A	315.52
AGRIC_UNIT	KE-21-A/CO-4-A
OLPIS_D_P	56.6
C_LPIS_D_P	35.6
STRPMaxMin	20
RA_FACTORP	82.18
RA_HA	315.52
CRA_EE_MAX	362.97
CRA_EE_MIN	290.37
RAEEUSMax	563.63
RAEEUSMin	450.91
CRAEEHaMax	1.15
CRAEEHaMin	0.92
URAEEHaMax	1.79
URAEEHaMin	1.43
YEAR_2011	2011
MRGTIFERA	

FID_	
PARCEL_ID	D10628068
A_LPIS_HA	393.1
TLANDNAME	INCHINTAGLIN
LPIS_REF_A	233.53
AGRIC_UNIT	KE-21-A/CO-4-A
OLPIS_D_P	47.18
C_LPIS_D_P	26.44
STRPMaxMin	30
RA_FACTORP	59.41
RA_HA	233.53
CRA_EE_MAX	249.53
CRA_EE_MIN	174.67
RAEEUSMax	339.23
RAEEUSMin	237.46
CRAEEHaMax	1.07
CRAEEHaMin	0.75
URAEEHaMax	1.45
URAEEHaMin	1.02
YEAR_2011	2011
MRGTIFERA	

FID_	
PARCEL_ID	D10517102
A_LPIS_HA	148.06
TLANDNAME	DERREEN UPPER
LPIS_REF_A	91.82
AGRIC_UNIT	KE-3-C/CO-5-F
OLPIS_D_P	24.16
C_LPIS_D_P	12.56
STRPMaxMin	30
RA_FACTORP	62.01
RA_HA	91.82
CRA_EE_MAX	123.41
CRA_EE_MIN	86.39
RAEEUSMax	123.41
RAEEUSMin	86.39
CRAEEHaMax	1.34
CRAEEHaMin	0.94
URAEEHaMax	1.34
URAEEHaMin	0.94
YEAR_2011	2011
MRGTIFERA	

FID_	
PARCEL_ID	H21106025
A_LPIS_HA	210.79
TLANDNAME	COOLCREEN
LPIS_REF_A	171.2
AGRIC_UNIT	KE-21-A/CO-4-A
OLPIS_D_P	37.54
C_LPIS_D_P	33.25
STRPMaxMin	20
RA_FACTORP	81.22
RA_HA	171.2
CRA_EE_MAX	241.57
CRA_EE_MIN	193.25
RAEEUSMax	362.01
RAEEUSMin	289.61
CRAEEHaMax	1.41
CRAEEHaMin	1.13
URAEEHaMax	2.11
URAEEHaMin	1.69
YEAR_2011	2011
MRGTIFERA	N/A



Map of Ireland
Showing distribution of Commonages in red

Scale 1:3,000,000

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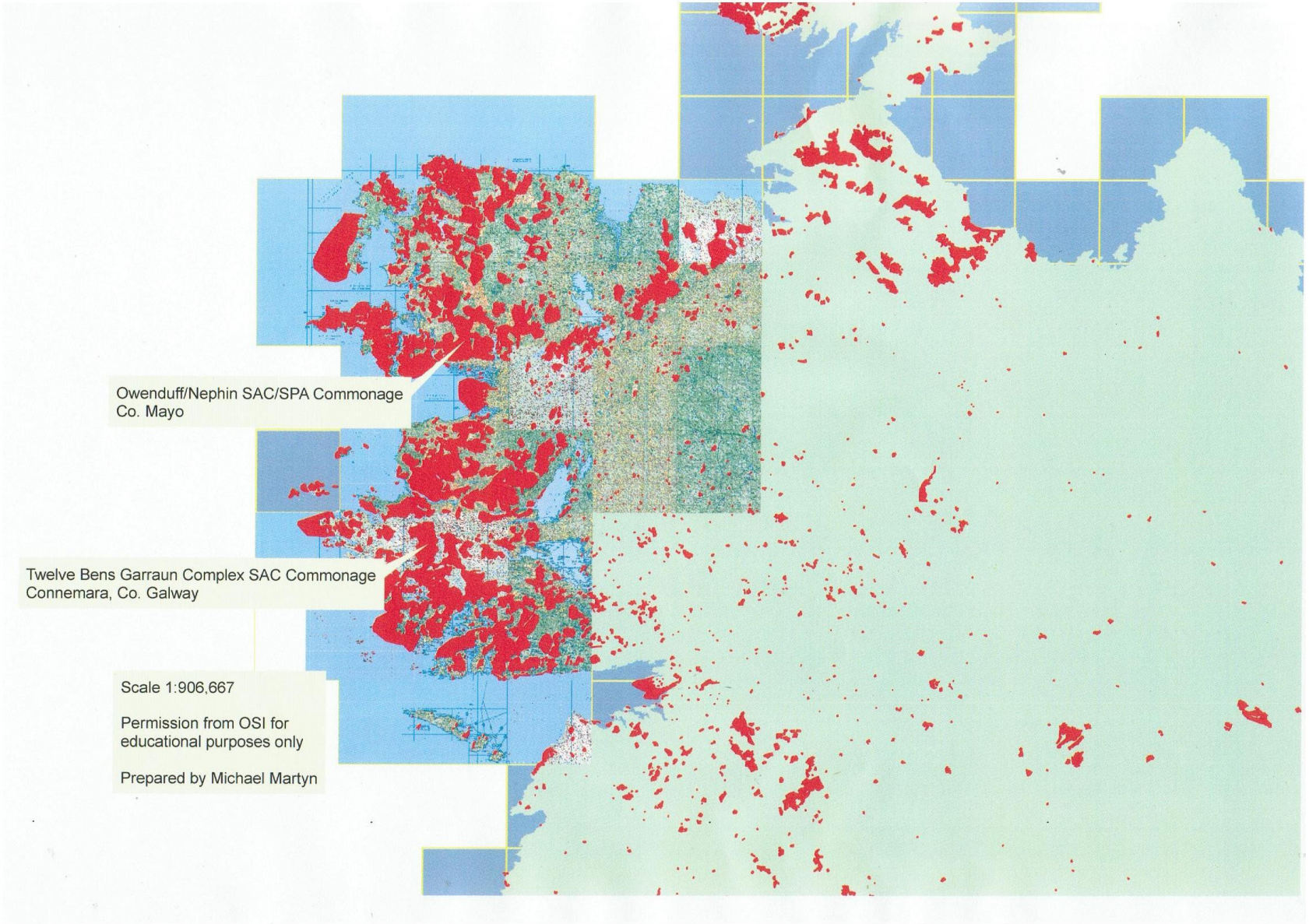
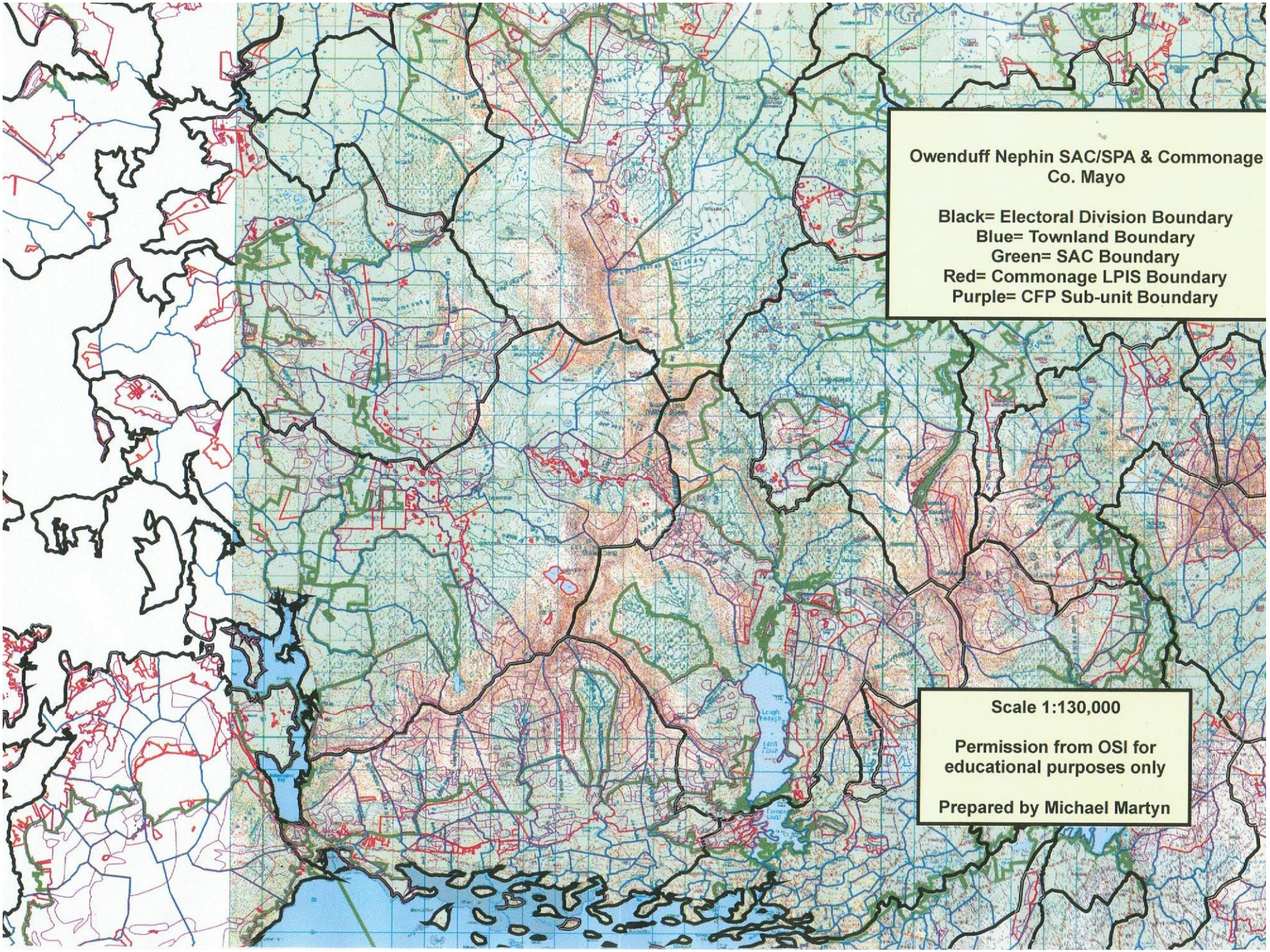
Prepared by Michael Martyn

Appendix A - maps




Owenduff Nephin SAC/SPA & Commonage
Co. Mayo
Black= Electoral Division Boundary
Blue= Townland Boundary
Green= SAC Boundary
Red= Commonage LPIS Boundary
Purple= CFP Sub-unit Boundary
Scale 1:130,000
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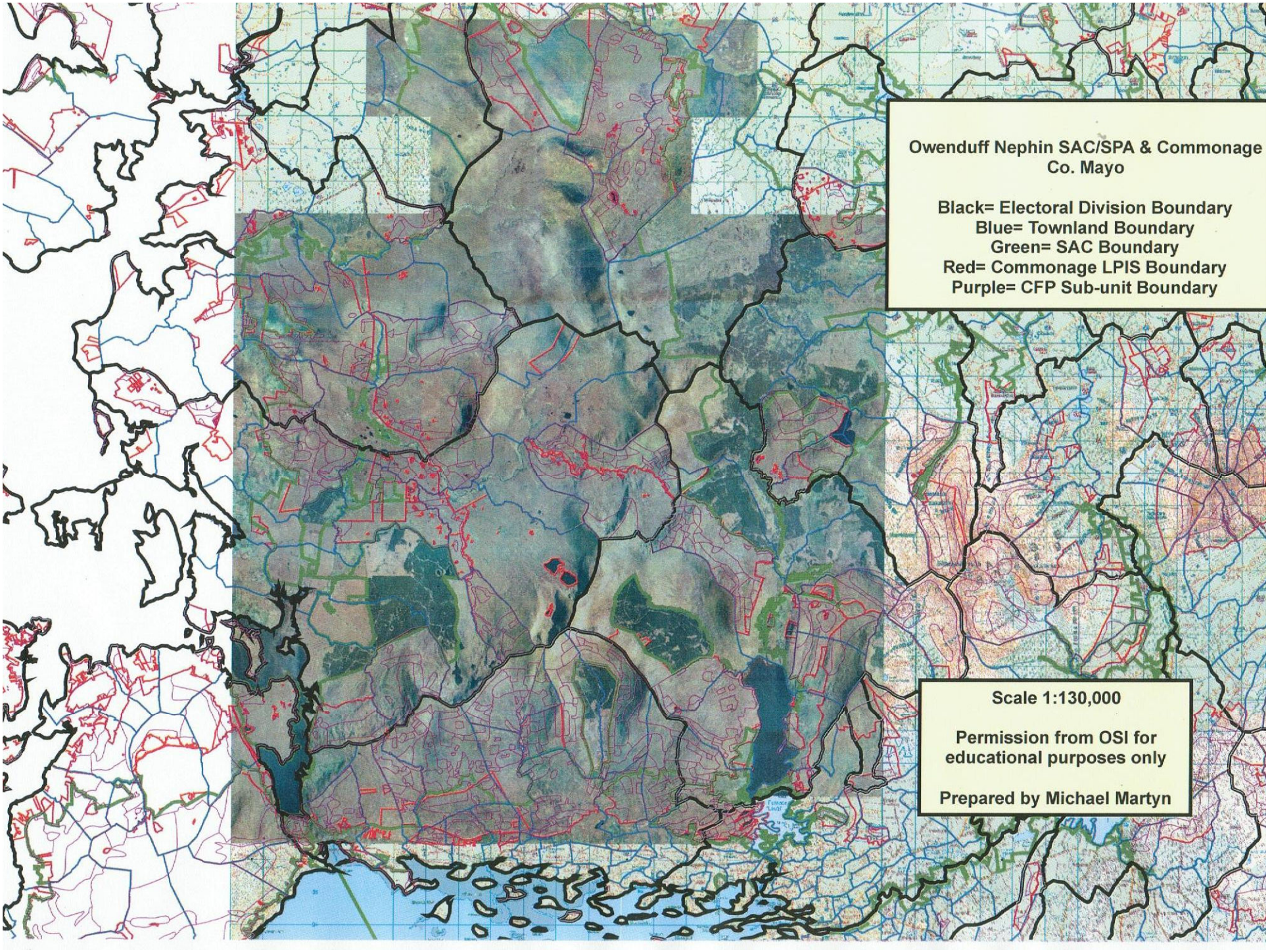
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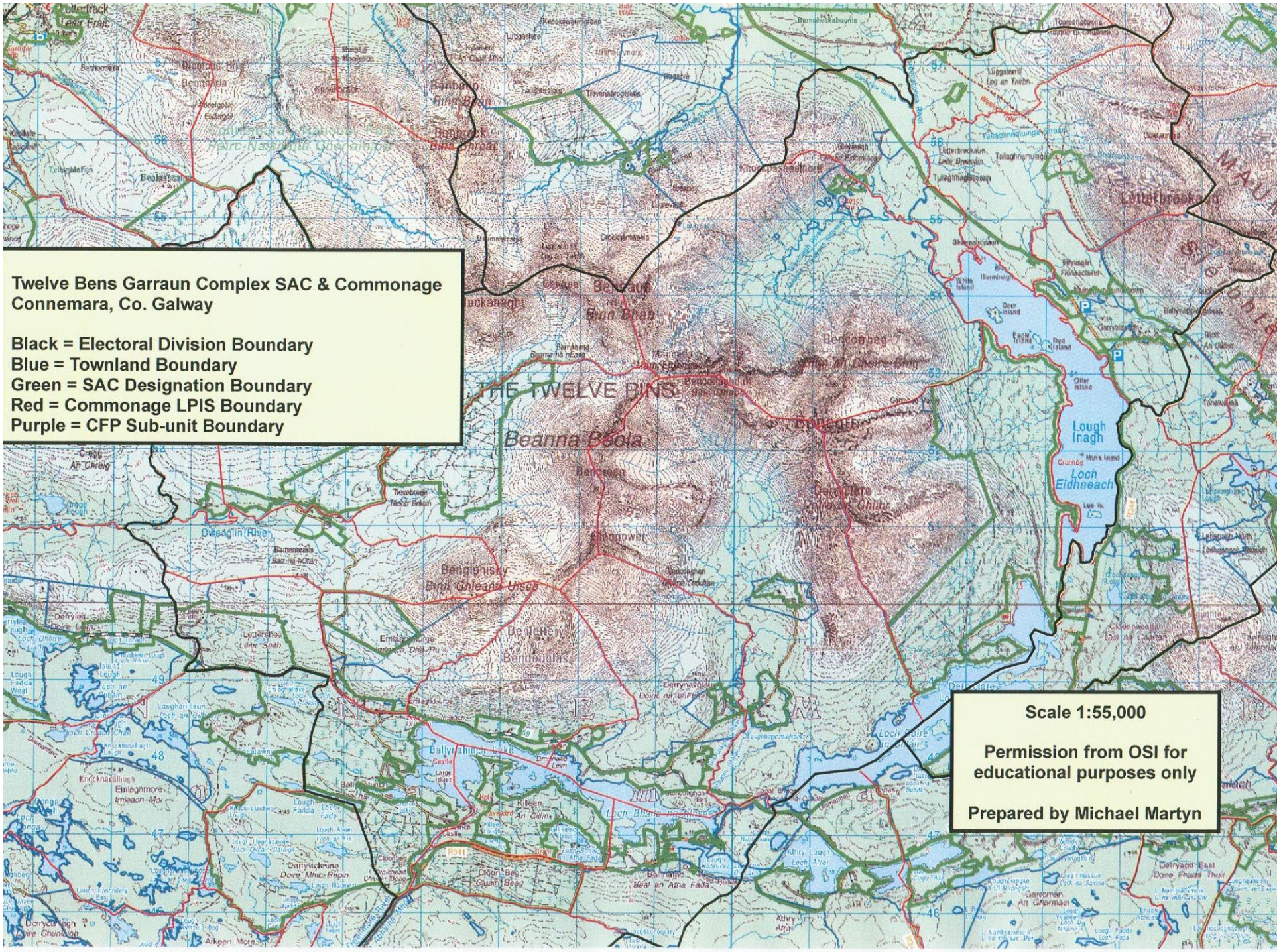
Twelve Bens Garraun Complex SAC & Commonage
Connemara, Co. Galway
Black = Electoral Division Boundary
Blue = Townland Boundary
Green = SAC Designation Boundary
Red = Commonage LPIS Boundary
Purple = CFP Sub-unit Boundary
THE TWELVE PINS
Beanna Bheola
Lough Inagh
Loch Eidhneach
Scale 1:55,000
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Prepared by Michael Martyn


Twelve Bens Garraun Complex SAC & Commonage
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Scale 1:55,000
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Lough Inagh
Loch Eidhneach

Measures in addition to Sustainable grazing present opportunities...if appropriately funded

Commonage:

A menu of Management measures and Capital Works for GLAS +

and GLAS locally led targeted Agri-environment Scheme (e.g. BFCP) for which €70 million is allocated in the RDP 2014-2020.

Measures in addition to sustainable grazing contd

- **Maintenance and Regeneration Works**
- Gorse scrub removal, grip blocking in blanket bog
- Control of Purple Moor Grass (*Molinia caerulea*)
- Control of invasive species – *Rhododendron ponticum, Gunnera tinctoria*.
- Control of bracken (*Pteridium aquilinium*)
- Regereration of heather (*Calluna vulgaris, Erica* spp)
- Rotational burning and flailing.
- Seeding into bare peat areas.

Measures in addition to sustainable grazing contd

- **Management for specific species**
- (to reduce or increase grazing density)
- Freshwater Pearl Mussel *Margaritifera margaritifera* in catchment
- Marsh fritillary butterfly feeds Devils Bit Scabious (*Succissa pratense*).
- Grouse – heather management mainly
- Predator control – targeted to protect ground nesting species, e.g. grouse, waders
- Hen Harrier – grazing and variable height vegetation and rushy wet grassland
- Chough – mainly coastal commonages Maritime heath. Well cropped coastal grassland
- Petalwort (*Petalopyllum ralfsii*) – liverwort on closely cropped coastal machairs on commonage (Mayo).

Measures in addition to sustainable grazing contd

- **Other**
- Introduction of cattle – suitable breeds Aberdeen Angus, Galloway, Scottish Highland

- **Recreation, Pilgrimage and Signage**
- Management of waymarked ways or Mass paths and pilgrimage paths
- Hill walking
- Dedicated easy accessible greenways as in Newport-Mullranny greenway, Co. Mayo walking and cycling.
- Pony trekking on permitted trails.

Measures in addition to sustainable grazing contd

- **Capital Works**
- Fencing: to create exclusion zones and restore severely damaged areas,
- to exclude stock from quaking bog,
- as part of catchment management for *Margaritifera margaritifera* (Freshwater Pearl Mussel),
- as boundary fencing
- Broadleaf tree planning to stabilise catchment areas prone to slippage and runoff using suitable native species of local provenance.
- Drain blocking in blanket bog.

Measures in addition to sustainable grazing contd

- **Shepherding (*)**
- Additional shepherding where hefting has broken down and damage blackspots occur, or where the potential for damage to occur must be avoided.
- Daily shepherding required.
- Shepherd employed by the commonage association/committee from outside or within shareholders.

Measures in addition to sustainable grazing contd

- **Education**
- Educational trips for primary and secondary
- Educational module field days
- Ecological and cultural heritage interest groups
- Develop ongoing research partnership with local third level institutions.

Measures in addition to sustainable grazing contd

- **Remedial Actions**
- Removal of dumped on site and all further
- dumping prohibited.
- Repairing & preventing scrambler biking on
- unauthorised paths.

- **Archaeological Sites**
- Protection and maintenance of statutory SMR/RMP.
- Protection of non statutorily protected archaeology and cultural heritage.

Selective grazing of upland habitats

- In a study based in the Mweelrea Mountains on habitat selection by Scottish Blackface ewes GPS collared.
- Blanket bog represents 53% of the area, wet heath 35%, acid grassland 3% and others 9%.
- A “finding that blanket bog habitats were consistently selected least suggests stocking rate calculations should omit areas of available blanket bog where alternative preferred habitats are available” (Williams *et al.*, 2012, p.14).
- In contrast selection preference was shown for wet heath mainly and a small area of acid grassland.
- In ecological succession terms the heaths are seral communities whereas the blanket bog if maintained in sufficient wetness is a climax community. Therefore blanket bog requires little or no grazing to be sustained as is, unlike heath which without grazing will progress to coarse inedible grasses, to scrub and woodland ultimately.
- However, these upland commonage habitats very often consist of a mixed habitat mosaic and the stocking calculation must take this into account.

Commons Terminology

- **Levancy and Couchancy** (England)- The numbers of grazing animals is limited by the requirements that they must be maintained on the dominant tenement in winter. (Aglionby *et al.*, 2010)
- **Stinting (England)**: Stints denote the number and kind of animals that an individual right holder may graze on a common or stinted pasture (Aglionby *et al.*, 2010).
- **Souming (Scotland)**: The number and type of animals a shareholder may put on grazing (Reid, 2003a). Soumings take account of the shareholders ability to provide winter feed from the in-bye or enclosed acreage. The value of the grazing right is measured in terms of soumings.
- **Collops (Ireland)**: The unit, under the common of pasture, by which the right to graze animals upon a common grazing was measured: a cow was the equivalent of two collop, a horse was a collop and a half. In the Land Registry a collop has be registered as appurtenant to the land. (Murdoch, 2004).

Regulatory management model options - England

	Commons Councils	Voluntary Associations	Umbrella Group (Voluntary Associations)	Legal Agreement	Limited Company	Trust
Suitable Cases	In cases of larger numbers of active commoners and where there is a small number frustrating proper management of the commons and/or entry into an agri environment scheme.	Essential in SDA to access Uplands ELS.	Suitable when commoners require strong representation and their collective voice to be heard.	Most suited to managing agri-environment agreements.	Most suited to managing agri environment agreement.	Most suited to managing agri environment agreement.

Regulatory management model options - England

	Commons Councils	Voluntary Associations	Umbrella Group (Voluntary Associations)	Legal Agreement	Limited Company	Trust
Advantages of this management model	Makes legally binding rules for management on all rightholders If the council is a large one enforcement may be by someone at arms length from the common. Legal body. Greater respect and recognition. Power to create a live grazing register.	Cheap to set up and run. Can apply to any size of common.	Can provide a big voice for the small common. Improved communication and awareness.	Can enforce rules against all signatories.	Directors' have limited liability. Ability to impose decisions on members. Disciplined approach to accounting.	Ability to impose decisions on beneficiaries.

Regulatory management model options - England

	Commons Councils	Voluntary Associations	Umbrella Group (Voluntary Associations)	Legal Agreement	Limited Company	Trust
Disadvantages of chosen management model	Complex and costly to establish and run. Economies of scale – need a sizeable number of right holders. Increased administration.	No authority unless it puts in place a legal agreement. Relies on good neighbourhood.	Costly to establish and run. Suitable for large area.	Usually has a set time period. Only enforceable against signatories and their successor. Some costs setting up.	Some establishment and ongoing costs.	Trustees have unlimited liability. Ongoing costs.

Adapted from (Aglionby *et al.*, 2010)

Discussion

- Get out on the ground meet the farmers. Farmers must be listened to. Respect their knowledge and experience and their right to a livelihood on commonage
- Commonage within a Commonage - the whole commonage must be taken into account
- Be well prepared, Have data and maps CPs etc
- Meet each individual farmer. Verify the data by requesting SPS, maps etc.
- Fear may be the greatest obstacle, so by talking with and listening to each individual farmer shareholder real progress can .
- In the discourse work out his EE min/max range and compare this to his current stocking. Grazing Target on commonage is 100% of minimum EE/Ha or as amended
- Find out from him his year round sheep flock management regime – when put on/taken off commonage and rest periods.
- Look at his capacity on enclosed land and housing if any.
- Assess if he is able to carry the required minimum to maximum numbers or numbers greater. (Our figures are for mountain ewes).
- Find out from each ideas or suggestions she/he might have to improve the commonage

Discussion contd

- The adviser/convenor will look at the CFP's, any 50% assessments or monitoring reports and relate this to the commonage. In the case of the pilot plans he will carry out an initial inspection over a pre-determined transect noting SPS locations and habitat condition at waymarks along the transect.
- Having got to know the shareholders and the commonage resource and pulled together all the relevant facts is then time Hold a meeting of the group of shareholders.
- Having met all the shareholders an estimate of numbers currently carried is known. Compare these with EE min/max range. This will show if there are any shortfalls or if the numbers are currently in excess of max. We do this for the individual and total figures for the commonage as a whole.
- The adviser/convener will need to know what flexibility he has in allocation of numbers between shareholders. Some direction from DAFM and NPWS will be required on this.

Discussion contd

- The issue of whether those “elderly farmers” giving up his allocation to another remains Cross Compliant and eligible for SPS and DAS needs to be clarified. The allocation once signed over to the other shareholder must remain with him for the 5 years of the plan.
- The adviser/convenor must ensure that the receiving farmer also has the additional capacity on his enclosed land. Where a lease by an incoming farmer is considered he will be required to lease enclosed land with the appurtenant commonage shares.
- The objective is conservation of the farming resource and the Natural Habitat resource, cultural heritage, HNV and a provider of public goods.

Tragedy of the Commons

Afterthought

- When the traditional customary management system breaks down and a free for all develops the farmer feels he lacks the control which he enjoys on his own land.
- Why is this – the classic case of the Tragedy of the Commons – Garret Hardin (1968) highlights this. See below
- Under the proposed co-operative structure of collective land management each farmer will enjoy a reasonable degree of control and the transparency over what each shareholder is doing.

- In the Tragedy of the Common by Hardin (1968) the ordinary grazier gets to thinking he will get away with adding one more animal to the common. The "positive" is by doing so he gains the additional income from sale of one animal for himself. The negative effect of the extra grazing is, the grazing pressure created by one additional animal over the number of active farmers grazing - which is minimal. He thinks the sensible thing to do is add another animal,...and then another... and so on. Unfortunately he is not alone in thinking this way and each farmer begins to act as he has. The result is the commons become degraded.

  Sound familiar!!

CONCLUSION

Sustainable management practice will; sustain the agricultural resource and natural habitat resource on the commons, will enable shareholders use their rightful appropriations, take account of the condition of the resource on an ongoing basis and will leave the commons in good order for the next generation. With a fit for purpose institutional arrangement in place and the collective land management functioning well it will create a more holistic management of the commons. In this climate salience of the commons will be restored provided also it is supported by environmental transfer payment and market support with increased prices for sustainably produced lamb and beef. In this way the future begins to looks bright, the sustainable management of Irish Commons will be achieved and in this it will also serve the common good of local community and society in general.