



DARTMOOR NATIONAL PARK FORUM BRIEFING NOTE

November 2023

E-news from the National Park

We produce a number of different e-news updates from the National Park, from activities and events to press releases, and getting more involved in our work through consultations, such as the Management Plan Review and the Local Plan Review.

Email updates 'Activities, Events and Volunteering' are sent out regularly and you can sign up for this and our other e-newsletters on our website. **With the advent of GDPR we have had to request all our subscribers re-subscribe if they want to be kept informed; and you can do this here:** <http://www.dartmoor.gov.uk/about-us/news-and-media/keep-in-touch>

If you prefer real time news you can also follow us on Twitter (@dartmoornpa), Facebook (enjoydartmoor1) and Instagram (lovedartmoor)

NATIONAL POLICY, GOVERNANCE AND FUNDING

The Financial Challenge facing the Authority

The Authority remains concerned about future budgets. The flat cash core grant, which has not changed since 2019/20, coupled with the impact of inflationary pressures and pay awards, poses challenges in achieving a balanced budget. If National Park Grant had kept up with inflation, it would now be valued at over £8.2 million; we currently receive £3.8 million and anticipate £3.8m for 2024/25.

Independent Evidence Review of Protected Site Management on Dartmoor

As reported previously, on 8 June 2023 Defra confirmed that they were commissioning an independent review into the management of protected sites on Dartmoor. The background to this is the renewal process for existing agri-environment agreements on circa 23 commons and the requirement from Natural England that stocking levels be reduced further. Natural England believe that further reductions in stock numbers (focused on sheep) will improve the condition of Sites of Special Scientific Interest on Dartmoor.

The review is being led by David Fursdon with support from a panel of experts. The review is due to conclude at the end of November. At the time of writing the call for evidence has closed and the panel are conducting a series of 'evidence sessions' with key stakeholder groups and individuals.

The Authority have submitted evidence and met the panel in one of their scheduled 'evidence sessions'. We argue that the Fursdon Review provides an opportunity to learn lessons that will help provide a framework for delivery of public benefits alongside viable farm businesses on Dartmoor and beyond. To achieve this objective, we have identified ten building blocks for a better future:

- An integrated approach that focuses on all public benefits (nature; landscape; heritage; access; water and carbon management; and wildfire prevention and management) and the farm business.
- A shared vision based on outcomes – clarity on what is sought and where and a vision that is owned by all.
- An agreed and shared approach to monitoring – regular monitoring is essential to 'de-risk' agreements. Involving the farming community in monitoring can help build understanding, trust and pride.
- Engagement and partnership to deliver agreed outcomes. A focus on engaging farmers, using their knowledge and supporting them through appropriate training and skills development.
- Trusted facilitation and advice. If we want high quality outcomes we need to provide high quality advice that is trusted by all.
- Combining national and local priorities with local delivery. Local conditions vary even within a small landscape: conditions on Dartmoor vary from one common to another and are very different from Exmoor and more northern uplands.
- Moving beyond SSSIs and the notion of 'Favourable Condition'. We are clear about the need to do more for nature but question the appropriateness of SSSIs as a measure of nature recovery across large areas.
- Rewarding delivery and encouraging innovation. We are interested in exploring further the idea of 'performance related payments' (or payment by results) to reward management and incentivise innovation and enhancement.
- The tools to do the job. A focus on mixed grazing – sheep, cows and ponies – as this best imitates natural processes.
- Celebrate success. The current system is leading to a 'spiral of dismay and despair'; we need to celebrate success, learn from it and move away from a culture where fear of failure prevents innovation.

New Members of the Authority

The Authority has welcomed the following new Members:

- Mike Jeffery (Secretary of State parish appointee)
- Mark Williams (Secretary of State parish appointee)
- Guy Pannell (appointed by South Hams District Council)
- Mark Owen (Secretary of State national member)

In addition, Peter Smerdon was appointed as a Secretary of State Parish appointee; he was previously appointed by South Hams District Council.

Pamela Woods and Peter Harper were re-elected as Chair and Deputy Chair of the Authority respectively.

Philip Sanders and James McInnes were re-elected as Chair and Deputy Chair of the Development Management Committee. Sally Morgan was re-elected as Chair of Audit and Governance Committee.

Backpack or Wild camping – Legal Challenge

Mr and Mrs Darwall (the owners of Blatchford Manor near Cornwood) have been pursuing legal action arguing that the rights of access granted by Section 10(1) of the Dartmoor Commons Act 1985 did not extend to a right for the public to backpack camp¹ on specified areas of common land. The National Park Authority had always believed that section 10(1) included a right to backpack camp for one or two nights on specified areas of common land and this was reflected through the National Park byelaws which sought to provide a framework for the management of access.

Mr and Mrs Darwall issued a Part 8 claim in the High Court seeking a declaration to the effect that backpack camping was not provided for by section 10(1). The claim was founded on the plea that the right conferred on the public by section 10(1) is merely “a public right to roam (a *jus spatiandi* in favour of the public) and not any other or larger right”.

The High Court judgment issued on 13 January 2023 ruled that section 10(1) of the 1985 Act does not confer on the public any right to pitch tents or otherwise camp overnight on Dartmoor commons. Any such camping requires the consent of the landowner.

The effect of this judgment was to render the previous system of backpack camping ‘by right’ obsolete.

The Authority worked with the Dartmoor Commons Owners’ Association to develop a new ‘permissive’ approach to backpack camping. We are grateful to the common landowners who engaged in this process. Throughout that process the Authority was clear in stating that it reserved the right to appeal the High Court judgment.

The Authority was granted permission to appeal the High Court judgment in April 2023.

The case was heard in the Court of Appeal on 18 July 2023 by: Sir Geoffrey Vos, Master of the Rolls; Lord Justice Underhill, Vice President of the Court of Appeal (Civil Division); and Lord Justice Newey.

They issued their judgment (which was unanimous) on 31 July 2023:

1. The appeal was allowed. All three senior judges were in agreement that on its true construction, section 10(1) of the Dartmoor Commons Act 1985 confers on members of the public the right to rest or sleep on the Dartmoor commons whether by day or night and whether in a tent or otherwise, provided that the other provisions of the 1985 Act and schedule 2 to the National Parks and Access to the Countryside Act 1949 and the byelaws are adhered to.
2. The costs that the Authority had to pay under the High Court judgment were to be repaid by the Darwalls by 14 August 2023.

¹ Backpack camping is the term used by Dartmoor National Park Authority to emphasise the small-scale, ‘leave no trace’ ethos of this activity. All you need to camp one or two nights is carried in your backpack. It is also referred to as wild camping. Backpack camping is not the same as ‘fly camping’ the later term has been used to describe illegal camping that has a detrimental impact on the environment and is often associated with anti-social behaviour.

3. The Respondents (the Darwalls) were ordered to pay the Appellant's costs in the High Court and Court of Appeal on the standard basis, such costs to be subject to detailed assessment if not agreed.
4. The Respondents were ordered to pay the Appellant £40,000 on account of costs ordered under 3 above within 28 days of the Court Order.
5. The Respondents were also ordered to pay interest on the amount of costs they were ordered to pay under 2 above at base rate plus 1 per cent from the date on which it was paid until the date on which it is repaid.
6. The Court of Appeal refused permission to appeal to the Supreme Court.

Subsequent to this judgment, Mr and Mrs Darwall have applied to the Supreme Court for permission to appeal the Court of Appeal decision (i.e. a request that the case be heard by the Supreme Court). We await a ruling on this application by the Supreme Court. There is no set timeline for this ruling and if permission is granted there is no timeline for a hearing in the Supreme Court.

Digital National Park

We are working on a bid to be the UK's first 'Digital National Park'. Fast reliable digital infrastructure (gigabit broadband and mobile connectivity) is essential to help deliver the vision in the [Dartmoor Partnership Plan](#) and to support our local communities and businesses. The bid will be submitted to BDUK (a government agency). If we are successful it will provide funds to enable gigabit infrastructure across Dartmoor and its hinterland (primarily full fibre).

At present the majority of Dartmoor does not have gigabit connectivity and is classed as a 'Type C area'. Without specific funding we are concerned that Dartmoor will be 'left behind' in the new digital age.

Levelling up and Regeneration Bill

The Government have, through an amendment to the Levelling up and Regeneration Bill (now Act) introduced:

- a new duty on relevant authorities to 'further National Park purposes'. This replaces a duty to 'have regard to'. The word 'further' implies positive action, have regard to is passive. We expect the secretary of State to issue guidance on the new duty but do anticipate this until 2024.
- A requirement for National Park Management Plans to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021. The Secretary of State also has a new power to introduce guidance setting out how National Park Management Plans must contribute to the meeting of such targets.

Landscapes Review

We are still waiting for the Government's full response to the Landscapes Review which was published in 2019. We understand that the Government is committed to establishing a non-statutory Protected Landscapes Partnership which will comprise representatives from National Parks, Areas of Outstanding Natural Beauty, National Trails and Natural England. It is likely that the partnership will be chaired by the Minister responsible for National Parks. The partnership will have a focus on developing new sources of funding for protected landscapes, nature recovery and access for all.

Dartmoor Foundation

The Authority has agreed, in principle, to establish a new charitable body and linked trading company as a vehicle for partnership working, fundraising and innovation. We are in the process of appointing legal advisers and identifying potential trustees. The aim is to seek Charity Commission approval and have the Foundation up and running by the end of 2024.

For more information please contact: Kevin Bishop via pbailey@dartmoor.gov.uk

SUSTAIN

Landscape Recovery (LR)

The East Dartmoor Partnership LR is now in the first year of development having secured money from Defra to work up a viable proposal for nature recovery. The project officer is currently liaising with farmers and landowners within the Bovey catchment around potential options to take forward. A new round of LR was also launched in the summer with two bids submitted on Dartmoor. The Authority applied on behalf of the communities and landowners that live and work on the upper River Walkham catchment on the western side of the moor. The Central Dartmoor Community Interest Community (a co-operative of farmers in the Postbridge area), working with the Duchy of Cornwall, submitted an application covering a large project area across the middle of the National Park. The Authority wrote a letter of support for this bid.

LR is the third strand of the new Defra Environmental Land Management Scheme designed to provide opportunities for long term, fully funded landscape scale nature enhancement that encourages collaboration to achieve thriving, resilient and joined-up landscapes for wildlife.

Applicants will be notified before Christmas if their applications were successful in this increasingly popular scheme.

For more information please contact: Chris Giles, Head of Conservation and Land Management cgiles@dartmoor.gov.uk

Historic Environment

This summer saw the spring's planning come to fruition as the archaeology team undertook excavation on two different sites. The first, at Sanduck Cross Farm was our third year on the site excavating test pits to investigate a scatter of lithic tools in the topsoil. In all, over twenty volunteers participated, digging the same number of test pits bringing the total to over fifty in three seasons of work. Finds include an assemblage of stone tools, the debris from their manufacture and broken pottery a good proportion of which dates to the medieval period. The star find though is a Late Neolithic arrowhead (3rd millennium BC) which, of course, was found in the last few hours on the site.

Our second excavation was on the Piles Hill stone row on Harford and Ugborough Moors in the south of the National Park. Little is known about these enigmatic monuments; even their date is obscure so it was hoped that our investigation could shed light on stone rows generally as well as the Piles Hill example specifically. In the event, trenches were excavated around three stones with sockets found in each one. Other features, including a post hole and spread of white quartz were also uncovered making a significant contribution to our knowledge. We'll now be spending the winter analysing our finds and writing the necessary reports.

The last few months have also seen us supporting other conservation efforts on Dartmoor including peatland restoration and natural flood management across the Park, while also contributing to the Fursdon Review (see above)..

For more information please contact: Lee Bray, Archaeologist, lbray@dartmoor.gov.uk

Dartmoor's Dynamic Landscapes

The Authority, as lead partner, submitted an application to the National Lottery Heritage Fund (NLHF) in August 2022 for a Heritage Grant. The application was successful and we have received a Stage 1 pass with funding for a period of programme development.

During the coming year DNPA and partners will research, consult on and refine project proposals for a five-year programme of work that will work to address urgent societal needs (climate and ecological crisis, health & wellbeing, social deprivation including rural isolation) with a landscape scale focus on four of Dartmoor's river catchments (Dart, Okement and the Erme & Yealm) and riverside communities in related towns around the National Park.

The proposal is organised under three themes, with programmes and projects within these. They are

- Dartmoor's Dynamic Nature;
- Connecting People and Place; and
- Foundations for the Future.

The Stage 1 development phase will culminate in the submission of the Stage 2 application for funding in August 2024 and, if successful, the main programme would run 2025-30 – it would be similar to Moor than Meets the Eye - a programme of funded projects that help deliver the Dartmoor Partnership Plan/National Park Management Plan.

For more information please contact: James Sharpe - jsharpe@dartmoor.gov.uk

Farming in Protected Landscapes

Farming in Protected Landscapes is a time limited grant scheme for farmers and land managers in National Parks and Areas of Outstanding Natural Beauty (AONBs).

The programme, developed by Defra, and delivered locally by the Authority, was originally planned to run from July 2021 until March 2024. The programme has now been extended until March 2025 and available funding increased. Grant funding available in 2023 totals £759k with nearly £600k of this allocated to projects so far this year. Dartmoor's grant allocation for 2024 is over £1m (one million pounds) and the team are working with a number of applicants on ambitious projects but the majority of the 2024 grant is still to be allocated. Farmers and other land managers should contact the team for an informal discussion about project ideas.

To find out more about the programme and to see examples of projects funded to date, visit: <https://www.dartmoor.gov.uk/living-and-working/farming/farming-in-protected-landscapes>

For information about funding a project, please visit the website and contact the Dartmoor FiPL team on fipl@dartmoor.gov.uk >

Dartmoor Environmental Land Management Test and Trial

The Authority, in partnership with the Dartmoor Commoners' Council, Dartmoor Common Owners' Association, Natural England and Duchy of Cornwall are continuing work on a Defra funded 'Test and Trial' focused on a payment by results scheme for common land and the governance of agri-environment schemes on common land. The project is being led by Professor Janet Dwyer and initial results have been fed into the Fursdon Review (see above).

For more information please contact: Chris Giles, Head of Conservation and Land Management
cgiles@dartmoor.gov.uk

ENJOY

Access & Recreation

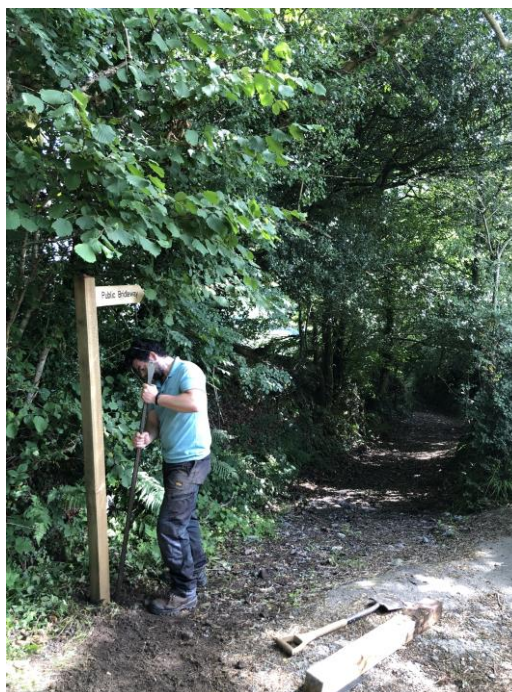
Dartmoor National Park's Voluntary Wardens are an essential part of Team Dartmoor. Some of their current contributions include but are not limited to: Public Rights of Way surveying; supporting general maintenance of the network; vegetation clearance, reporting issues and supporting education and engagement events across Dartmoor.

In recent months, some of the Voluntary Wardens have been supporting the access and ranger teams through fingerpost manufacturing (see images below).

Dartmoor National Park Authority has plans to engage more of our Voluntary Wardens in practical works across the network in the coming months. A big thank you to the teams who support this work, and we hope to share some great examples with you in the next forum update.



Nigel and Steve showing off their fantastic handy work



One of the signs, installed the following week, by Assistant Ranger Ethan.

Electric vehicle charging within Dartmoor National Park

In 2020, the Authority installed a twin Electric Vehicle Charging Point (EVCP) at the Haytor Visitor Centre. This follows increased interest and demand as EV ownership increases for the ability to re-charge vehicles within the National Park. The Authority is now installing EVCP's at sites across Dartmoor National Park through a *Recharge in Nature* partnership project with UK National Parks and BMW. The Project aims to provide EVCP's in some of the UK's more remote locations.

Work started in the spring of this year with site and feasibility assessments of several locations across the National Park being undertaken. In August, Podpoint were commissioned to install a 7Kw twin charging point at Postbridge Visitor Centre and works are currently underway to install EVCP's at our Meldon Reservoir and Princetown car parks. The Postbridge charger is already seeing regular use by visitors to the area, since it was installed over the summer season, with the Meldon and Princetown sites anticipated to be available from late November. Once installation and commissioning are completed, there will be five EVCP's (10 charging sockets) available for public use, operated by the Authority across Dartmoor.

Meanwhile, we have shared ideas with Devon County Council for further potential charging point sites as part of their roll out of rural EVCP sites.



Charging point at Postbridge VC

Ranger Apps

The Ranger Team is trialling some new 'Apps'. One App enables our Ranger Team to order replacement rights of way and access 'furniture' whilst in the field (subject to mobile connectivity). This enables us to speed up the process.

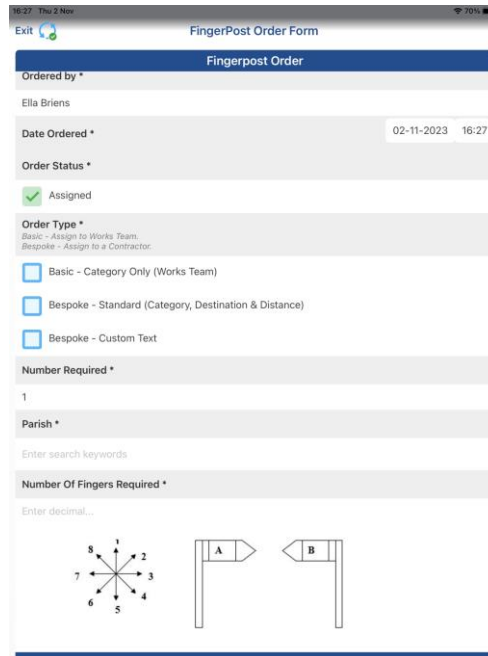
The second App has been developed to capture data on byelaw infringements and other issues around visitor management. The App enables the rangers to easily collect data on byelaw infringements, persons spoken to, action taken etc.. The data captured through the App will help us with the evidence to support the byelaw review (currently paused because of the legal challenge – see above), to target interventions and make the case for additional resources/new powers/tools.



We realise that communication is key, and we hope that this is a new tool that can quickly provide feedback and illustrate what Rangers do under headings like Events (Ranger Ralph, shows, Youth Rangers, volunteer work-parties, walks and talks), Animal Incidents, First Aid, Safety, Training, Byelaws and General Law!



All the single fingerposts around Holne! Taken from the fingerpost App



Ordering fingerposts



16:29 Thu 2 Nov 70%

Record Activity Log

Exit

Log Details

Activity
Select the type of activity being recorded

- Animal Incident
- Byelaw
- First Aid
- Event
- Safety/Near Misses
- Training

Date Logged: 02-11-2023 16:28

Reported By: Ella Briens

Recorded By: Ella Briens

Other DNPA staff or volunteers present?
 Yes

Activity Report
Click + to add entry

IncidentType	Log Subtype
	+






Description *
Enter a short description of the incident (max 200 characters)

Enter text...

16:32 Thu 2 Nov 69%

Activity Log

Enter search keywords

	BYELAW-0488 - Vehicles (inc. cycles) (3) / Harford Moor Gate OY10MXB Ethan Parsons 2023-10-28 09:26:05 AM
	BYELAW-0487 - Camping (6) / Meldon reservoir carpark HX71 WNC Peter Rich 2023-10-23 12:20:07 PM
	BYELAW-0486 - Camping (6) / Meldon reservoir carpark J83 NKR Peter Rich 2023-10-23 12:15:06 PM
	BYELAW-0485 - Camping (6) / Meldon Reservoir Peter Rich 2023-10-23 10:56:52 AM
	BYELAW-0484 - Camping (6) / Trendlebere Down YE08 KWZ Stuart Hooppell 2023-10-22 09:30:00 AM
	BYELAW-0483 - Fires (8) / Ruddy cleave Stuart Hooppell 2023-10-21 10:17:00 AM
	BYELAW-0482 - Camping (6) / Bonehill Rocks Stuart Hooppell 2023-10-21 09:34:37 AM
	BYELAW-0481 - General Law / Crazywell pool Andrea Roberts 2023-10-17 03:58:07 PM
	BYELAW-0477 - Aircraft (17) / Cadover Bridge Rob Steemson 2023-10-16 08:23:50 AM
	BYELAW-0476 - Feeding of Animals (10) / Cadover Bridge Rob Steemson 2023-10-16 08:19:21 AM

Sync complete

Donate for Dartmoor supports a variety of projects across Dartmoor.

Donations of time and money are essential for us to be able to look after the heritage and wildlife of Dartmoor and to make it a place for everyone to enjoy today, tomorrow and for the future

For more information please contact: Richard Drysdale - rdrysdale@dartmoor.gov.uk