



**NORTHAM BURROWS CHARITY
TOWN HALL
WINDMILL LANE
NORTHAM
DEVON
EX39 1BY**

Town Clerk: Mrs Jane Mills MILCM
Telephone and Fax: 01237 474976
E-mail townclerk@northamtowncouncil.gov.uk

To: all Members of the Northam Burrows Management Committee
Cc: all Members of Northam Town Council

You are invited to attend a Northam Burrows Charity Management Committee Meeting on Monday 17th January 2022 at 10.00 am in the Council Chamber, Windmill Lane, Northam. Members of the public wishing to attend will be required to wear a face mask and socially distance. Space will be limited. The agenda for the meeting is set out below.

M. J. Mills

Mrs Jane Mills Fd Community Governance, MILCM
Town Clerk

ON BEHALF OF THE TRUSTEES

The following are Members of the Northam Burrows Charity Management Committee: Councillors Chalmers, Edwards, Hames, Laws, Sargent, Tisdale and the Mayor (Ex-Officio)

Date of issue: 11th January 2022

AGENDA

- 1 Chairman's announcements**
- 2 Apologies**
- 3 To agree the agenda between Part A and Part B (*confidential information*)**
- 4 To confirm and sign the minutes of the Committee meeting held 7th August 2021**
- 5 To consider Action Points (herewith)**
- 6 To review the conditions of grazing and grazing fees (draft herewith)**
- 7 To consider reprinting the "Burrows Leaflet" with any amendments if requested.**
- 8 To receive Officers from Torridge District Council (*consideration of flooding at Westward Ho! gate*)**

Part B

- 9 To resolve: that under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 that the public and press be excluded from the meeting**
- 10 To consider quotes for the stockade on the Burrows (*information herewith*)**
- 11 To resolve to re-admit members of the press and public**

Minutes of the Northam Burrows Management Committee Meeting held on Monday 7th August 2021 at 10.00.am

Present: Cllrs Laws, Edwards, Hames and Sargent
In attendance: Mrs M J Mills – Town Clerk

- 001/08/21 Chairman's Announcements**
There were none
- 002/08/21 Apologies**
Apologies were received from Cllr Mrs Hodson, Cllr Shelley and Cllr Tisdale-
- 003/08/21 To agree the agenda as published**
It was **resolved** to agree the agenda as published
Proposed: Cllr Hames, Seconded: Cllr Sargent (all in favour)
- 004/08/21 To confirm and sign the minutes of the Committee meeting held 14th June 2021**
It was **resolved** to confirm the minutes of the Committee meeting held 14th June 2021
Proposed: Cllr Hames, Seconded: Cllr Laws (all in favour)
- 005/08/21 To consider applying Northam Town Council Standing Orders to the Trust**
It was agreed that the Town Clerk will seek advice on this matter.
Action Point: Town Clerk to seek advice
- 006/08/21 To consider the scheme**
Information circulated was noted and information circulated previously will be resent
Action Point: resend previously circulated information
- 007/08/21 To consider trust notepaper**
It was agreed that the use of the Council crest should be checked
Action Point: Town Clerk to check if use of the crest is permitted.
- 008/08/21 To consider the role/position of the trustees and management**
Information was noted
- 009/08/21 Action Points**
Action Points were noted.
- 010/08/21 To consider the main entrance in connection with the surface**
Following the site inspection Members were advised that the drainage problems currently were essentially caused by TDC works which had raised the road and created a mini dam. A letter will be drafted by the Chair in conjunction with the Town Clerk and circulated to Members, prior to sending to TDC.
Action Point: Letter to be drafted, circulated to Members and forwarded to TDC

Part B (confidential information)

- 011/08/21 To consider an update on the sheep pen**
Four quotes had been received for consideration, Members requested that the four contractors should confirm that they were offering
1, UC4 15year warranty: 2, All fittings will be galvanised: 3: intermediate posts to be 150mm how many will be supplied, also how many rails. 4: gate posts to be a minimum of 200mm and gates to be 3050mm and 1070mm

There being no further business, the meeting closed at 10.45 am

Signed.....Date.....

DRAFT

Action Points for Northam Burrows JANUARY 2022

To consider applying Northam Town Council Standing Orders to the Trust	Town Clerk to seek advice, not relevant governed by the scheme
To consider the scheme	Resending previously circulated information With agenda
To consider trust notepaper	Town Clerk checked if use of the crest is permitted. Other Councils do not use their crest
To consider the main entrance in connection with the surface	Letter to be drafted, circulated to Members and forwarded to TDC. Awaiting further information from TDC

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 2011

Orders that from today, the

1 July 2021

this

SCHEME

will govern the charity

known as

NORTHAM BURROWS

at

Northam, Devon

Nia Jones

**A member of staff of the Charity Commission authorised to act on behalf of the
Charity Commission**

1. Definitions

In this scheme:

“the charity” means the charity identified at the beginning of this scheme.

“the Commission” means the Charity Commission for England and Wales.

“the trustee” means the trustee of the charity acting under this scheme.

ADMINISTRATION

2. Administration

The charity is to be administered in accordance with this scheme. This scheme replaces the former trusts of the charity.

3. Name of the charity

The name of the charity is Northam Burrows.

OBJECTS

4. Objects of the charity

(1) The object of the charity is to manage and preserve for the benefit of the inhabitants of the Ancient Manor of Northam the rights of common held by the inhabitants in relation to the Common Land known as Northam Burrows in Devon such land being more particularly described in the Schedule.

(2) If and in so far as the income of the charity cannot be applied towards the object specified in sub-clause (1) above, the trustee may apply it for the general benefit of the inhabitants of the wards of Northam, Westward Ho! and Appledore in Devon in such charitable ways as the trustee thinks fit.

TRUSTEE

5. Trustee

Northam Town Council is trustee of the charity.

APPLICATION OF INCOME AND CAPITAL

6. Use of income and capital

(1) The trustee must firstly apply:

(a) the charity’s income; and

(b) if the trustee thinks fit, expendable endowment; and

- (c) when the expenditure can properly be charged to it, its permanent endowment

in meeting the proper costs of administering the charity and of managing its assets.

- (2) After payment of these costs, the trustee must apply the remaining income in furthering the objects of the charity.
- (3) The trustee may also apply for the objects of the charity:
 - (a) expendable endowment; and
 - (b) permanent endowment, but only:
 - (i) where it is permitted in accordance with (and subject to the conditions in) the Charities Act 2011; or
 - (ii) on such terms (including for the replacement of the amount spent) as the Commission may approve in advance.

GENERAL PROVISIONS

7. Questions relating to the Scheme

The Commission may decide any question put to it concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

SCHEDULE

Land known as Northam Burrows registered at HM Land Registry under title number
DN443015

Conditions for the allocation of grazing

6

1. Qualification is restricted to one member of the household resident in the Ancient Manor of Northam. For the avoidance of doubt, persons sharing the same address but with differing surnames shall be construed as being members of the same household. Graziers shall immediately notify the Town Council of any change of address.
2.
 - a) All grazing animals must be chipped or electronically tagged.
 - b) Sheep graziers shall register their mark with the Town Council which shall take the form of an agreed colour and shape. Stock shall be so marked before being placed on the common and the mark shall be maintained in a legible condition at all times.
 - c) Horse owners shall provide the appropriate section from their horse passport detailing the description of their animal(s) together with a full face photograph for each animal. Copies of these photos will be passed to Torridge District Council Ranger for ease of identifying injured or sick animals.
3. In the event that a horse/sheep needs to be destroyed, all efforts must be made to do this off site. If it is necessary to destroy an animal out on Northam Burrows, Torridge District Council and Northam Town Council **must** be notified first. This can be done by contacting Riverbank House on 01237 428700 and the Town Hall on 01237 474976.
4. Applicants shall provide proof of ownership of stock to the Town Council on demand, the acceptance or otherwise of such proof being at the sole discretion of the Town Council.
5. New applicants shall, if necessary, be put on a waiting list and when an allocation can be made shall be subject to a probationary period of one year, or longer if deemed necessary, during which time adherence to these rules, stockmanship, and general conduct on the Burrows will be considered by the Town Council.
6. Applicants shall be subject to permitted numbers of stock as shall be decided annually by the Town Council subject to recommendation by DEFRA and Natural England to conform to Higher Level Stewardship.
7. All rams shall be removed off the common no later than the 1st December and not returned before the following 7th October. No entire horses shall be put on the common.
8. Stock on the Burrows on the 25th March each year shall not exceed the allocation. Lambs born to ewes between 25th March and 31st July shall be classed as followers not being part of a head count. On or before the 31st July the existing flock will be reduced back to the initial allocation. Subject to an assessment on the abundance of grass the Council may agree to extend this date to 31st August in compliance with DEFRA and Natural England.

No weaned foals shall be put onto the Burrows at any time without supplementary feed. All foals shall be subject to registration after 31st October. Supplementary feeding of stock is permissible subject to the following: - All feeds to be fed directly to stock; feeds, receptacles and baler cord are not allowed to remain on the Burrows at such times as the owner of the stock is not in attendance; particular care is to be made in the removal of all hay so as to avoid the introduction of undesirable weed species; feeding of silage is not permitted due to the risk of seepage of silage liquor; Graziers are required not to place feed within 20 yards of the entrances, access roads or golf course.

9. All stock are subject to immediate removal from the Burrows by the owners on the giving of formal notice in writing by the Town Council whenever at their sole discretion it is considered that any stock (a) constitutes any danger whatsoever; (b) could be injurious to public health (c) could be detrimental to the well-being of other livestock; (d) any other reason deemed to be in the best interest of the Burrows or its stock.

Such notice shall be sent by First-Class post and receipt thereof shall be deemed to have taken place twenty-four hours thereafter. Non-compliance therewith shall make it lawful for the Town Council to remove and otherwise deal with such stock as deemed necessary or expedient at their sole discretion and at the sole cost to the owner of such stock. The trustees accept no liability for the commoners' animals and graziers are advised to indemnify themselves accordingly.

10. The vehicle pass issued to graziers will be the equivalent of a Manor Pass for which the current Manor Pass Fee will be payable. The Town Council will require to see a copy of the graziers driving licence and the current council tax bill. There will be further administrative fees payable per livestock unit which have currently been agreed at 72p (1 livestock unit equals 1 horse or 6 sheep). This will be reviewed annually. It is an offence for graziers to drive a vehicle off the established roads and onto the common for any purpose other than to remove sick or injured animals and the carting of supplementary feed. The Town Council reserves the right to prosecute and/or withdraw the grazing allocations from persons in breach of this requirement.
11. All graziers undertake to drive the common twice a year, as early as possible in April and August (dates will be confirmed by Northam Town Council for the purpose of confirming ownership, stocking levels and the identification of unregistered animals which, when found, shall be dealt with in accordance with the procedure of the Council established for this purpose.
12. APPLICANTS HEREBY AGREE TO comply at all times with regulations, instructions or other requirements by the Town Council, DEFRA, or other relevant Authority to include animal welfare. All dead animals shall remain the responsibility of the owner who shall take immediate action to remove them from the Burrows. The Council reserves the right to take action itself and to have its costs reimbursed by the owner of the animal. NOTE: The Council would normally only take action when identification is not possible or the owner fails to act.
13. Owners must notify Northam Town Council when they place or remove animals on the Burrows, so that the numbers can be verified in order to monitor stocking levels. This can be by phone, e-mail or a letter.
14. All graziers will be required to maintain their agreed stocking levels throughout the relevant period. Allocations are not minimum or maximum figures, but the number of animals required to be on the Burrows at specific times. Failure to adhere to the levels will result in loss of their allocation.
15. Graziers in breach of the terms and conditions will be required to provide a full explanation to Northam Town Council and if this explanation is not forthcoming or unsatisfactory then the Council may serve a formal notice for immediate removal of stock.
16. Graziers must agree to accept liability should their actions endanger the Higher Level Stewardship payments.
17. Owners shall ensure that their animals are kept in the best condition and shall fully comply with the animal welfare regulations laid down by DEFRA and other relevant authorities. All horses shall be checked daily and fed and rugged as appropriate in the winter months. All sheep shall be checked for condition on a regular basis.
18. Northam Town Council requires all graziers to behave at all times in a respectful and courteous manner in their dealings with other graziers, members of the public and staff from either the Town or District council. (draft proposal)
19. All horses returning to the burrows are required to be taken across the ditch on the Appledore side of the road before being released. (draft proposal)

ISSUED ON THE AUTHORITY OF THE TOWN COUNCIL AS TRUSTEES OF THE GRAZING.

January 2022

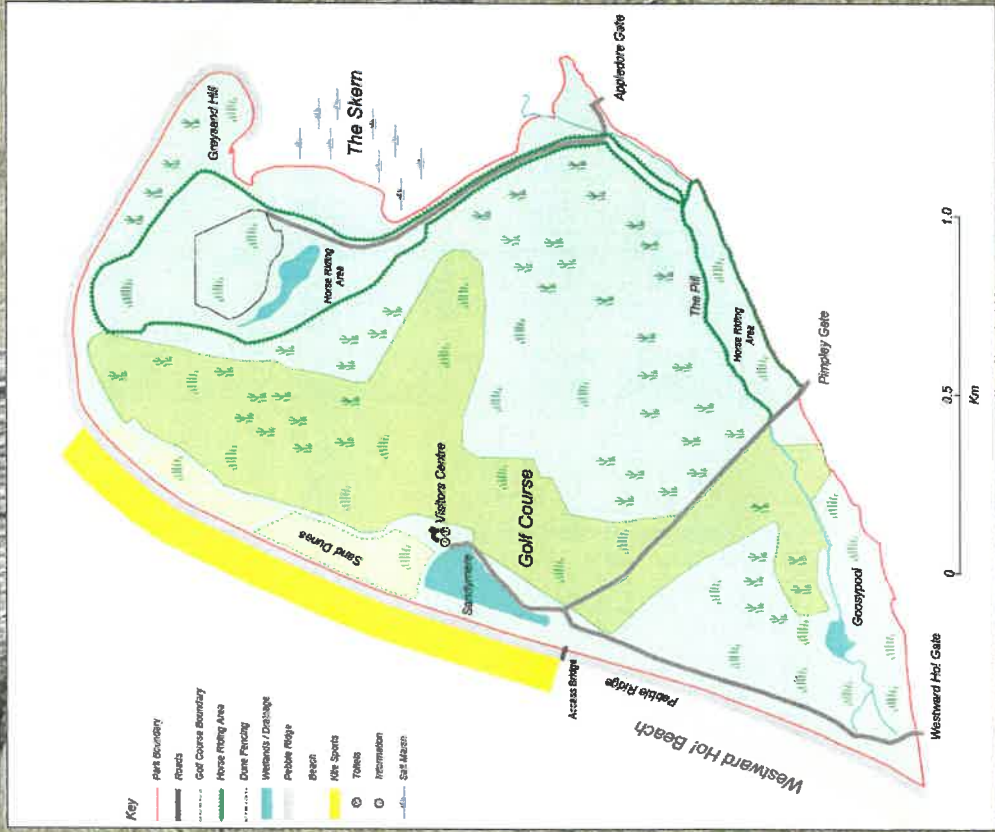
WHO TO CONTACT

Northam Burrows is owned and managed by Torridge District Council. If you see dogs attacking livestock on the Burrows, please call Torridge District Council or the Police. Some helpful evidence includes breed and colour of dog, type of car & registration number, video or still photos.

Torridge District Council: Police: 101 - dial 999 in an emergency!
01237 428700

Northam Town Council: Postcode: EX39 1XS
01237 474976

Visitors Centre Grid Ref: SS 44044 30880



WELCOME TO NORTHAM BURROWS DOG WALKERS CODE OF CONDUCT



This leaflet has been compiled and printed by Northam Town Council. The local council for Appledore, Northam, Orchard Hill & Westward Hill Lords of the Manor & Trustees of the Common Right. Images courtesy of Mike Day (Lead Ranger - TDC), Cllr Laws and former Cllr Richard Miller. Map provided by John Adams (TDC).

E-mail: townclerk@northamtowncouncil.gov.uk
Town Hall, Windmill Lane, Northam, EX39 1BY Tel: 01237 474976.
www.northamtowncouncil.gov.uk



ALWAYS REMEMBER THE 4 'CS'

CONTROL

Always ensure your dog is in sight and comes back when called. If you are not totally confident of your dog's recall, use a lead.

CARE

for farm animals and wildlife.

Never let your dog approach or chase livestock or wildlife.

CONSIDER OTHERS

Never let your pet approach other people, dogs or horses uninvited.

CLEAN UP

Always remove your dog waste using the bins provided.



WHY DO I NEED TO KEEP MY DOG ON A LEAD?

Because Northam Burrows Country Park is primarily a grazing common, always control your dog so that it does not scare or disturb farm animals or wildlife. If you cannot rely on its obedience keep your dog on a lead. When walking your dog on Northam Burrows, please keep it on a short lead during the lambing and bird breeding season. (1st March - 31st August)

To keep you, your dog, livestock and wildlife healthy, ensure your dog is regularly wormed and treated for fleas and ticks.

WILDLIFE

Disturbance of ground nesting birds by dogs may result in the loss of eggs and chicks.

LIVESTOCK

If sheep are chased by your dog, they abort their lambs. By law a landowner can shoot your dog if it is felt that the dog is 'worrying livestock'.

AS A SSSI, AND PART OF THE UNESCO BIOSPHERE, NORTHAM BURROWS IS HOME TO MANY BREEDING BIRDS.



Northam Burrows has been designated a SSSI, a Site of Special Scientific Interest. These sites are the country's very best wildlife and geological areas and include many spectacular and beautiful habitats. We are committed to preserving our remaining natural heritage for future generations. Northam Burrows was acquired by Devon County Council, which proceeded to challenge the commoners' historic claim to the pasture. In 1977 following a lengthy public inquiry the right to graze was devolved to the Town Council. This event removed any remaining executive power the "Burrows Committee" may have had. The Bird breeding season is 1st March - 31st August.

PLEASE FOLLOW THE PARK RULES



Keep dogs under control at all times



No Fouling



No Fires or BBQs



No overnight parking or camping



Do not remove sand, pebbles or wildlife



No motor vehicles or bicycles off-road



No golf outside the course boundary



No drones



20mph max.



Do not feed the livestock