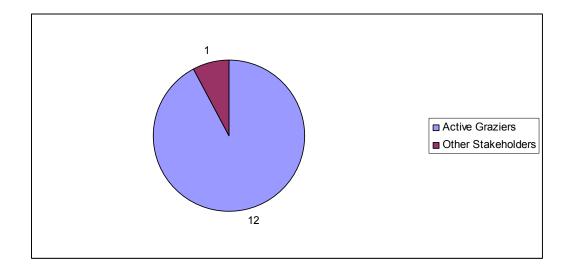# FOCUS GROUP: ELAN VALLEY CASE STUDY
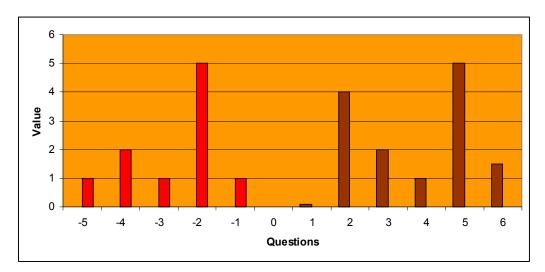
STATUTORY COMMONS COUNCILS

Venue: Eagle Public House, Rhayader
Date: 2nd of March 2009
Report: Margherita Pieraccini

1. Participants: Group size and Composition

The focus group addressed stakeholders' perceptions of the advantages and disadvantages of establishing a statutory commons council to manage Cwmdeuddwr common (CL36). The discussion was structured following the guided questions set out in the accompanying document – FOCUS GROUP ON STATUTORY COMMONS COUNCILS/Cwmdeuddwr/guided questions.

2. Graphic Representation of Group's Perceptions

Explanatory text fig. 2

The two dimensional coordinate graph serves to show the degree of importance assigned by the group to each of the potential advantages and disadvantages surrounding the setting up of a common council suggested by the focus group moderator . On the y axis the value assigned to each is represented with 0=no importance, 1=slightly important, 2= somewhat important, 3=important, 4=very important and 5=extremely important, while on the x axis, there is a scale representing the questions (from 0 to 6 the potential advantages and from -1 to -5 the potential disadvantages). The content of the questions is reported in the table below:

Possible Advantages	Possible Disadvantages
1=Greater legal recognition from external bodies	**-1**=Facilitating greater interference from external bodies (e.g. government departments)
2=Potential access to more money and resources	**-2**=Financial costs of establishing a common council
3=Power to enforce management rules passed by common councils	**-3**=Duplication of existing power and functions of current commoners association
4=Better arrangements for representation of graziers, owners and others with an interest in the common	**-4**=Increased bureaucracy
5=Greater powers to ensure proper management of the common	**-5**=Risk of loss of control due to the involvement of external bodies

6=Fostering greater solidarity and trust among commoners and between the commoners and other interests	

The group considered having greater powers to ensure the proper management of the common was the most important advantage, while the financial costs of establishing a common council was the main disadvantage of common councils. As the graph shows the other disadvantages were not considered of great weight, ranging from 1 to 2 in degree of importance. This result was justified on a number of grounds:
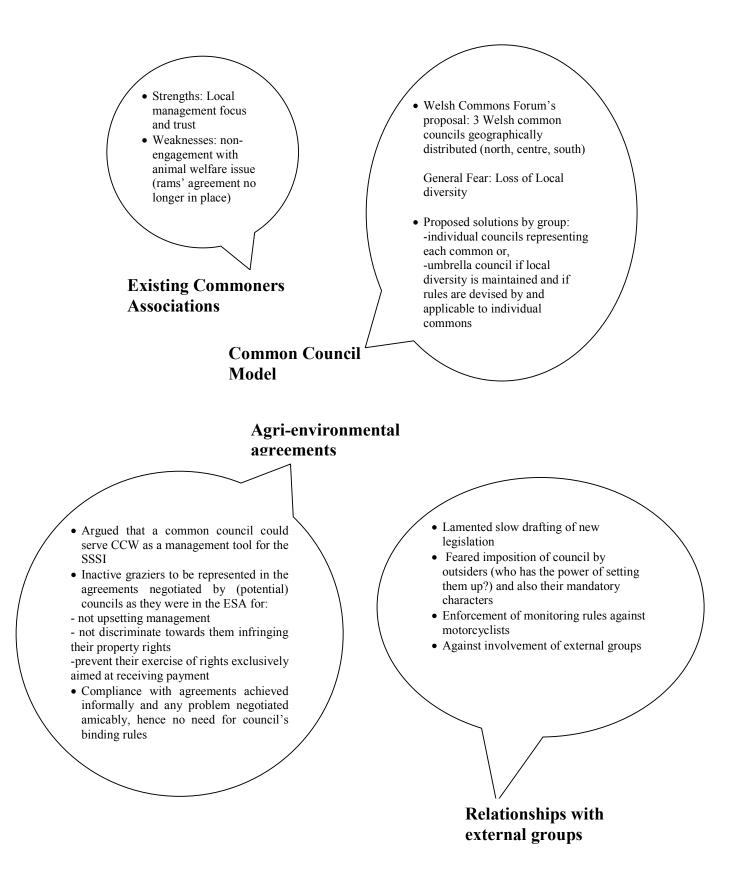
a) the possibility that common councils could facilitate greater interference by external bodies was considered of slight significance because it was argued that these groups already interfere too much and already have substantial powers, so that the eventual power of interference with common councils would only be an additional leverage for the external bodies.

b) the risk of losing control due to the involvement of external bodies was considered of slight significance because it was considered dependent on the way the common council would be set up.

c) the potential increase in bureaucracy was considered somewhat important if regular meetings would have to be set up.

Apart from the greater powers to ensure proper management of the common and the potential access to more money and resources, the other suggested advantages were not considered of high significance by the group because these were already existing characteristics (e.g. trust) of the commoners association or were not required because it was preferred to deal with issues in an informal way. So, for example, the power to enforce management rules passed by common councils was an issue of low priority because good neighbourliness was at present fulfilling the same role as would be carried out by the binding agricultural management rules passed by a common council. Overall, the group's perceptions of the principal issues displayed a fairly even balance of views between the potential advantages and disadvantages of statutory commons councils. The Welsh Assembly Government and Welsh Commons Forum had not yet disseminated sufficient information on possible management structures/models to enable members of the focus group to express firm views on the possible structure and organisation of a statutory council, save that local control of management was given a high priority by all stakeholders participating in the focus group (see below).

Thematic Bubbles

- Strengths: Local management focus and trust
- Weaknesses: non-engagement with animal welfare issue (rams' agreement no longer in place)

Existing Commoners Associations

- Welsh Commons Forum's proposal: 3 Welsh common councils geographically distributed (north, centre, south)

  General Fear: Loss of Local diversity

- Proposed solutions by group:
  -individual councils representing each common or,
  -umbrella council if local diversity is maintained and if rules are devised by and applicable to individual commons

Common Council Model

Agri-environmental agreements

- Argued that a common council could serve CCW as a management tool for the SSSI
- Inactive graziers to be represented in the agreements negotiated by (potential) councils as they were in the ESA for:
- not upsetting management
- not discriminate towards them infringing their property rights
-prevent their exercise of rights exclusively aimed at receiving payment
- Compliance with agreements achieved informally and any problem negotiated amicably, hence no need for council's binding rules

- Lamented slow drafting of new legislation
- Feared imposition of council by outsiders (who has the power of setting them up?) and also their mandatory characters
- Enforcement of monitoring rules against motorcyclists
- Against involvement of external groups

Relationships with external groups

Explanatory Text n 3:

The overall discussion can be subdivided into four themes:
1) the group assessment of the existing commoners association
2) the shape a common council could take
3) the relation between agri-environmental schemes and common councils
4) the relationship with external groups

Each bubble describes the principal points raised by the group in relation to each theme. Key notions/words figure in more than one bubble, thereby forming the cultural substratum on which the group's perception of new common councils is based. The most recurrent key word is "local". Whether discussing the model of common councils or the strengths of the existing commoners association, the group emphasised the importance of maintaining local diversity and local management of the common. The focus on the notion of the 'local', recurrent also in the other case studies, explains the group's negativity towards external interference, expressed through the rejection of the idea of eventual participation by recreational groups in the council or the fear that their setting up would be a top-down exercise and their realisation mandatory.

Also to be noted is the similarity of this group's opinion to that of the Ingleton group's in relation to the role of inactive graziers. Inactive graziers were not considered a hindrance to the signing of agri-environmental agreements or the successful governance of the common. Excluding inactive graziers from a common council or from an agri-environmental scheme was perceived as both discriminatory and an unjust infringement of their property rights. In contrast to the Ingleton case study, however, the Elan Valley commons have neither a history of stinting nor a reliance on the transfer of rights of common, so that the reasons given by Ingleton commoners to explicate their attitude towards inactive graziers do not apply in this context. A tentative explanation could be the existence of characteristics such as cohesion and trust within the graziers' group as highlighted by various participants during the focus group. More pragmatically, another reason expressed by one participant was that if inactive graziers would not be able to receive payments under agri-environmental schemes, they would start grazing in order to be paid, with the unwanted result of an overgrazed common. Whatever the reason, it is interesting to note how the division between active and inactive commoners is more a result of particular policies in search of specific notions of sustainability, than a self-identification of the graziers both in Ingleton and in the Elan Valley; in other words, a modern and exogenous construction of identities.