

CHUN DOWNS & TOR NOON

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ADDED 5th November 2011

CHUN QUOIT

SPM had a meeting last Tuesday with a local farmer and an official from the Cornwall Wildlife Trust to discuss stock proofing and grazing plans 'in the pipe line' for the moorland area known as Higher Downs adjacent to Chun Quoit (the 'gorsey' area beyond the Quoit). More on this at a later date.

ADDED 19th November 2011

HIGHER DOWNS & CHUN DOWNS - Proposed stock proofing and grazing

Beyond Chun Quoit, the entire moor [Higher Downs] contains an extensive system of medieval strip fields. As they continue left and out of shot these partly overlie a fragile area of prehistoric fields, probably contemporary with the Quoit which dates from 3500-2500 BC, and which stands like a guardian at their highest edge. The whole lot (the complete moorland area of the hill in fact) is a Scheduled Ancient Monument but may soon to be trampled and eroded by cloven hooves – unless it is stopped.

ARCHIVED NEWS 2012

ADDED 2nd June 2012

CHUN DOWNS – RE-REGISTER AS COMMON LAND

Save Penwith Moors have made two more applications to have the area now known as Chun Downs – that includes Chun Castle and Quoit – re-registered as Common Land. This will give some degree of lasting protection from installation of permanent fencing, gates, buildings etc that would require public consultation and consent from the Secretary of State, rather than – as has been the situation on Carnyorth Common – unrestrained and unaccountable installation of stock proofing. Time for making representations has now passed.

ADDED 9th June 2012

HIGHER DOWNS – YET MORE GRAZING?

An article was published in Thursday's edition of *The Cornishman* regarding fencing and grazing in the areas around Chun Quoit. See "Fencing proposals met with defiance from campaigners" at <http://www.thisiscornwall.co.uk/Fencing-proposals-met-defiance-campaigners/story-16303220-detail/story.html>

ADDED 23rd June 2012

SAGA OF THE TOR NOON GATE



The gateway photographed in February 2005 and May 2012.

An initial query to Natural England – the area is under a NE agri-environment agreement – disclosed that the farmer concerned had received advice from Cornwall Council that consent to install this gate was not required because it was to be left open “for most of the time” and that, anyway, it was not on the public footpath (St Just 182) but at its end. SPM responded that this extraordinary remark missed the whole point of a gate in that it can be closed when necessary – otherwise why have it there.

At last, after constant denial and considerable correspondence, Cornwall Council has eventually agreed that this gate (and new granite gate posts) **is** on the public footpath as clearly shown on photographs sent to them and should have had consent for installation.

No doubt consent will be given retrospectively as seems to be the custom when other similar objections have been made – this is clearly not good enough when consent should be applied for and given **before** work is carried out: simple inefficiency or is there a hidden agenda?

ADDED 30th June 2012

COMMON LAND – HIDDEN AGENDA?

SPM are accused of having a hidden agenda. Our motives in applying to re-register areas of open access moorland are being questioned by a handful of supporters for fencing and grazing regimes that are fast becoming a ubiquitous sight on our local moors and coastline. So here is our response.

OUR motivation is to give some of the areas for which we campaign accountability to local communities with legal protection from uncontrolled development –this includes installation of permanent fencing, gates and cattle grids.

ADDED 25th August 2012

CHUN DOWNS - who cares and who doesn't?

We now know that our application (#2798) to re-register Chun Downs as common land is supported by 12 individuals and 4 organisations including St Just Town Council, Penwith/Kerrier Ramblers Association and Open Spaces Society. The application was not opposed by English Heritage nor the land owner, Cornwall Wildlife Trust.

Natural England and/or its individual officials were asked to support our application to protect Chun Downs from unaccountable development but never replied to this request despite their slogan: “We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England’s traditional landscapes are safeguarded for future generations.”

ADDED 1st September 2012

TOWN COUNCIL SUPPORTS CHUN DOWNS APPLICATION

At their meeting held on 23rd July St Just Town Council reconsidered the application made by Save Penwith Moors to re-register land at Chun Downs as common land in the light of the receipt of additional information from Cornwall Council. It was resolved: “That Cornwall Council be advised that the Town Council supports the application being made by Save

Penwith Moors to re-register land at Chun Downs as common land.”

<http://www.stjust.org/wp-content/uploads/2009/12/m.2307122.pdf>

ADDED 8th September 2012

“LOCAL PEOPLE SUPPORT GRAZING PROPOSALS”

So proclaims a recent headline on the Cornwall Wildlife Trust web site

[http://www.cornwallwildlifetrust.org.uk/news/News_pages/Local_people_support_grazing_proposals] writing about Higher Downs and Tor Noon near Chun Quoit.

This statement was apparently based on feedback from just 13 people who attended two information walks in July this year and will mean that the area will be crossed by ‘unobtrusive’ temporary electric fencing. No mention is made of the two gates SPM were told during our ‘consultation walk’ in November were to be installed in addition to electric fencing.

We take exception to this highly biased and disingenuous headline based on the opinions of just 13 people – I wonder how many of these (or their close relatives) benefit from agri-environmental payments?

No mention was made of our strong opposition to the CWT proposals – that they were told on several occasions face-to-face – and the fact that SPM collected some – 1200 signatures

against Natural England's grazing proposals and currently has over 620 supporters on Facebook none of whom would benefit financially.

No mention that Higher Downs was under an ESA agreement that ended in April this year after a total cost of £11,255.70 [19ESA193239]. No mention that Tor Noon was under a similar agreement that also ended in April [19ESA193240]. Why was no beneficial management carried out then?

SPM will of course be robustly opposing any break up of this large open access space (Higher Downs, Chun Downs West and Chun Downs East (former Castle Downs) with its iconic monuments and lesser known vulnerable ancient field systems to which Mr Weatherhill has already drawn attention to CWT.

ADDED 15th September 2012

ANY MORE GATES?

An article in this week's *The Cornishman* titled "Positive response to grazing proposals" referring to Higher Downs and Tor Noon near Chun Quoit, states that it is the intention to graze the whole of Higher Downs using temporary electric fencing and that the Cornwall Wildlife Trust[CWT] – who appear to be taking over the functions of Natural England –

are in the process of applying to the Secretary of State [SoS] for permission to fence the areas as a whole.

It is my understanding that temporary fencing does not require SoS consent and it is highly significant that, when two Save Penwith Moors representatives were taken around the area last autumn, we were informed that if the whole of Higher Downs was to be grazed then two gates with associated small sections of stonework would be installed on this Registered Common Land. Is this the reason that SoS consent is being applied for? And were the 13 people who attended the two walks in July told of this or have plans been altered? The CWT press release makes no mention of any gates.



Rough impression of one of the intended gates and hedging on Higher Downs from information by the farmer concerned.

ARCHIVED NEWS 2013

ADDED 9th March 2013

Ten year Higher Level Stewardship agreements are now in place that cover the Registered Common Land of Higher Downs and the Cornwall Wildlife Trust's nature reserve of Chun Downs – both areas being Scheduled Ancient Monuments. Will we see yet more fencing and grazing stock on this iconic open access area?

ADDED 16th March 2013

ILLEGAL and UNLAWFUL – NOT TO WORRY

Now that an HLS agreement is in place covering Tor Noon and Higher Downs – both Scheduled Ancient Monuments [SAM] as well as Registered Common Land [RCL] – recent correspondence with English Heritage [EH] asked for an update on the situation regarding mandatory consents to undertake works on a



SAM – consents that were never initially applied for.

This revealed that Scheduled Monument Consent [SMC] has been issued for a (temporary) electric fence and a warning issued for the permanent gate since retrospective consent cannot be given.

However EH confirm that this gate and associated works are illegal but, amazingly, go on to state that since “it is likely” that SMC would have been issued, if it had been applied for, then EH would take no further action to have this illegal work removed.

An EH web site on Scheduled Monument Consent - Criminal Offences [<http://www.english-heritage.org.uk/professional/advice/our-planning-role/consent/smc/>] states that it is against the law to disturb a scheduled monument by carrying out works without consent; cause reckless or deliberate damage to a monument; use a metal detector or remove an object found at one without a licence from English Heritage, and that conviction for these offences can lead to fines.

Consent should also have been applied to the Planning Inspectorate in Bristol for putting these works on Registered Common Land but correspondence in November 2011 and February 2013 confirmed that no evidence could be found for an application for consent, and therefore the ‘gate works’, that “do not appear to be intended to be temporary”, would be unlawful.

ADDED 13th April 2013

CHUN DOWNS NOW 'PROTECTED' AS COMMON LAND

Our hard work has been rewarded! Save Penwith Moors applications to re-register the two parts of Chun Downs as common land was granted by the Planning Inspectorate on 11 April 2013. See details of land affected and decision details at <http://www.planningportal.gov.uk/planning/countryside/commonland/decisions> and scroll down to Chun Downs COM 404 & COM 406

Re-registration as common land will give this open and unobstructed area of moorland – that includes both Chun [Neolithic] Quoit (see attached picture) and Chun [Iron Age] Castle, as well as important ancient field systems – a degree of protection from the previous situation where unaccountable installation of temporary and/or permanent works could take place at will.



Temporary works will now be subject to various restrictions while any permanent works will require public consultation and consent from the Secretary of State before they can legally be installed.

This is our second success: Re-registration for the National Trust land at Carn Galver (Galva) was granted on 6th February 2013. See http://www.planningportal.gov.uk/uploads/pins/common_land/decision/com384_decision.pdf

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