

## PROCEDURAL MATTERS – PUBLIC QUESTIONS

### 1. Question submitted by Mark Frost

Please can the Surrey Hills National Landscape Board consider approaching Mole Valley District Council to investigate and trial a Public Space Protection Order to ensure dogs are kept on leads through fields grazed by animals?

The justification is that, along with other measures like fencing and waste bins, this could have massive benefits for farm producers, animal welfare and nature by reducing disturbance.

Like many areas of the country, the Surrey Hills has seen a tremendous rise in dog walkers since Covid and every day now farmland is full of people with dogs. I have found least 35 different websites that encourage people with dogs to come here and use it to exercise them including commercial dog walkers. The number of which has increased in Mole Valley as a result of Reigate and Banstead BC restricting commercial operators to 4 dogs in its open spaces.

Obviously as farmers we are in the minority and they just want to keep people happy and get them out into the countryside, but there's been absolutely no thought put into the impact that it would have on us to have these kind of numbers of people with dogs all over the farmland.

Neospora has meant that our herd is now about a third of what it was three years ago because we have had to cull the infected animals because they kept miscarrying, but that is not the end of it, as there are more cases in the herd now, and potentially young heifers will pick it up before they've even had a calf.

So we have a financial situation which is pretty dire and the volume of milk is half of what it was two years ago. I have had national milk records calculate the losses that we are incurring every time a cow has a miscarriage due to Neospora. We have lost 35 cows already to infested animals caused by dogs as well as two calves just last weekend being killed as result of worrying of a dog that was off-lead.

I look forward to hearing from you.

### **Reply:**

Dear Mark

I am so sorry to read about the problems that you have been having with dogs on your farm and the loss of livestock and the impact this has had on your productivity.

Dealing with dogs in the countryside has always been a complex issue, but I understand why you think this has been exacerbated by the growth in dog ownership in recent years and we must recognise that farmers and land managers need support to manage the impact. The Surrey Hills Board is very supportive of the priority given by partners to this issue including the Surrey CC Dog Code of Conduct. Further we realise that practical action is necessary to reduce the impact of dogs on farming and on nature in our Surrey Hills landscape and across the countryside.

The opportunity to make a Public Space Protection Order (PSPO) to keep dogs on leads where public rights of way cross grazed fields is something that we are keen to investigate as part of the solution. This could have wider application across the Surrey Hills including heathland areas during bird nesting season. We know that such PSPOs have been used elsewhere in the county to protect ground nesting birds, prevent dog fouling and to restrict the number of dogs that can be exercised by one person.

As you know we are keen to access our Defra funding streams to support a scheme on Norbury Park Farm to help sign and fence dogs out of the fields where livestock grazes, including the delivery of a specific dog exercise area near the car park, which could be a useful addition and an important offset and justification for a PSPO. This will need to be investigated further and consented.

I am very happy to work with the Surrey Hills Team and Board Members and other appropriate partners such as the Kennel Club and Surrey University to investigate what practical support measures are appropriate and could be taken forward now or in the future.

Once again, I am sorry for the anxiety this must cause you and I do hope that the Surrey Hills Board will be able to support you.

Yours sincerely

Kathy

**Kathy Atkinson**  
**Independent Chairman of the Joint Advisory Committee for the Surrey Hills National Landscape**  
**25 September 2024**

## **2. Question submitted by John Oliver**

Section 38 of the Commons Act 2006 (“the Act”) requires anyone wishing to carry out restricted works to seek consent for those works from the Planning Inspectorate. This applies to restricted works which are temporary or permanent. Temporary work can be just as, if not more, damaging as permanent works.

For ease of reference, Section 38 states:

“(2) In subsection (1) “restricted works” are—

- (a) works which have the effect of preventing or impeding access to or over any land to which this section applies;
  - (b) works for the resurfacing of land.
- (3) The reference to works in subsection (2)(a) includes in particular—
- (a) the erection of fencing;
  - (b) the construction of buildings and other structures;
  - (c) the digging of ditches and trenches and the building of embankments.

The Planning Inspectorate has confirmed in the past that temporary huts, fencing, caravans, as well as ditches and bunds, fall within the meaning of the Act, and that trailers, catering vans, toilet blocks, lighting stands, marquees and gazebos could be regarded as “the construction of buildings and other structures”.

Whilst other parts of the common might be accessible to the public, the parts on which any restricted works took place were either not accessible, or impeded access. The Act applies

to “any land” which is registered common land, no matter if other parts of a designated area are accessible.

Given its discussion about Thursley Common at its last meeting, could the Board, particularly its Natural England representative, please confirm in relation to the Common:

- whether the most recent filming has included “restricted works”;
- that, where any “restricted works” have occurred (on this occasion, or any other occasions), that the prior consent of the Planning Inspectorate has been sought and given;
- on how many occasions has filming taken place at Thursley Common where such consent has been sought and given;
- that Natural England makes it a requirement of its contract with film companies that such consent should be sought.

**Reply:**

Dear John

Thank you for your question to the Surrey Hills National Landscape Board. I do appreciate the widespread concerns about the potential impact of commercial filming in a National Nature Reserve in the Surrey Hills. This is a matter for Natural England, and I have followed up the issues you raise with them to inform this response.

It is the Board’s understanding that no ‘restricted works’ were permitted or carried out at Thursley Common in connection with the commercial filming and that public access was not restricted whilst the filming activity was taking place. I understand that the film production companies were made aware that the public have right of access to all parts of the common at all times and were instructed that they must not unduly restrict or obstruct access.

In 2021, Natural England had decided to obtain a Section 38 consent for restricted works for the construction of the boardwalk and the associated enclosure of up to 4 temporary compounds. This was an entirely separate activity on the common and the Board is not aware of any other applications for S38 consent on Thursley Common.

There have been three short-duration filming contracts at Thursley Common this year, all of which we understand were carefully scrutinised by Natural England to consider potential impacts on sensitive features. The filming was only authorised after Natural England was satisfied that appropriate avoidance measures were agreed. Legally binding contracts were in place on each occasion setting out the limits of the activity and agreed safeguards. Natural England has confirmed that all of the activity was supervised by an experienced ecologist with the power to stop activity if agreed restrictions were not being adhered to or if it became evident that there was a risk of damaging effects on wildlife.

Yours sincerely

Kathy

**Kathy Atkinson**  
**Independent Chairman of the Joint Advisory Committee for the Surrey Hills National Landscape**  
**25 September 2024**

### **3. Question submitted by Sally Blake**

At paragraph 1.13 of the Surrey Hills Management Plan 2020-2025, it states, “A State of the Surrey Hills AONB report will be prepared by the Surrey Hills Board. This report will provide: baseline data for each of the headline indicators; details for the rationale that underlies each of the indicators; the data sources and monitoring systems that will be used; and links to other targets and indicators such as the Local Transport Plan”.

The headline indicators are set out in the Management Plan. They are:

#### **State of the AONB Indicators for Agriculture:**

- Area of land in registered agricultural use and average farm holding size
- Area of agricultural land in agri-environment schemes

#### **State of the AONB Indicators for Woodland:**

- Area of Ancient Woodland and other important woodland under positive management
- Area of woodland cover

#### **State of the AONB Indicators for Biodiversity:**

- Extent and condition of designated areas (SSSI, SAC, SPA, RIGS, SNCI)
- Extent and condition of habitats of principal importance as listed in Section 41 of the NERC Act 2006

#### **State of the AONB Indicators for Cultural Heritage:**

- Number and condition of registered historic parks and gardens, and local historic gardens and historic landscapes of interest
- Number (%) of listed buildings “at risk”

#### **State of the AONB Indicators for Recreation, Health and Wellbeing:**

- Number and range of high-quality access opportunities that meet the needs of all users
- Monitoring the impact of the Inspiring Views programme

#### **State of the AONB Indicators for Land Use Planning:**

- Any changes in development impact on the landscape and area under built development

#### **State of the AONB Indicators for Traffic and Transport:**

- Type, amount and quality of road signs, kerbs and road furniture
- Area of road verge managed positively for biodiversity

#### **State of AONB Indicators for Community Development & Local Economy:**

- Community involvement and awareness in the conservation and enhancement of the AONB
- Number and access to community transport schemes

When will the Board issue its mandatory State of the Surrey Hills AONB report, covering the period 1 January 2020 to 31 December 2024, and when will it publish data for the end of the 5-year period which shows the measure of success or otherwise of the Surrey Hills National Landscape over that period in conserving and enhancing the natural beauty in the Surrey Hills Area of Outstanding Natural Beauty?

It should have been monitored and reported on, on an ongoing basis, during the last 5 years.

The current Monitoring Report in Annex 3 of the Annual Governance, Management Plan Monitoring and Finance Report (Item 7) bears no relation to this mandatory requirement for which the Surrey Hills Board is responsible.

**Reply:**

Dear Sally

Thank you for your question about the state of the Surrey Hills reporting.

I acknowledge that monitoring the state and condition of National Parks and National Landscapes is an area that needs greater priority and resources. Although it is not mandatory to produce a state of the environment report, it is good practice as part of the plan making process to be able to monitor the impact of policy and programmes.

As part of the review of the existing Management Plan, we are arranging a series of workshops on Friday 18<sup>th</sup> October, Thursday 24<sup>th</sup> October and Tuesday 29<sup>th</sup> October. The workshops will include the review of the current Management Plan policies and to appraise what data we have for the respective indicators, which you list in your question. This will be written up to inform the consultation Management Plan that will be presented to the next Surrey Hills Board meeting on 11<sup>th</sup> December.

Common to all National Landscapes, which have small core teams, one of the considerations will be the capacity, skills and resources available to undertake state of the landscape reporting going forward. This matter is being picked up with Defra, which will include a report on the outcomes and targets that will need to be addressed in our respective Management Plans. This is an area that we need to appraise within the Surrey Hills team and an opportunity to collaborate more effectively through partnerships including National Landscapes and National Parks. We also need to consider the use of technology using crowd data and remote sensing technology, including building on the work of Space 4 Nature with Surrey University and the Surrey Wildlife Trust. We also need to ensure that our nature recovery species targets are embedded in the new Local Nature Recovery Strategy.

As you will note, we are also proposing to identify fixed point photography locations from views that span the Surrey Hills so that we can monitor change consistently over the next 75 years, including the state and condition of key features within the National Landscape.

Thank you once again for your question and I do hope that you can participate in one of the workshops.

Yours sincerely

Kathy

**Kathy Atkinson**  
**Independent Chairman of the Joint Advisory Committee for the Surrey Hills National Landscape**  
**25 September 2024**