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Theme 1: Long-enduring Common-pool Resources on the European continent

Ring in the new: multifunctional approaches to commons management in England and Wales

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Abstract
Far from being a relic of the past, there is an increasing consensus in the UK that common land holds an important message for the future. Whilst the traditional economic function concerning agriculture is in decline there is wide spread recognition that common land is to be valued for different reasons, namely nature conservation, heritage, landscape and the link between society and nature. Within England and Wales, as in many other places, commons have been largely excluded from the productivist policies of the past 50 years. Short and Winter (1999) have argued that commons experienced a type of 'constrained productivism', which also struggles to be incorporated into policy (Short 2000). At the same time as policy seems to be moving into a 'post-productivist' phase with the changes to the Common Agricultural Policy reflecting the multi-functional nature of agriculture, commons provide a vision of what might be achieved through collective management and the incorporation of 'new' stakeholders. How these new stakeholders are incorporate is a crucial issue for the future of complex commons and this is reflected by the work in this area (McKean 1992 and Edwards and Steins 1998) as well as further refining the characteristics of long-enduring common-pool resources set out by Ostrom (1990). For example, over half of all commons in England and Wales have a national designation because of their importance for nature conservation. In the case of heathland, common land alone accounts for over 40% of the national areas of lowland and upland heath habitats. Areas of common land also have a strong correlation with designations for landscape and heritage and well as new areas of open access. As a result it is not the product arising from the CPR (e.g. grass or water) that is being valued but the CPR itself. This move from a system that values consumption and protection over production characteristics holds important lessons (Holmes 2006). The production function may be reduced but, as in the case of the Swiss alps (Stevenson 1991), it still plays a crucial role in the management of an environment that is worth protecting and consuming. Thus far from attempting to privatise the commons, national government and agencies now support legislation that will sustain and renew the collective approaches into the twenty-first century. This paper will analyse a number of schemes in areas such as the New Forest, the lowland commons in England and those in upland areas such as in Wales to see what lessons can be learnt in creating a new purpose for commons in more advanced nations.

Introduction

The common property literature makes much of the changes in agriculture and the industrial development, commenting that many of commons have lost their economic importance. Far from being a relic of the past, there is an increasing consensus in England and Wales that common land holds an important message for the future for a range of reasons. Rather than attempting to replace the commons with private property there is some evidence that they are now moving to conserve and enhance the collective actions aspects of commons. However the challenges that common land presents to current 'rural' thinking and the development of approaches both informal and formal to meet these challenges remains an important matter of enquiry.

Beginning with an area where there is general consensus, namely that the traditional agrarian economic function of rural areas is in overall decline. The response of the EU to this change, and the failure of the Common Agricultural Policy to retain a viable rural economy based around agriculture, has been to change to a rural development approach. There is a vast literature within the UK concerning the move from an agricultural policy to one based more on rural development and embracing both land and enterprise (Marsden 1999, Potter and Lobley 1999 and Defra 2004). There remain areas where agriculture is intensively practised, however, as can be seen from Figure 1 common land in England and Wales is concentrated in the West and North, with the most productive land in the South and East. This should not be a surprise as common land's historical origins are based around an early assumption that the land was marginal and unproductive (Hoskins and Stamp 1963). This early labelling together with the 'shared' nature of these common properties resulted in commons being excluded from the productivist policies that have been implemented over the past 50 years. Short and Winter (1999) argued that commons have therefore experienced a type of 'constrained productivism'. Thus when policies were developed to encourage sensitive management in an attempt to reverse the environmental decline linked to agriculture the policies developed tended to avoid commons (Short 2000). The reasons are twofold. First the complex nature of these areas in terms of their 'shared' nature and distinctive legislation meant there were not 'easy targets'. Second, these areas were already extensively managed and there was some prioritising that resulted in money being directed to areas where there would be greater 'change' (Short 2000). So it is true to say that the traditional functions of commons are decline, largely in line with the changes in agriculture in developed countries.

However, there is also wide spread recognition that a common land is to be valued for different reasons, namely nature conservation, heritage, landscape and the link between society and nature. As Short and Winter (1999) suggest this is a direct result of the 'constrained productivism' and it is in this new 'value' that holds the future for common land. Looking at this in more detail in terms of nature conservation, within England 20% of all Sites of Special Scientific Interest (SSSIs) in England, a national designation legally setting out nature conservation requirements, include common land. Furthermore 55% of common has been designated as SSSIs, as indicated in Figure 2 (English Nature 2005). If you look at specific habitats in more detail it is clear that commons are critical. In the case of heathland, common land alone accounts for over 40% of the nationally important areas of lowland and upland heath habitats. Within Wales the association is just as strong as indicated in Figure 3 where 30% of SSSIs is common land and 45% of common land is SSSI (CCW 2005). The maps also show how the European designations like Special Protection Areas (SPAs) and

Special Areas of Conservation (SACs) are also focussed around areas of strong common land presence.

While the association between common land and nature conservation is fairly well understood less attention has been paid towards the links between common land and landscape. Within England half the area of common land falls within National Parks, designated not just for their nature conservation but more importantly as areas of particular landscape value (English Nature 2005). A further 31% of common land in England falls within Areas of Outstanding Natural Beauty (AONB). Thus 81% or four-fifths of all common land in England is within areas of protected landscape. Figure 6 shows the situation in Wales where 50% of common land falls within protected landscapes (CCW 2005).

Following the Countryside and Rights of Way Act 2000 large areas of open country were designated as areas of open access. Many of these were already important for leisure and recreation and 35% of this area is registered common land. As a result of this act well over 90% of common land in England and Wales is now open to public access under a legal right of access rather than a permissive one (English Nature 2005 and CCW 2005). Evidence also suggests that many commons receive hundreds of thousands visitors each year and are very important areas of local open space (Short and Winter 1998)

Developments within heritage have been less well organised and there is no national indication of the link between common land and designated sites such as Scheduled Monuments or recordings from archaeological digs. However, there is plenty of evidence to suggest that because of their undisturbed nature commons are significant areas of heritage. A good example is Bodmin in Cornwall where the local authority has mapped the heritage and archaeology (Figure 8). It is interesting to note the strong link between heritage/archaeology and nature conservation as well as the association with tourism (CCC 2005).

Within the rural geography literature such developments and changes within the countryside are widely quoted as indicating that policy is moving into a 'post-productivist' phase. Reforms of the Common Agricultural Policy and an acceptance that agriculture has multi-functional attributes including nature conservation and landscape protection rather than just food production (Wilson 2001). A recent attempt to go beyond the linear production:post-production continuum is presented by Holmes (2006) who suggests a triangulation based around the three dominant driving forces within a multi-functional framework, production, protection and consumption (see Figure 9). The importance of common land as outlined above is clearly based around issues of protection and consumption but in order for these two functions to be realised the production function needs to be retained. Within the context of commons this means the traditional commoning structure as it is this framework that has been central to the development of an ecosystem and landscape that is now considered very important.

Thus commons provide a vision of what might be achieved through multi-functional management provided these 'new' stakeholders can be incorporated within the existing traditional structures. Within the policy arena there is a reluctance to develop schemes that are attractive to those managing common land (Short 2000 and Mills *et al 2006*). How these new stakeholders are incorporate is a crucial issue for the future of common land and this may be where the common property literature can have an

important role to play. It is clear that the common land being discussed here is a 'complex common' where multiple uses are being made of a common-pool resource (CPR) (Edwards and Steins 1998). It is these types of commons that seem to dominate developed countries and form the majority of 'long enduring common-pool resources' that are being discussed here. Ostrom (1990) of course identifies 6 defining characteristics of such CPRs:

- Boundaries must be clearly defined so resource use and levels of access within and outside the core group are clear.
- Rules are required to determine how the products of the resource are divided up between those within and outside the core group.
- Rules must take account of specific resource constraints so they are efficient, or there will be pressure to change them.
- Monitoring of rules must be effective as well as rewards for those who abide by rules and sanctions for those who violate them.
- Mechanisms for resolving conflicting demands, such as local arenas for bargaining, are necessary.
- Once agreed rules must not be subject to change by higher levels of government.

(Summarised from Ostrom 1990)

The framework for complex commons developed by Edwards and Steins (1998) recognises several tensions, key relationships and subsequent points of discussion. First there can be a tension between the old structures developed for single-use commons and those required for multiple-use decision-making. However, it is likely that the traditional system is the most sustainable means of managing the area so it is important to support the existing structure. The construction of a new multi-functional framework arising out of the traditional single-use system requires a dialogue to establish the scope of the required changes. As Libecap (1995) indicates adjustment in CPRs is not likely to take place in a smooth or timely fashion when there are important differences between the bargaining parties. He also notes that uncertainties about future regulatory policies provide additional problems within any discussions. As a result the process of developing rules may be difficult, not helped by the fact that it involves discussion between people of very different socio-economic standing (Edwards and Steins 1998). The types of knowledge that are being employed are often scientific and lay or local knowledge, again geography literature indicates that this is not an easy relationship (Clark and Murdoch 1998). There are plenty of examples where the prescriptions associated with scheme shave been imposed from a national level under the disguise of scientific knowledge and replaces local custom and practice (Short 2000 and Mills *et al* 2006).

It is also important to note that the changes within the UK outlined here and in Edwards and Steins (1998) it is not the product arising from the CPR (e.g. grass or water) that has the larger 'value' but the CPR itself in terms of its landscape, heritage or nature conservation quality. Due to these high value characteristics common land in England and Wales is now prized for their 'public goods' and than the physical products from the resource, a new concept for CPRs (Keohane and Ostrom 1995). These 'non-extractive' uses and the users are being partially adopted by governments who are responsible for maintaining and enhancing the public good. This is especially true where the use has a legal basis, as in case of conservation, landscape, recreation and heritage within the UK.

The current legislation developments will be discussed elsewhere but they do show that far from attempting to privatise the commons, national government and agencies appear to be developing legislation that will sustain and renew the collective approaches into the twenty-first century.

Within the less formal policy arena, two examples illustrate some new thinking. First the scheme developed within the New Forest. While the prescriptions and structure of the scheme were developed externally to the areas the implementation used the existing structure of the Verderers. The scheme also overcame a key hurdle for environmental schemes, which are normally calculated on an 'income foregone' basis. Since a major part of the New Forest centres around horse grazing for which there is a very limited market the notion of 'income' is relative. Thus it would be fairer to describe the payment as being more akin to land management support that is sympathetic to the other uses in the area. The importance of the payment is evident in the number that have signed up to the agreement (86% of all stock and 80% of commoners) and the positive impact the scheme is having on stock numbers (up 10%) at a time of considerable uncertainty within the livestock economy. The result is that the traditional commoning system has been strengthened. Issues still remain about how the different uses can co-exist on the same CPR and some of the issues that Edwards and Steins (1998) still exist.

The second example is currently being developed in Wales and concerns the establishment of a top-level of environmental scheme that is based around collective action (WAG 2005). While this would include common land it is also expected to cover water catchment areas, extensive areas of a particular habitat and other joint initiatives that may not be land-based (e.g. marketing groups) but have an environmentally positive impact on land management. The scheme recognises that common land is very significant in Wales, as indicated in this paper, but also that collective action provides an opportunity for the building up of environmental, economic and social capital (WAG 2005). The framework for the scheme can be seen in Figure 10.

This paper has highlighted that the future understanding of long-enduring CPRs in well-developed countries, in Europe and elsewhere, should be increasingly focussed around the inclusion of non-traditional uses that have increased the economic significance of CPRs. As a consequence of this it appears that there is evidence within the UK that governments are no longer attempting to transform CPRs into private property but retain the traditional commoning system as the most effective means of sustainable management and possibly extending the number of CPRs. It will take further research and policy developments to see if this is a 'new dawn' for long enduring CPRs within developed countries and if the multi-functional experience of such CPRs provides lessons for other areas of multi-functional use.

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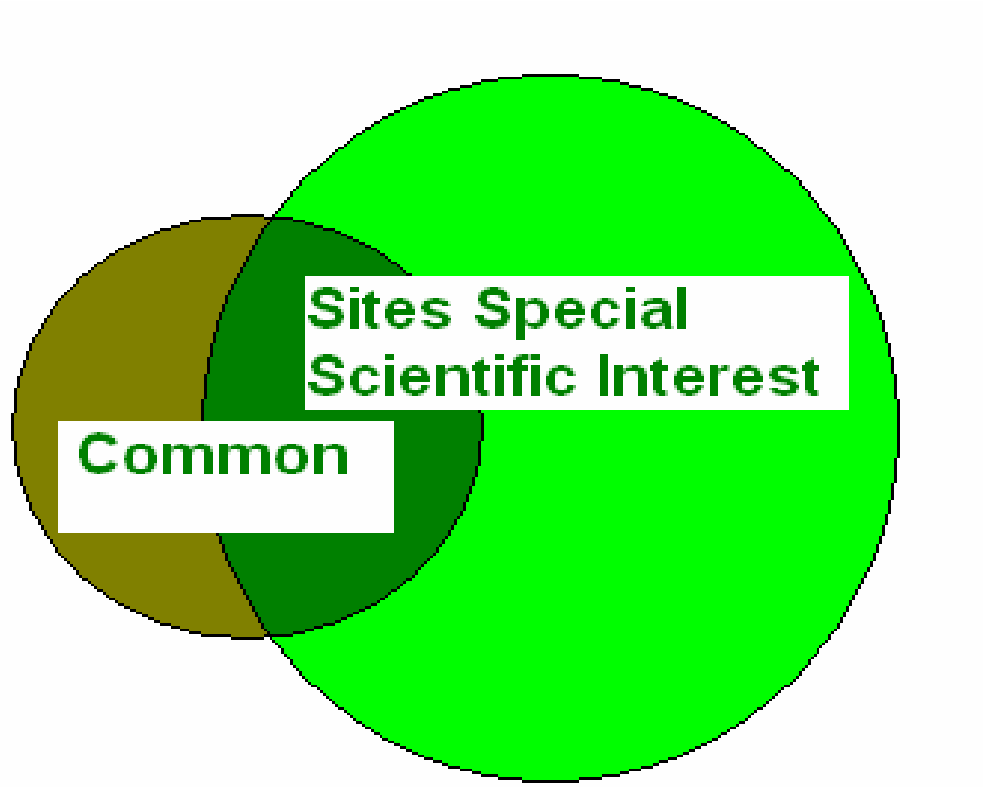
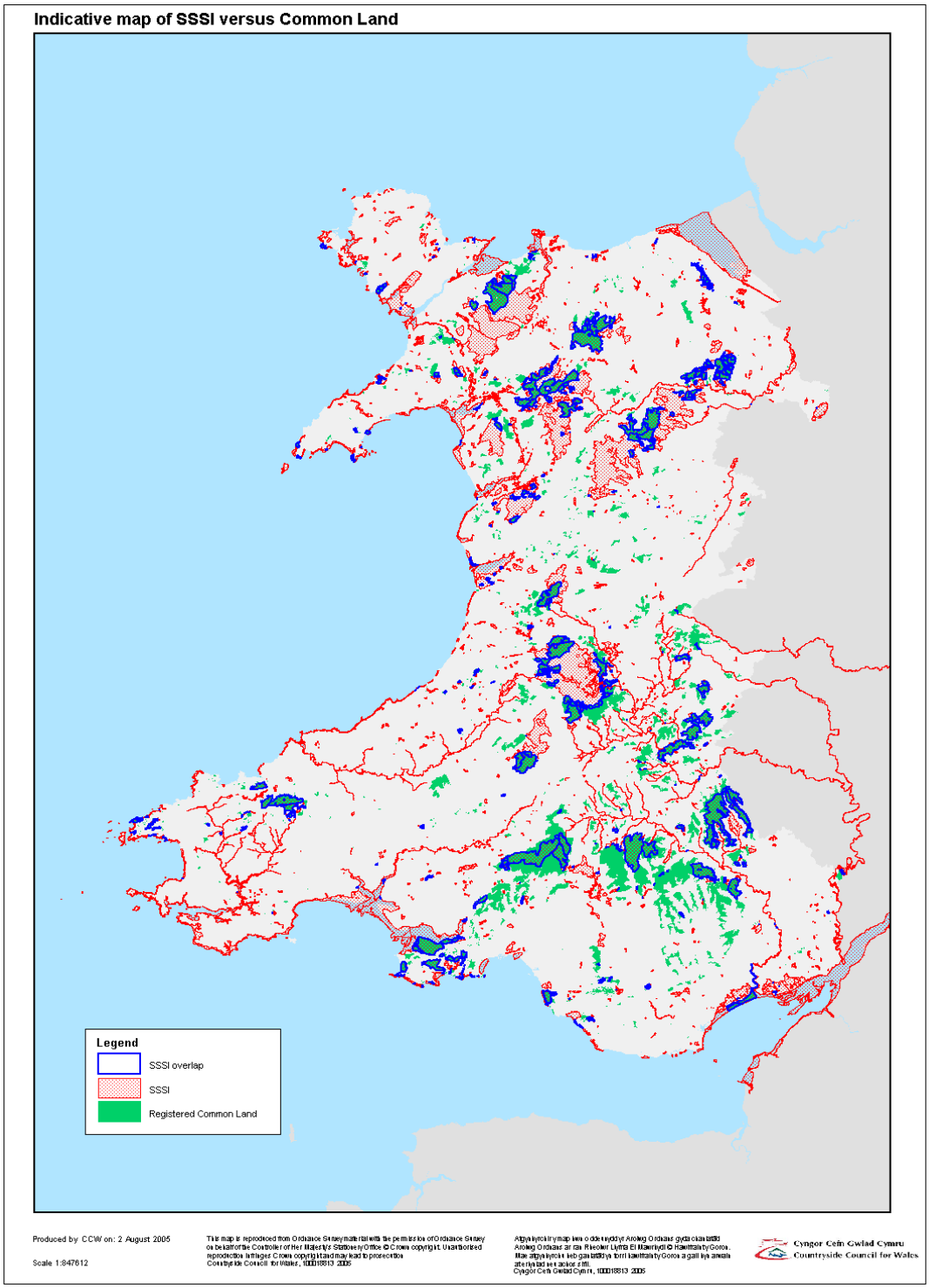
Figure 2 Overlap between Common Land and SSSIs in England



Common land area in England – 360,000 ha (4% of land area in over 7,000 units)
SSSIs in England – 1,000,000 ha (12% of land area in over 4,000 units)

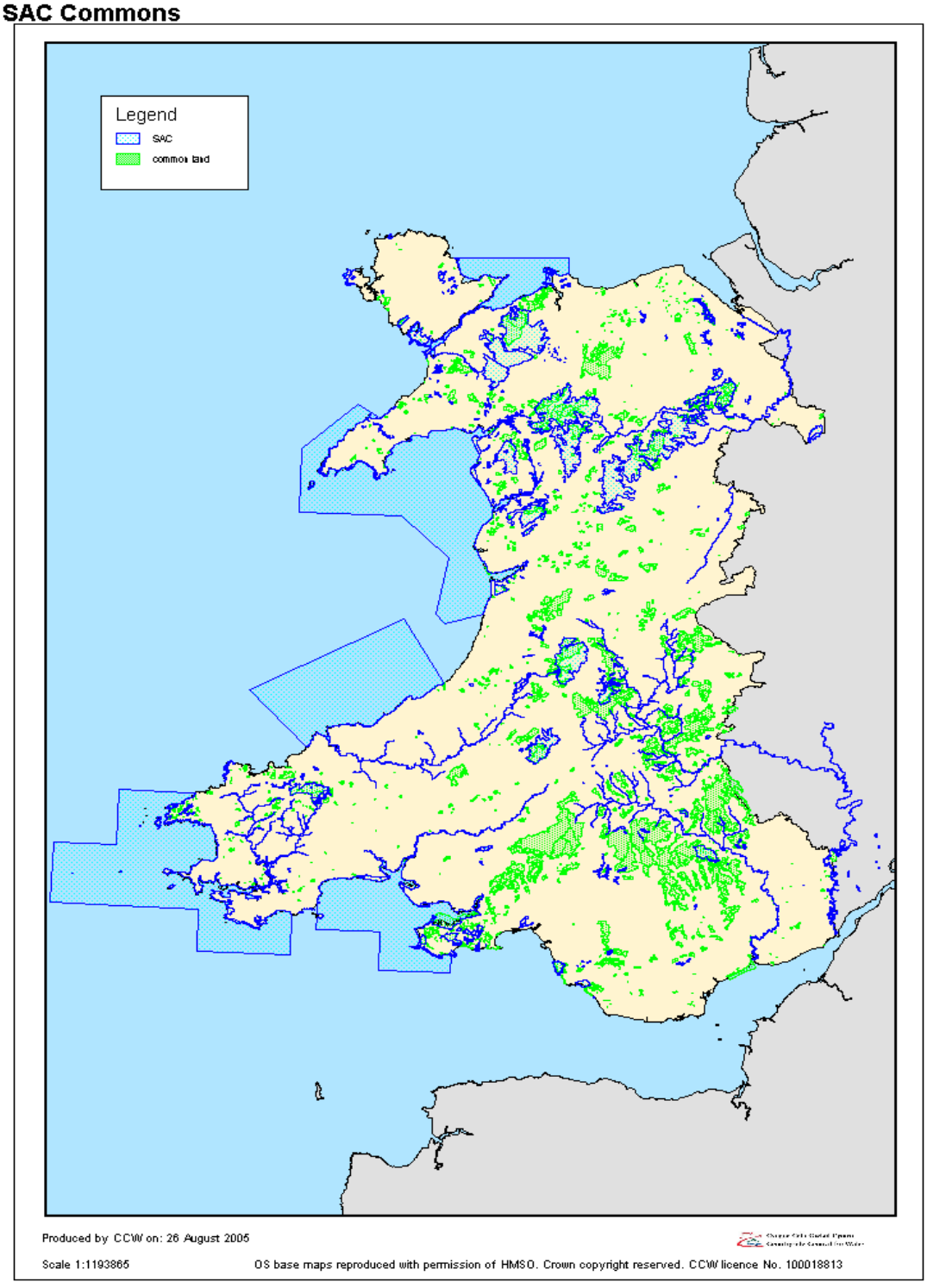
Source: English Nature (2005)

Figure 3 Overlap between SSSIs and common land in Wales



Source: CCW (2005)

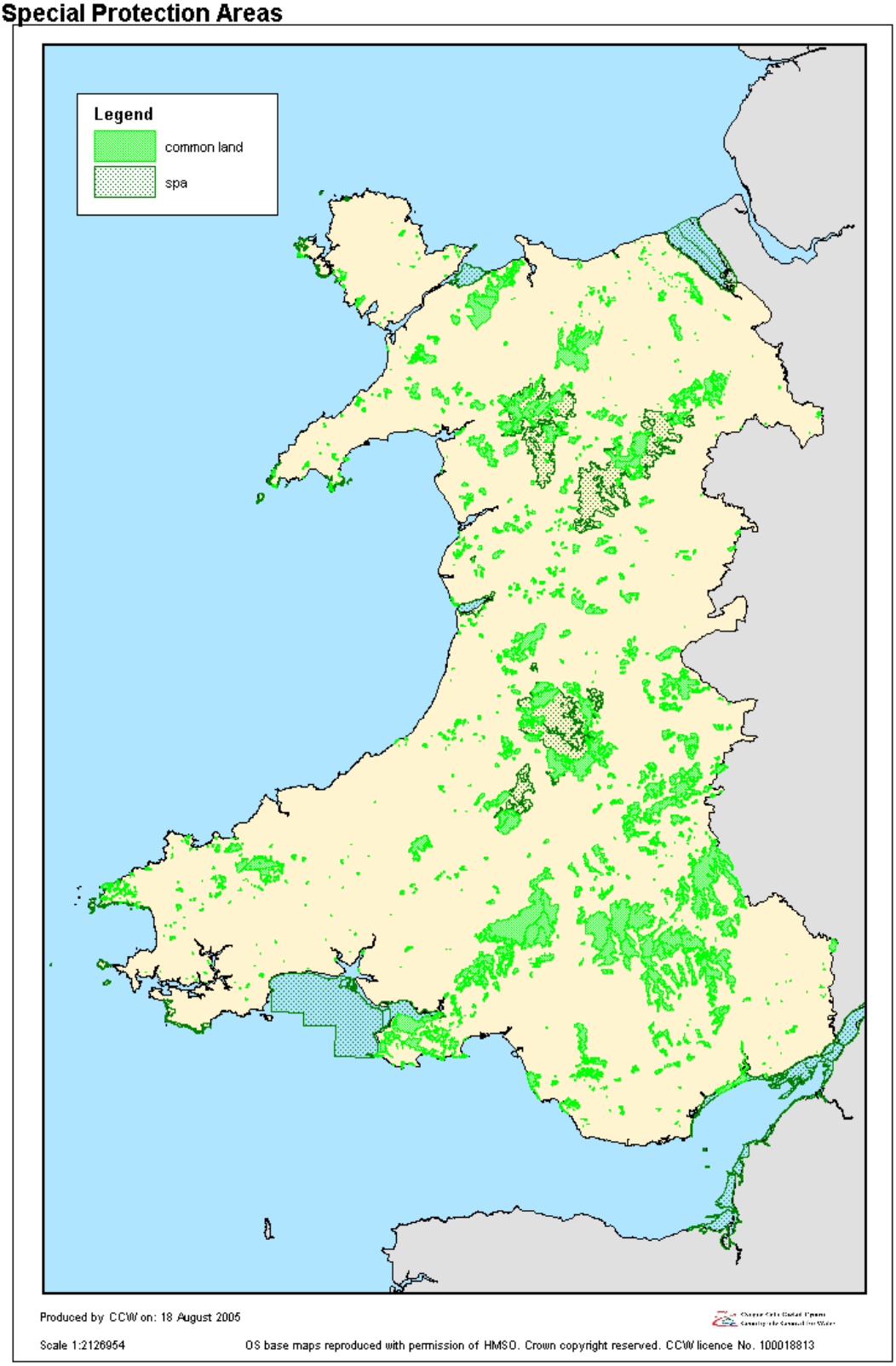
Figure 4 Association between Special Areas of Conservation and common land in Wales



Source: CCW (2005)

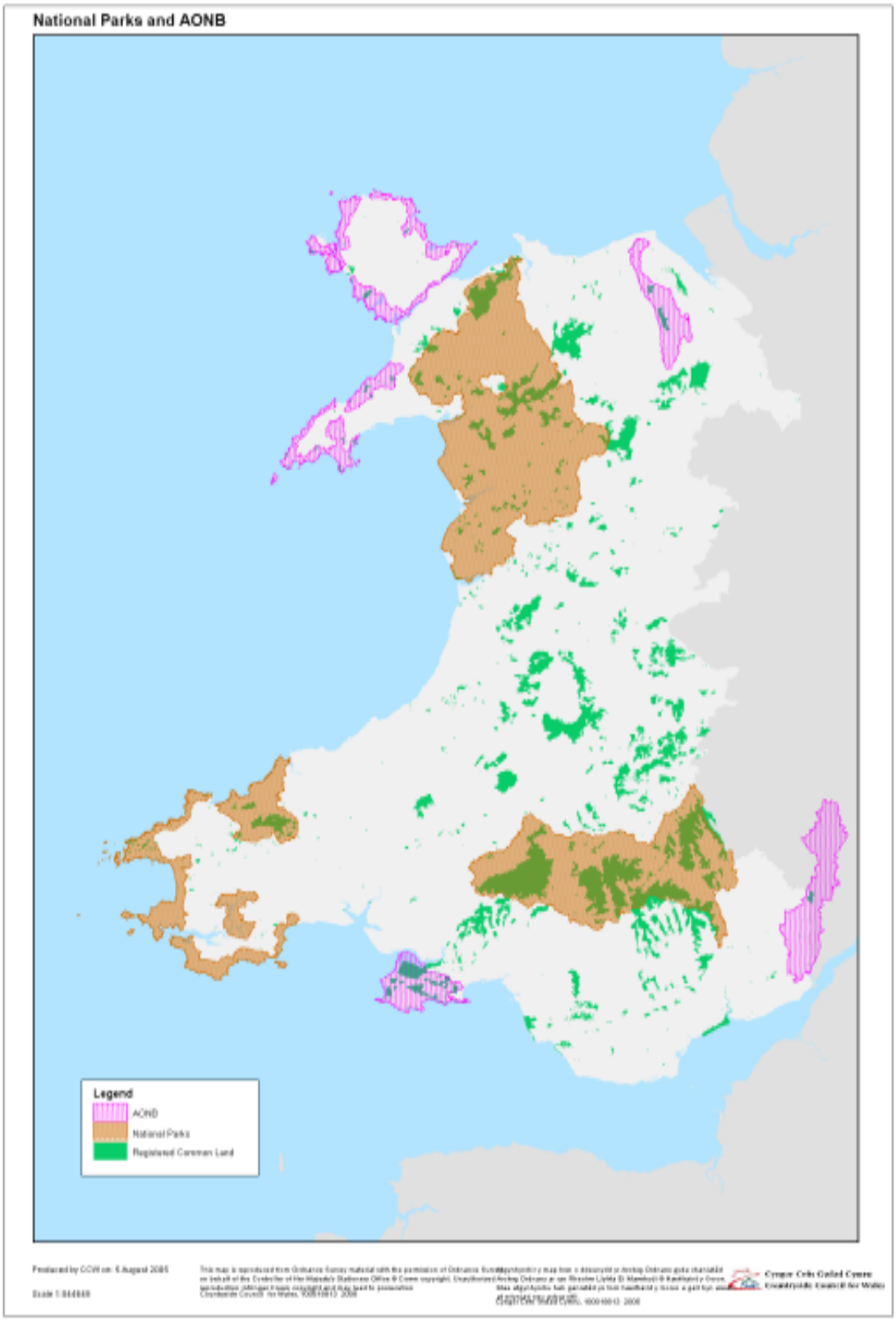
Figure 5 Association between Special Protection Areas and common land in Wales

Special Protection Areas



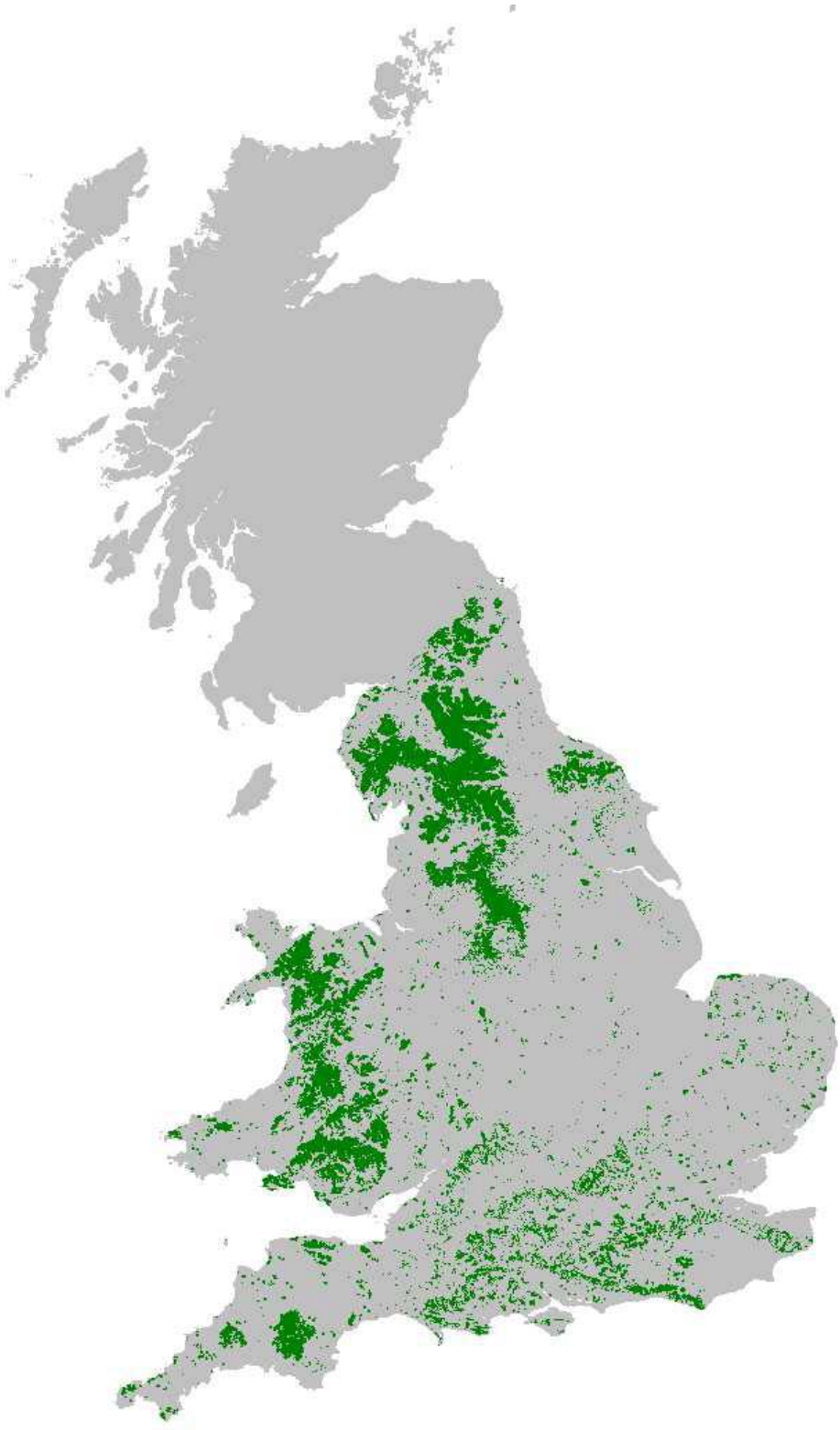
Source: CCW (2005)

Figure 6 Association between Landscape Designations and common land in Wales



Source: CCW (2005)

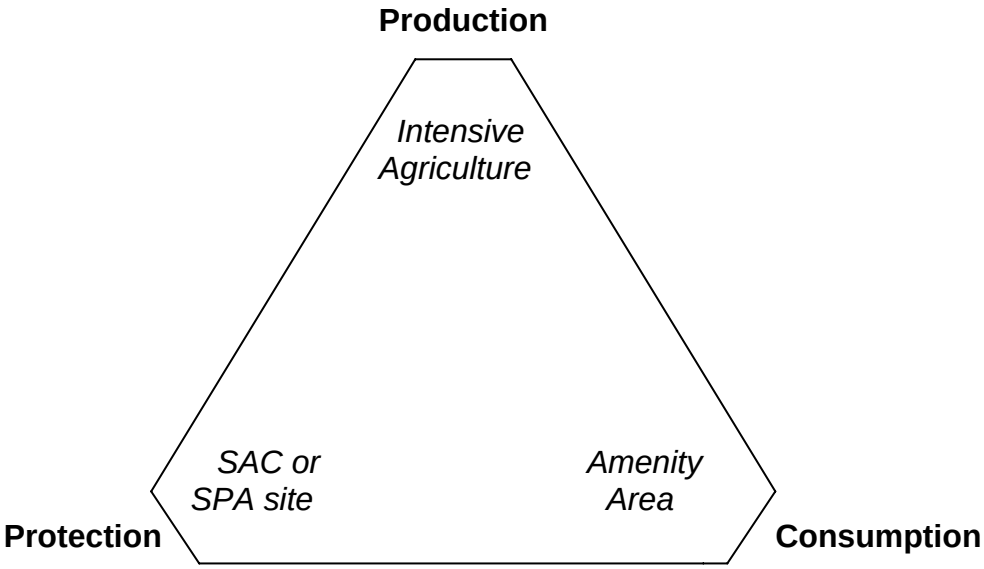
Figure 7 Areas of Open Access in England and Wales



Source Countryside Agency/CCW (2005)

Figure 8 Association between areas of Heritage and Archaeology interest and Common Land in Cornwall, England.

Figure 9 The Multi-Functional Triangulation



Adapted from Holmes (2006)

Figure 10 Proposed structure of Top Tier Welsh Environmental Scheme