

MINUTES of the Court of Verderers held on Wednesday 18th April 2012 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

PRESENT: Mr Dominic May Official Verderer
Mr R Deakin Elected Verderer & Staff Committee Chairman
Mr A Gerrelli Elected Verderer
Miss D Macnair MBE Elected Verderer
Mr C Maton National Park Appointed Verderer
The Hon R Montagu Forestry Commission Appointed Verderer
Mr A H Pasmore Elected Verderer
Mr D Readhead Co-opted Elected Verderer
Mrs P Thorne DEFRA Appointed Verderer
Mrs D Westerhoff Natural England Appointed Verderer

IN ATTENDANCE: Miss S Westwood Clerk to the Verderers
Mr J R Gerrelli Head Agister

APOLOGIES: None

IN COMMITTEE in the Library

2012/6011 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 21st March 2012 were approved.

2012/6012 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, including Mr Readhead, and Mrs Thorne all declared an interest in the Higher Level Stewardship Scheme.

Mr Gerrelli declared an interest in the encroachment at Bull Hill and campsites.

2012/6013 CONDITION OF STOCK RESUME

The Head Agister reported that he is still happy with the condition of stock on the Forest. The Agisters have, however, been busier in the past month than throughout the winter so far. This is not surprising as the ponies are at their lowest at this time of year. Ponies removed due to loss of condition are mostly youngsters, some of which will be changing their teeth. In addition some mares with yearlings have been taken off. Nothing has been very poor as the system in place nowadays means that animals are removed before their condition deteriorates too much. There is a problem with lice again.

Most commoners have removed animals as requested by the Agisters without argument. This is despite many commoners starting to lay up grass for hay.

The rain has certainly helped things to green up. Cattle are beginning to wander further afield which is an indication that the grass may be beginning to grow. On the whole deterioration in pony condition has stopped as a result of the recent rain although it would be helpful if the temperatures would increase slightly. Having said that, the winter weather has been kind so far. Ponies are now eating the new shoots of bramble as well as some birch leaves.

The Head Agister wished to congratulate the Forestry Commission on the burning programme. The grass is beginning to come through on the burn sites which is a great help.

2012/6014 FOALS DISCHARGE

Three mares on the Forest are known to have foaled. One on Stoney Cross and two on the eastern side of the Forest.

2012/6015 PONY BLOODLINE SCHEME – MARES IN NEW PARK RESUME

The bloodline scheme mares which are in New Park are looking very well. There are no foals yet but several mares look close to foaling.

2012/6016 STOCK LOSING CONDITION AND REMOVED FROM THE FOREST RESUME

Mares with yearlings	11	Geldings	2
Mares on their own	7	Donkeys	2
Fillies (2, 3 yr olds)	17		
Total in February	39		
Total year to date	136	Total year to date previous year	229

2012/6017 MARKING FEES RECEIVED TO DATE RESUME

Ponies	4445	Cattle	1872	Sheep	121
Donkeys	139	Pigs	52		
Total	6456	Total Ponies, Cattle & Donkeys	6629		

The Clerk was asked to split Forest and Common fees in future.

The numbers have increased compared with the same period last year. It is thought that commoners have kept some stock due to the poor prices attained at the pony sales last year.

Action
SW

2012/6018 BYELAW ENFORCEMENT – PIG AT BROCKENHURST AND FEEDING OF PONIES AT NOMANSLAND RESUME

Pig at Brockenhurst - A pig has been allowed to escape onto the Forest in the Brockenhurst area on a number of occasions. The owner is not a practising commoner. The Agister has caught and returned the pig which the owner claims he is selling. A letter was sent from the office advising the owner that the pig must not be allowed out on the Forest. No further action is required at this time.

Feeding of Ponies on an access track at Nomansland – A complaint has been received concerning a local resident who has recently obtained a brand is feeding her stock on the access track outside her property. The Clerk reported that she is aware of the issue, as is the local Agister. The current position is that the Clerk is trying to ascertain the status of the track (who owns it), and the Verderers' jurisdiction in that respect, prior to writing to both the new commoner and the person who has complained about the feeding.

Action
SW

The Head Agister left the meeting.

ENCROACHMENTS NOT INVOLVING THE FORESTRY COMMISSION

2012/6019 BEAULIEU ESTATE ENCROACHMENT

DISCHARGE

Mr Montagu left the room whilst this matter was discussed.

A helpful letter has been sent to the Clerk by the Estate. The Beaulieu Estate has subsequently confirmed by email that the fence that has been erected to protect a newly planted hedge will be removed once the hedge is established. This issue falls outside the jurisdiction of the Court and is a matter for the Commoners and the Commoners' Defence Association to pursue.

OPEN COURT – 10.00 a.m. in the Verderers' Hall

IN ATTENDANCE: Mr Mark Street, Area Land Agent (New Forest)
Mr Kevin Penfold, Acting Deputy Surveyor of the New Forest

ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER

There were no announcements or decisions at this Court.

ANIMAL ACCIDENT REPORT

2012/6020 ROAD TRAFFIC ACCIDENT REPORT FOR MARCH 2012

The Agisters attended 9 accidents compared with 10 in March last year.

6 ponies died and 1 reportedly involved in an accident was not found.

1 cow died and another was injured.

All 9 accidents occurred after dark and all but one, which happened at 6.30 a.m, were in the evenings between 6.50 pm and 8.30 pm. As usual there was the inevitable hit and run.

2 accidents occurred on the Hilltop to Ipers Bridge Road. In one a dark grey mare was injured and had to be destroyed. In the other, the pony which was reported to have been hit was not found.

3 accidents occurred on roads on which we don't see accidents all that often.

On the Crow Road near the Smugglers Car Park an Angus heifer calf was injured and had to be destroyed by the Agister.

In Minstead – outside the Hall a brown mare was injured and also had to be destroyed by the Agister and in the third accident in Shirley Holmes Road, a brown filly was injured and also had to be destroyed.

A mare was killed on the Picket Post to Burley Road and another mare was injured and had to be destroyed on the Wilverley/Wootton Bridge junction.

The other two accidents were at Bramshaw Telegraph on the B3078 where a bay filly was killed and outside Setthorns Inclosure where a calf was injured in an accident where the driver has failed to report the accident.

The total number of animals killed and injured to the end of March is 18 which is the same as to the end of March last year.

Finally, we are coming up to the time when the foals will be born on the Forest. Once they are a few weeks old, they become very playful and will dash about with their mates. They have absolutely no idea about the dangers posed by passing vehicles and will run across the road without warning. Anyone driving through the Forest in the spring really must take extra care.

PRESENTMENTS BY THE ACTING DEPUTY SURVEYOR OF THE NEW FOREST

2012/6021 APPOINTMENT OF FORESTRY COMMISSION APPOINTED VERDERER

'The Forestry commission would wish to advise the Court that we will shortly be advertising the position of the Forestry Commission Appointed Verderer. Details of the appointment and application forms will be available from the Forestry Commission. Information will also be available via the Verderers and Forestry Commission websites and the position will be advertised in the local press. The closing date for application will be the 22nd May 2012.

PRESENTMENTS

2012/6022 CYCLING

Presentment by Mr Peter Roberts, Chairman, New Forest Association

The New Forest Association remains concerned about the impact of cycling on the existing routes. We remind the Court of our request made here in January for a review of the successes and failures of the cycling network. Until the Forestry Commission have demonstrated that they have regained control of the situation, it is irresponsible to seek an extension of the network. Without control, the damage that might be done to the Forest and its traditions cannot be measured.

We would like to remind the public and cyclists that when the original scheme was instated by the Forestry Commission there was considerable monitoring and shepherding of cyclists to ensure that they remained on the correct routes and caused minimum impact on the flora and fauna of the New Forest. We attach a copy letter from the Forestry Commission's then Recreation Manager, Michael Seddon, written in 1999, indicating how this operated and how they were working to 'make the policy work and reduce unacceptable behaviour' (in their own words). Unfortunately this work lapsed and has not been in place for many years.

Since that time there has been an explosion in usage which is no longer adequately monitored let alone controlled. It seems totally inappropriate to us that a group operating under the umbrella of the National Park Authority in the guise of implementing their Recreational Management Strategy should be promoting rather than managing cycling. There is already more than enough pressure on the Forest by commercial enterprises wanting to use the area for new recreation ideas as we saw again last month. It is very disappointing to see the NPA whose first purpose is to 'Conserve and enhance the natural beauty, wildlife and cultural heritage' promoting additional pressure rather than attempting to protect the New Forest through improved management.

The New Forest Association therefore ask that the Verderers reject the presentment made by Vicky Myers, in her role as Chair of the Recreation Management Strategy Working Group, at the last court and support our request for a review of the existing situation.

2012/6023 SHEEP ON THE NORTHERN COMMONS

Presentment by Mr S (Geordie) Cooke, former Agister and resident of Bramshaw

Mr Cooke made a detailed presentment in which he suggested that sheep should not be turned out on the Forest. He maintained that under the New Forest Act 1964, sheep were never included as commonable animals on the added areas. Mr Cooke referred to a census of all animals on the common land which was undertaken in order to decide who

qualified for concessionary rates of marking fee. Mr Cooke stated that neither sheep or pigs appeared on the census. He added that he does not know of sheep having been turned out on the Forest or Commons in the last 100 years.

Mr Cooke presented some papers which he said he had obtained from Mr Hugh Pasmore some years ago. A copy of the papers was provided to the Court – these consisted of;

- A letter from Norman Rudd to the Parish Council dated 11th August 1997;
- A note to the Northern Commoners from the Clerk to the Verderers dated 18th August 2004;
- The Newsletter from the Verderers to all commoners for February 2011 (in which the marking fees for the year were listed – including those for sheep on the Forest and Commons);
- An extract from the Minutes of Evidence of the Select Committee considering the draft bill (pages 47 to 53 and 57);
- The Commons Agreement of 1964;
- The Verderers Byelaws 2010;
- The New Forest Act 1964

He then added that there is one thing in the Bill that messes things up and that is the mention of 'farm animals'. He remarked that that could mean anything including perhaps llamas and someone is currently grazing a herd of such animals in a field in Bramshaw!

2012/6024 CYCLING
Presentment by Ms Vicky Myers

Ms Myers wished to clarify some points which have been raised as a result of her Presentment last month. Firstly, she wished to make it clear that the proposals for the two additional cycle routes are not coming from the National Park Authority. She went on to explain that the RMSWG (Recreation Management Strategy Working Group) is an independent group. Ms Myers said the majority of the Group agree with the proposals. Research is an important part of the proposals as are the cycling champions who will promote the use of the network. The lack of connectivity with the present cycling network is felt by the RMSWG to be the problem.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2012/6025 CYCLING

DISCHARGE

Further consideration was given to the proposals contained in the presentment made by Ms Myers in the March Court as well as those of the NFA, CDA and Mr Brian Ingram which raised objections to the proposals, and that of Mr Hart who expressed his support.

It is clear from the Presentments that have been heard that a significant number of people in the Forest are concerned at the detrimental effect cycling off the waymarked cycle network is having on the Forest.

The Ashley Walk car park to Hampton Ridge route passes through the previously identified 'Tranquil Area'. The Court feels strongly that the

concept of the Tranquil Areas should not be abandoned and it was suggested that a policy of keeping some parts of the Forest free of cycling should be encouraged.

The Bolderwood Ornamental Drive to the Portugese Fireplace route has a significant length of grass/dirt track. The Court was adamant that no surfacing of grass/dirt tracks should be permitted in order to accommodate cycle routes. The greater part of this route had already been rejected by the Court only two years ago.

In summary, the Court agreed unanimously that cycling is currently not being effectively managed and the proposed new routes will not improve that situation. The Court will not, therefore, support the trial of the proposed two new cycle routes. It does, however, wish to encourage the RMSWG to design and introduce a robust system of monitoring.

The Court may, however, consider new routes in the future, if by doing so, the overall length of the waymarked cycle network is not increased and there is an overall benefit to the Forest. This could be achieved, for example, by closing a damaging route and approving a new one which is less harmful to the Forest and more convenient to users.

The introduction of Community Cycle Champions is considered to be a positive step towards the proper management of cycling in the Forest and the Court felt they should be encouraged.

Formal consent for changes to the waymarked cycle network requires the Forestry Commission to submit detailed proposals to the Court.

2012/6026 SHEEP ON THE NORTHERN COMMONS

DISCHARGE

The Atlas of Common Rights over the Added Areas, which was drawn up by the Forestry Commission following the passing of the New Forest Act of 1964, records the right of pasture only. However, the National Trust has permitted sheep to be grazed on its commons in the north of the Forest for many years. In view of this, the Court agreed it would be difficult to alter the position now.

Mr Cooke is mistaken when he says that sheep have not been turned out in the Forest in the past twenty years. Sheep have been depastured on the Forest during that time, albeit that sheep rights are not widespread across the Forest. It was agreed that the issue of sheep on the Northern Commons will not be pursued.

Regarding marking fees, providing the sheep spend less than 25% of their time on the Forest, the Common rate of marking fee will apply. If, however, the animals move onto the Forest for 25% or more of the time, the Forest rate of marking fee will be due.

Mr Cooke will be advised of the Court's decision.

NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION

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| 2012/6027 | SCOTTISH AND SOUTHERN ELECTRICITY PROPOSED U/G ELECTRICITY SUPPLY TO WATTON FARM, HOLMSLEY ROAD, NEW MILTON | DISCHARGE |
| | <p>The Court approved the proposal, subject to the usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc., and that no old cable is to be left in the ground. The old cable must be removed and the new one buried at the same time to avoid excavating twice.</p> | |
| 2012/6028 | SSE PROPOSED NEW U/G ELECTRICITY SUPPLY TO CORONATION COTTAGE, NORTH WEIRS ROAD, BROCKENHURST | DISCHARGE |
| | <p>The proposal was approved subject to the usual three conditions and any redundant cables being removed.</p> | |
| 2012/6029 | SSE PROPOSED NEW U/G ELECTRICITY SUPPLY TO SPRINGWOOD COTTAGE, BANK | DISCHARGE |
| | <p>This very short length of cabling was approved subject to the usual three conditions.</p> | |
| 2012/6030 | SSE PROPOSAL FOR A NEW U/G ELECTRICITY SUPPLY TO ROUNDHILL LODGE, BROOK | RESUME |
| | <p>This proposal was not approved. Further information is required and a better plan. The Court asked for information on the route of the present electricity supply to this property. It queried why the new cabling cannot be placed on private property and also whether an archaeological records search has been undertaken.</p> | |
| | | <p>Action
MSt</p> |

SSSI RESTORATION WORKS

- | | | |
|-----------|---|---------------------------------|
| 2012/6031 | SNAGGING | DISCHARGE |
| | <p>A list was provided of all the projects which have been undertaken since 2008/9. The list includes comments about any future works that may be necessary. Members of the Court are invited to feed in comments about what they consider may need doing and what is outstanding. The Deputy Surveyor said his intention is to develop and refine a process for recording the results of the SSSI restoration projects – good and bad.</p> | |
| | | <p>Action
All Verderers</p> |
| 2012/6032 | SOLDIERS BOG | DISCHARGE |
| | <p>A copy of the final proposals was circulated. The concerns of the CDA have now been addressed and included. Members of the Court were asked to advise the Clerk if they have any objections, by Friday 20th April. Unless further issues arise, this project will be considered approved and will be discharged from the Minutes.</p> | |
| | | <p>Action
All Verderers</p> |

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

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|-----------|---|-----------|
| 2012/6033 | LICENCES AND PERMISSIONS FOR RECREATIONAL ACTIVITIES | DISCHARGE |
| | <p>As a result of the complaints arising from the Tri-Adventure feature on BBC Countryfile, the Deputy Surveyor sought information from FC staff on whether a record is kept of events for which permission is refused.</p> | |

The Deputy Surveyor confirmed that such a list is not maintained, however a record has been kept of several recent requests which have been turned down. These included a music festival, a kite festival, students wishing to film a fight scene at night and a DoE horse-riding event.

When requests for permission are received, details of the event are checked to see if it is appropriate for the Forest. If it is, checks are made to ensure that the event does not clash with something that has already been arranged and a permission is issued with such conditions as are felt necessary. The Deputy Surveyor explained that the Forestry Commission does not want to discourage event organisers from seeking permission.

2012/6034 CAMPSITE OPENING TIMES AND WARDEN OCCUPATION TIMES RESUME
September

The Deputy Surveyor asked for this item to be resumed in September, just before the end of the camping season. Information will then be obtained concerning what preparatory works are required prior to opening next season, when wardens need to be on site, how many and in what accommodation i.e. the number of tents and caravans to be permitted on each site will be agreed. Mr Nick Tucker, FC Recreation Manager, will produce a plan for discussion and approval. It was noted that at Hollands Wood this year, up to 7 people were on-site several weeks prior to opening. Members of the Court felt that number to be somewhat excessive.

Action
KP/Nick
Tucker

2012/6035 BURLEY'S QUEEN'S DIAMOND JUBILEE CELEBRATIONS DISCHARGE

Two issues have arisen. Firstly, the planting of an oak tree on the Open Forest about which members of the Court had previously expressed reservations. The Deputy Surveyor explained that having met the Parish Council, he has given consent for an oak to be planted in an area of bracken behind the football goal where there are other trees. It is a native oak and no protective fence will be erected.

Secondly, the Parish Council is organising a Diamond Jubilee Celebration over four days of the June bank holiday weekend (1st to the 4th). Detailed proposals have been agreed with the Forestry Commission. The fish and chip bar and other refreshment facilities will be on the car park. A marquee will be erected on the cricket ground. Litter bins will be provided and an assurance has been received that litter will be dealt with properly and a sweep carried out each evening. The Court raised no objection to the proposals.

2012/6036 SIGN ON THE BEAULIEU ROAD DISCHARGE

The replacement sign is on an existing pole and is smaller than the original therefore no objection was raised.

2012/6037 BALMER LAWN ROAD RAILWAY BRIDGE SIGNAGE RESUME

The Court was disappointed to learn that four new signs have appeared two on each side of the bridge. The Clerk reported that she understood that Hampshire Highways are seeking to tidy up the area around the bridge, and some additional signage has been planned as a result of a motorist becoming stranded in flood water.

The Clerk will go back to Hampshire Highways and point out that additional signs are not acceptable and the old poles, which are still in situ, must be removed.

Action
SW

2012/6038 PROPOSED PLAQUE – RHINEFIELD ROAD BRIDGE DISCHARGE

A request has been received from the Institution of Civil Engineers to erect a plaque in the vicinity of this bridge to identify its importance as a piece of civil engineering heritage. The bridge was constructed circa 1950 and was one of the first pre-stressed concrete bridges to be designed and constructed in the UK.

In line with the policy in the Forest of avoiding the proliferation of signage, the Court was not minded to approve the request but it was agreed that a modest plaque on the bridge structure itself would be acceptable.

ENCROACHMENTS OF INTEREST TO THE FORESTRY COMMISSION

2012/6039 LIST OF CURRENT ENCROACHMENTS DISCHARGE

Mr Street provided copies of the list of current encroachments and reported on the status of each.

2012/6040 STONES AND OTHER PARAPHANALIA IN BURLEY DISCHARGE

Mr Street went on to say that the Forestry Commission has recently undertaken an operation in Bisterne Close, Burley to remove large stones which residents have placed outside their properties, in some cases possibly to discourage verge parking, but in others, simply because they are considered to enhance the front of the property. Most residents were aware of the operation as a result of a letter in the Parish magazine, whilst in a few cases letters were sent to individual properties requesting the stones be removed. Only one person complained. The Forestry Commission will shortly undertake a further operation around Burley before moving on to East Boldre.

2012/6041 BULL HILL HOUSE DISCHARGE

A new gateway has been opened up at this property without consent. The Forestry Commission is in touch with the occupier.

2012/6042 OLD PILLEY ALLOTMENTS DISCHARGE

A 'No Parking' sign, approximately 1m long, has appeared on the track at Old Pilley Allotments. It does not have consent. The Forestry Commission will ensure its removal.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2012/6043 PROPOSED ROAD SAFETY IMPROVEMENTS – HATCHET GATE JUNCTION, BULL HILL CROSSROADS & IPLEY CROSSROADS DISCHARGE

The Official Verderer, Mr Ralph Montagu and Mr Street recently attended a meeting with Hampshire Highways to discuss proposals for improving safety at these junctions.

One of the proposals was that gorse should be allowed to grow up in the vicinity of Bull Hill Crossroads in order to reduce sight lines for motorists approaching the junction. This was, however, met with almost unanimous disapproval due to the likelihood that it could result in an increase in animal accidents.

An earlier suggestion that a staggered junction should be constructed is

no longer feasible due to new standards for the layout of such junctions which would, in this case, result in a loss of grazing.

A STOP sign is also apparently not possible without the permission of the Secretary of State, and Hampshire Highways is unwilling to apply.

The Official Verderer suggestion that build-outs would be a better option will be taken forward. They will not interfere with the grazing and should be visually acceptable. Detailed proposals will be brought to the Court in due course.

2012/6044 OFFICE ACCOMODATION DISCHARGE

Following a recent inspection, work on the Cottage next to the present Verderers' Office is due to commence shortly. It is proposed that the Verderers staff will move into their new offices at the end of June.

The Deputy Surveyor and Mr Street left the meeting.

OTHER MATTERS ARISING

2012/6045 MARKING OF CATTLE DISCHARGE

Mr Deakin advised the Court that the Agisters are very nervous that accepting payment for cattle which are to be marked at a later date could set a precedent that might cause problems in the future. It was suggested that some commoners would pay but would never get their cattle in to mark – or at least, not within an acceptable timescale.

The Court understood the Agisters' concerns and therefore decided the present system, whereby cattle must be marked and paid for at the same time, should remain unchanged. It is felt there should be plenty of opportunity for commoners to have their cattle marked within the required period. In extreme cases, some flexibility may be agreed but as a rule commoners are expected to ensure their animals are inspected, marked and paid for in accordance with the byelaws. The Head Agister and the Clerk will ensure that ear-tags are purchased in good time.

Action
JRG/SW
October

VERDERERS GRAZING SCHEME (VGS)

2012/6046 VGS RULES RESUME

The Official Verderer was concerned that there is still some confusion over some of the terms and conditions of the new scheme.

There remains confusion over how the stocking density for the Crown lands is established and the Official Verderer endeavoured to explain the calculation. The previously stipulated maximum number of 7,000 animals has been replaced with a new formula imposed by Natural England. The stocking density is now 0.25 livestock unit (LU) per hectare (Ha). i.e. there are 19,447 hectares in the HLS so the stocking density would be 4,861.75LUs. A cow equals 1LU, a registered pony is 0.8LU and other equines 0.4LU. In addition NE is prepared to accept that some stock does not remain on the Forest for 12 months of the year so a time factor can also be considered when making the calculation

One of the major issues is that there is great concern that there may be an explosion in the number of animals but no-one wants to accept the controls that have been incorporated into the scheme.

Mrs Westerhoff gave her apologies and left the meeting at this point.

The CDA has raised several concerns which will be decided upon by the VGS Management Committee.

The limit on the number of animals which qualify for a grazing payment, based on a commoner's available land is felt by the CDA to be unfair. In reply, the Official Verderer explained that the rule is intended to help prevent an explosion in animal numbers as no-one disputes that it is essential to avoid any significant increase in animal numbers.

The CDA has also asked who will be responsible for deciding whether a commoner has or has not operated in the 'spirit of the scheme'. The Official Verderer confirmed that it will be the responsibility of the VGS Management Committee to make those decisions.

Commoners who voluntarily reduced their stock under the CSS scheme may lose out under the VGS and the CDA has asked if they can be compensated. This is a matter that will be discussed by the Management Committee.

The CDA wishes to know how the 'pot' of money for distribution to commoners will be calculated. The Official Verderer confirmed that the VGS Management Committee will make the calculation, based on the total number of applications. It is intended that the payment for a registered New Forest pony will be at least £70 as paid under the old scheme.

The National Trust's advice that it considers the Bramshaw Commons to be overgrazed has resulted in considerable discontent and a method of dealing with the problem has still to be finalised. An overgrazing order has been placed on two of the commons by Natural England in order to control animal numbers and that could result in single farm payments being withdrawn. The National Trust has taken the view that all the animals on the commons contribute to the overgrazing but the CDA feels this to be harsh and unfair on commoners who only turn out a small number of animals.

The Official Verderer stressed that the VGS can be reviewed at the end of the year. On a positive note, if the number of cattle reaches 30% of stock turned out on the Crown lands, (ponies, cattle and donkeys), more money may be payable by Natural England to the Verderers HLS scheme.

Mr Montagu gave his apologies and left the meeting at this point.

It was agreed that the only way forward is to wait until the end of April when all the application forms for the VGS should have been received. A meeting of the Advisory Group (which consists of representatives from Natural England, the Forestry Commission, the Commoners Defence Association and the National Trust) will be arranged as soon as possible in May. Following that the VGS Management Committee will meet.

Action
OV

2012/6047 VERDERERS' ELECTION

RESUME

Advice on possible changes to the Election procedure has been obtained from the Court's parliamentary agent. Various matters have been considered including the minimum age for voters (which cannot be changed without an Act of Parliament), postal voting and the number of polling stations which are required under the regulations.

A change to the minimum age for voting is regrettably not considered to be an option because of the need for a change in the legislation. However, postal voting or a change to the number of polling stations may be possible under current election regulations. In the first instance it will be necessary to investigate the likely cost of introducing postal voting and this will be compared against the cost of the present 5 polling stations.

Action
OV & SW

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2012/6048 BRITISH HORSE SOCIETY BREEDS COMMITTEE DISCHARGE

Miss Macnair reported that there are issues resulting from the misuse of horse passports and a proposal to alter the present system may create serious difficulties for the Beaulieu Road Sales. In brief, consideration is being given to a requirement for all passport applications to be approved by a central authority before a passport can be issued. At present, in some cases, passports are issued by the New Forest Pony Breeding and Cattle Society at the sale. This will not be possible if the proposed new regulation is passed. Miss Macnair will keep the Court informed.

Action
DM

FINANCIAL AND OTHER MONTHLY REPORTS

2012/6049 FINANCIAL STATEMENT FOR MARCH 2012 RESUME

The financial statement for March 2012 was approved.

STAFF MATTERS (including the Staff Committee)

2012/6050 SINGLE FARM PAYMENT (SFP) – NEW FOREST COMMON ENTITLEMENT DISCHARGE

A commoner making an enquiry as a result of a change to the SFP rules for the New Forest, was misinformed by the Rural Payments Agency (RPA) and this led him to purchase and mark more cattle than he has previously been entitled to claim for under his New Forest common entitlement. As he has now discovered that he will not be allowed to claim SFP for the additional animals he does not want to pay marking fees for all the animals which the Agisters have marked. The Staff Committee requested the Court to decide whether or not the commoner should be required to pay.

Firstly, it was agreed that in this case the animals should not have been marked without marking fees having been collected at the time of marking. The Agisters will be informed that in future they must collect the fees at the same time as the animals are marked.

Secondly, the Court felt aggrieved that Agisters' time had been incurred marking cattle that were never destined to be turned out on the Forest. There is also the cost of the actual tags to consider.

It was finally agreed that the commoner will be expected to pay for the ear-tags plus an amount of £45.00 per hour for the Agisters' time. The Clerk will ascertain the length of time it took for the Agister(s) to mark the cattle. In addition, the commoner is to supply a list of the ear tags of the cattle he is turning out as well as a list of those he is not. This will be cross checked with the Agisters' record.

Action
SW

TRAINING – No training is being undertaken at present.

HEALTH AND SAFETY - There are no health and safety issues at present.

ANY OTHER BUSINESS

2012/6051 STALLIONS DISCHARGE

Mr Deakin reported that following the stallion inspection on Saturday, 10 stallions/colts will be going out and a further 3 young stallions will be placed in the keep.

2012/6052 STALLION INSPECTIONS RESUME

There is considerable disquiet as a result of the New Forest Pony Breeding and Cattle Society's inspection of colts and stallions on Saturday 14th April. The Clerk was asked to seek a meeting with representatives to discuss the future inspection and licensing of New Forest Pony stallions.

Action
SW

There was no further business and the meeting closed at 13.36 hrs.