

MINUTES of the Court of Verderers held on Wednesday 15th April 2015 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 B Dowsett	Forestry Commission Appointed Verderer
	Mr A Gerrelli	Elected Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr Clive Maton	National Park Appointed Verderer
	Mr G M H Mills	DEFRA Appointed Verderer
	Mr D Readhead	Elected Verderer
	Mr R Stride	Co-opted Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister

IN COMMITTEE in the Library

2015/7851 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 18th March 2015 were approved and signed.

2015/7852 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, Mr Stride and Mr Maton all declared an interest in the New Forest Higher Level Stewardship Scheme, the Verderers Grazing Scheme and Single Farm Payment/the new Basic Payment Scheme.

Mr Hallam Mills declared an interest in HLS Schemes as his Estate is in Higher Level Stewardship and borders the perambulation of the New Forest. He also declared an interest in the new Basic Payment Scheme, although not as a practising commoner. In addition, Mr Mills' Estate is involved in the Better Boundaries Project, run by the New Forest Land Advice Service with support from Natural England. The Estate has a tenant who is a Commoner. Mr Mills is also a Patron of the New Forest Trust.

Miss Macnair is a member of the New Forest Pony Breeding and Cattle Society Council.

Mr Deakin, Mr Readhead and Mr Stride are members of the New Forest Commoners' Defence Association committee. Mr Deakin is also Treasurer.

Mr Dowsett is a Forestry Commission Volunteer Ranger.

Mr Gerrelli is Chairman of the New Forest Stallion Syndicate. Mr Deakin, Mr Readhead and Mr Stride are members of the New Forest Stallion Syndicate.

Mr Deakin, Mr Readhead and Mr Stride are Directors of the New Forest Livestock Society.

Mr Maton is a Forestry Commission contractor.

As owner of a small campsite, Mr Gerrelli declared an interest in matters concerning Forest campsites.

Mrs Westerhoff and Mr Stride are tenants of the Forestry Commission.

2015/7853 CONDITION OF STOCK RESUME

Although the weather is nice at the moment, the grass is still not growing on the Forest. This is a tricky time of year for the stock and for the Agisters. The condition of quite a few ponies is borderline and it can be difficult to decide which should be taken off and which should be allowed to remain on the Forest, however all stock should soon start to improve in condition. There are a few animals that do need to come in and they are being removed.

Overall stock looks pretty good. A few ponies are looking scruffy as they are changing their coats, but there doesn't appear to be a lice problem this year, even though the winter has been relatively mild.

The Agisters are still marking cattle to go out on the Forest and they have a lot more to do. Mr Gerrelli felt that it would be helpful if commoners would keep their animals in for another couple of weeks as there is no food on the Forest yet. Miss Macnair remarked that some gentle rain would be welcome.

2015/7854 STRANGLES RESUME

Apart from the odd case on Penn Common, no further new cases of strangles have been reported.

One of the Agisters has however now lost two riding horses to the illness.

Miss Macnair said there is a report in Horse and Hound saying there are strangles outbreaks in other parts of the country including Newmarket, where it is understood to be in a horse brought in from abroad.

2015/7855 REPORT ON ANIMALS REMOVED FROM THE FOREST RESUME

The Official Verderer remarked that as well as being very useful, the report shows how much work the Agisters do.

2015/7856 STOCK DEATHS - OTHER THAN ROAD TRAFFIC ACCIDENTS RESUME

The Official Verderer thanked the Clerk for the very useful statistics.

2015/7857 REPORT ON MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

	<u>2015</u>	<u>2014</u>
Forest Ponies	4468	4178
Forest Cattle	2114	1557
Forest Donkeys	105	94
Forest Pigs	0	0
Forest Sheep	0	0
Total Forest Stock	6687	5829

Common Ponies	647	589
Common Cattle	869	882
Common Donkeys	92	59
Common Pigs	33	23
Common Sheep	179	142
Total Common Stock	1820	1695
Ponies, Cattle & Donkeys on the Forest	6687	5829
Ponies, Cattle & Donkeys on the Commons	1608	1530
Total Ponies, Cattle & Donkeys	8295	7359
Total Stock – Forest & Commons	8507	7524

2015/7858 BYELAW ENFORCEMENT RESUME

No byelaw offences have been reported.

2015/7859 ANNOUNCEMENTS AND DECISIONS RESUME

The Announcements and Decisions were approved.

Head Agister Jonathan Gerrelli left the meeting.

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

IN ATTENDANCE: Mr Bruce Rothnie, Deputy Surveyor of the New Forest
Mr Paul Grugeon, Land Agent (New Forest)

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

2015/7860 PONDHEAD

At our February Court, Mrs Sally Hayward of Matley Cottage and Mr Richard Mabbutt of Pondhead Farm made presentments alerting us to a potential flood risk to their properties after the Pondhead restoration is complete. Because of their presentments, the Forestry Commission's HLS project team withdrew the planning application and there have been two further site visits by the Verderers, one of which I attended personally.

The proposal is to raise the stream bed level 250m downstream of Matley Cottage at the lower end of the Eastern Drain, where it meets the main river channel, by up to 8 inches. The stream bed level upstream at Matley Cottage is 3 feet higher, and Matley Cottage itself is over 7 feet above the stream bed level. So Matley Cottage is over 10 feet above the raised stream bed level. Any flood risk will therefore not come from the proposed bed level raising, but from a blockage in the Eastern Drain. We have thus focused our attention on getting the Eastern Drain cleared of blockages, so that it will never back up and flood the upstream properties.

I am pleased to inform the Court today that we have obtained agreement from the Forestry Commission to clear the Eastern Drain by removing the large woody debris lying in-channel, and removing scrub & small trees causing obstruction to water flow. The Forestry Commission has also committed to undertaking annual inspections of the Eastern drain as part of the monitoring of the restoration work at this site. Any obstructions to water flow identified during these inspections will be dealt with through the Forestry Commission's Open Forest Maintenance Programme.

2015/7861 BASIC PAYMENT SCHEME

The Verderers have been worried that the new Basic Payment scheme may lead to a huge increase in animals turned out, simply to qualify for more subsidy payments. Such an unlimited increase in animal numbers would be disastrous for the New Forest, so I wrote to DEFRA to ask that it did not impose a subsidy system which would lead to environmental damage from overgrazing and poaching.

I have received a letter from the Minister of Farming, George Eustice, that this year's allocation for the new Basic Payment Scheme will be based on 2014's turn out in the New Forest. The Minister goes on to say that he understands our concerns about possible environmental damage if each consecutive year's allocation is based on the animals turned out in the previous year, and he has promised that DEFRA will work with us to identify a satisfactory approach for 2016 and later years.

It will therefore not be beneficial for commoners to buy more stock to turn out on the New Forest, because the Basic Payment Scheme will not reward you with extra subsidy in future years.

2015/7862 JACK DONKEY INSPECTIONS

The Verderers intend to enforce their bylaw in relation to Jack donkeys, which require that all Jacks that run out are approved by the Verderers. This will take effect from the 18th April 2015, and all unapproved Jacks will be ordered off the Forest, with action taken against any owner who does not comply. In order that they receive Verderer approval, all Jack donkeys must be subjected to a veterinary inspection

The inspection is to ensure that Jack Donkeys that run out on the Forest are fit and healthy and suitable for breeding.

A veterinary inspection will therefore take place at 12 noon on Saturday 18th April 2015 at the Beaulieu Road Sale Yard. There will be no judging element. This is the same day as the Stallion Inspection but the Jack Donkey inspection will be undertaken in a separate area of the Yard.

Jack Donkeys must be halter broken and sufficiently quiet for the vet to undertake his examination without undue risk of injury.

All Jack Donkeys brought forward for inspection must be identified with a valid passport or be entered onto the Verderers' List. Jack Donkeys which run out on the Forest must be microchipped. Those that are not microchipped prior to the inspection may be chipped at the inspection free of charge. A DNA sample will also be taken from all Jack Donkeys brought forward for inspection. The samples will be stored in the Verderers' Office. In the event that mule foals are born on the Forest, believed to be sired on the Forest by a Forest run Jack Donkey, the DNA samples will be used to confirm parentage.

All Jack Donkeys must be 'booked in' with the Verderers' Office by today, Wednesday 15th April, at the latest. Failure to do so will mean the Jack Donkey will not be accepted for inspection.

Any owner who fails to bring his Jack Donkey to the inspection may arrange for the vetting to be carried out at home, but the Verderers reserve the right to stipulate which vet is to be used and the owner will be responsible for all costs involved, including microchipping and DNA sampling.

2015/7863 RURAL BROADBAND

I am sorry to report that the Verderers are unfairly being made a convenient scapegoat by BT and Hampshire County Council for their slow progress in the rural broadband roll out. In fact, the delay is with BT, which seems to operate at glacial pace to expedite this important project for the New Forest, and with Hampshire County Council which is supposed to be coordinating the project locally, very badly in my opinion.

BT has expected to be able to plonk their cabinets wherever it was most convenient to them, without any consideration for the loss of grazing, and loss of landscape amenity; additionally, Natural England cannot allow any net loss of SSSI. These cabinets are 5' 6" high, 4' across and 2' deep. The Forestry Commission, the Verderers and Natural England have therefore sought to help BT find sites which are not on the Open Forest. For example, at Brook, I personally arranged that the proposed cabinet be sited on private land at the Bell Inn, courtesy of my predecessor Oliver Crosthwaite-Eyre and his brother Robert; and a big thank you to them. That was at the beginning of November. Six months later, the cabinet is still not installed! This is not the fault of the Verderers.

Also at the beginning of November, we agreed sites for 6 other cabinets: not one has yet been installed. This is not the fault of the Verderers.

I should mention at this point that BT appears to have contracted a company called Harlequin to submit planning applications for the sites of these cabinets. However, every single application submitted by Harlequin for cabinets inside the perambulation has shown the cabinet in the wrong place! It is not for me to say where the problem lies, but it is certainly not with the Verderers.

Last month, on 4th March, we were invited by BT to attend six more site visits. The first was at Bucklers Hard. The week before, on 25th February, the Forestry Commission informed BT that the Bucklers Hard site is not FC land, but actually Beaulieu Estate land. Well, we all turned up for the site meeting at the appointed time; that is BT, Verderers, Natural England, and National Park Authority ... but no representative of the land owner! BT had not bothered to arrange for the attendance of anyone from the Beaulieu Estate. So we could not make any decision. And let me tell you that BT has not invited us to a new site visit in the intervening 6 weeks. So imagine my surprise to be told at the weekend that Hampshire County Councillor Ken Thornber had announced to the Beaulieu Parish Council meeting recently that broadband in the parish had been delayed by the Verderers! This delay is certainly not caused by the Verderers.

We have had a similar report from Burley Parish Council; in fact, at their meeting, it was Glenn Peacey from Hampshire County Council, who is supposed to be project-managing this roll out, who said that the delays are all the fault of the Verderers. This is despite the fact that both Burley sites are agreed! Again, the Verderers are not to blame.

Parish councils have been asking why they have not been invited to the site visits. This again is a matter for BT which is organising the site visits, or Hampshire County Council which is supposed to be coordinating the project locally. It is certainly not the fault of the Verderers.

I would like to assure the Court that the Verderers support the roll out of rural broadband, and we would like both BT and Hampshire County Council to get on with it; their conduct of this process is entirely dysfunctional. It is a scandal of bad project management by both organisations, and I am using the Court today to set the record straight: the Verderers are not to blame.

ANIMAL ACCIDENT REPORT

2015/7864 THE ANIMAL ACCIDENT REPORT FOR MARCH 2015

RESUME

The Agisters attended 9 accidents in March. This compares with 8 in March last year.

1 pony was killed outright and another 4 were fatally injured and had to be destroyed by the Agister. 1 pony and a cow were injured.

1 of the ponies which died was wearing a reflective collar.

In the remaining 2 accidents nothing was found.

8 accidents occurred in the dark and 1 in daylight.

All 9 vehicles were cars or light commercials.

5 motorists were local. The other three drivers came from Rownhams, Christchurch and Bournemouth.

All the drivers reported the accidents.

5 of the 9 accidents occurred in the last week in March.

19 animals have been killed or injured so far this year, compared with 15 by this time last year.

THE SPEED CAMERA VAN

495 motorists were caught driving at over the speed limit on the unfenced roads in March. This is the highest number in one month since the start of the speed camera van partnership at the beginning of October last year.

PRESENTMENTS BY THE DEPUTY SURVEYOR

There were no Presentments by the Deputy Surveyor.

PRESENTMENTS

2015/7865 BLOCKAGES IN THE BEAULIEU RIVER

Presentment by Mr Brian Ingram, Commoner and former Head Agister

Mr Ingram complained that the failure to clear debris dams from the Beaulieu River in recent years has resulted in increased flooding this year of land owned by his family at Ashurst Lodge. He added that Mr Ralph Hayward (deceased) complained about the problem years ago, but nothing has been done. Mr Ingram felt the time has come to take action and asked for the Verderers' support.

2015/7866 BRAMSHAW GOLF COURSE ALTERATIONS - PLANNING APPLICATION

Presentment by Mrs Mary Gray, Commoner from Brook

Mrs Gray advised the Court that the planning application has been submitted for the alterations to the Golf Course. Mrs Gray said she hopes that the application is in line with the works agreed by the Forestry Commission, Natural England and the Verderers.

2015/7867 REFLECTIVE COLLARS FOR PONIES
Presentment by Mr Neil McGrigor of St Leonard's

Mr McGrigor called for the Verderers to make it compulsory for all ponies turned out on the Forest to be fitted with reflective collars in order to make them easier for motorists to see. He felt if all the ponies wore collars, the instances of road accidents would reduce. He added that in his opinion the money spent on the speed camera van would have been better spent on reflective collars.

2015/7868 REDUNDANT HIGHWAY AUTHORITY PARAPHENALIA
Presentment by Mr Mike Eccles, Commoner

Mr Eccles complained about the redundant road signs, barriers, sandbags and cones, that have been left in the vicinity of the railway bridge in Balmer Lawn Road. He said the area is a terrible mess. He added that there is an overhanging block of concrete that is dangerous to stock, as well as an exposed cable. Mr Eccles asked the Court to request Hampshire Highways tidies up the area as a matter of urgency.

IN COMMITTEE in the Library

MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION

Gary North joined the meeting for the following two agenda items which were considered prior to the submissions by the Forestry Commission

2015/7869 CAR FREE DITCHING & VERGE PARKING (these items have been combined) RESUME

Mr North attended the meeting to help explain the current position regarding the progress of the car free ditching programme. He explained that about 27% of the 7 - 8 year programme has been completed so far. Everyone agreed that not all the original ditches (dug in the 1960s) need to be re-dug, and the Deputy Surveyor confirmed that the programme is flexible and can therefore be changed.

Mr North said he has already reacted to input from the some Verderers and Keepers and ditching and the installation of dragon's teeth has been carried out in some of the places where verge parking is a problem. More will be done if Mr North is advised of the locations where the work is required.

Action
All

Mr Gerrelli remarked that in some places the ditching is very good, but in other places there is a much greater distance between the road edge and the ditches. The Deputy Surveyor explained that the reason is usually the location of services such as water pipes or electricity cables.

In the Wootton area, banks have been constructed each side of car park entrances and barriers to prevent the bell mouths from becoming wider than necessary. Mr Dowsett commented that the same is needed at Eyeworth where there is increasing damage from cars being parked in unprotected bell-mouths.

The Deputy Surveyor agreed with the Verderers that a solution needs to be found to the increasing problem of verge parking, and particularly within Forest villages. A lot of the older Forest properties were built when people did not own cars. The result is that instances of vehicles being parked outside properties, on the Open Forest, increases every year and

a significant amount of grazing is being lost. In addition, planning permission has been given for garages to be turned into rooms and the vehicles displaced by the loss of garages also end up outside the property, usually on grazing.

The Court felt the verge parking problem in the villages needs to be tackled as a matter of urgency and it was suggested that it should be done on a village by village basis as it is clearly impossible to tackle the whole Forest all at once. In the first instance, occupiers where there is space within a property's curtilage should be told they can no longer park on the Forest and that action will be taken against them if they continue to do so. Properties where there is genuinely no space will have to be dealt with differently. Mr North said that efforts are already being made to address the problem, and car free defences have been introduced to good effect in parts of East Boldre although the main problem, opposite the Village Hall, has yet to be resolved.

The Official Verderer said that the £35,000 per year from the HLS budget that has been allocated to car free ditching can be diverted to dealing with specific verge parking issues, whether they be within villages or on the Open Forest. Further HLS could be available if required for this restoration of the Open Forest grazing.

Action
OV

The Deputy Surveyor said he will draft a policy for dealing with verge parking to test around a particular site or village. He will agree the policy with relevant Parish Councils and the Court prior to its implementation.

Action
DS

2015/7870 VERGE PARKING AT PILLEY ALLOTMENTS

RESUME

The problem of verge parking around Pilley Allotments needs to be resolved. A local resident has put a large sign outside his property saying No Parking. This deters people wanting to access the Forest in the area and results in parking on nearby verges. The resident is not entitled to restrict parking and the Forestry Commission will take action to remove the notice.

Action
PG

Car free ditching would cause difficulties for residents trying to park in their properties because the road outside is so narrow and therefore a special solution is required. It was agreed that Mr Gerrelli and the local Agister, Robert Maton, should meet with Gary North to agree a solution.

Action
DS

The Official Verderer thanked Mr North for all his hard work in relation to the car free works.

Mr North left the meeting.

CONSIDERATION OF PRESENTMENTS

2015/7871 BEAULIEU RIVER BLOCKAGES

DISCHARGE

The Deputy Surveyor said that if private land is being flooded, a solution needs to be found. He will investigate this reported problem and respond to the Presentment by way of an announcement in May's Open Court.

Action
DS

2015/7872	BRAMSHAW GOLF CLUB PLANNING APPLICATION	DISCHARGE
	Mrs Westerhoff and Mr Readhead undertook to check the planning application to ensure it concurs with the works which have been agreed by the Forestry Commission, Natural England and the Court. They will report back if they have any concerns. The Clerk will provide the planning application reference.	Action Clerk
2015/7873	REFLECTIVE COLLARS	DISCHARGE
	The Clerk commented that she receives many comments such as this. There are a number of reasons why it is not practical, or desirable, to make the fitting of reflective collars to Forest stock compulsory. The Official Verderer will respond in the May Court.	Action Clerk
2015/7874	REDUNDANT HIGHWAY AUTHORITY PARAPHENALIA	DISCHARGE
	The Clerk said she will contact Hampshire County Council Highways and request they remove the redundant paraphernalia as a matter of urgency.	Action Clerk
2015/7875	HIGHWAY FENCING DEFECTS	RESUME
	Mr Deakin commented that he is very worried about the time it is taking for Hampshire Highways to deal with several serious fencing defects on the A337 and the A35. The Clerk said she has already spoken to the local Highway Manager about this and he has promised prompt action.	Action Clerk

SUBMISSIONS BY THE FORESTRY COMMISSION

2015/7876	ELECTRICITY CABLE ON SETTHORNS CAMPSITE & RUBBISH ON THE OPEN FOREST	DISCHARGE
	Retrospective consent was given for the replacement electricity cable which has been installed on the campsite. An apology for the lack of prior consultation has been received from Camping in the Forest's staff who said they did not realise they had to seek consent for the work.	
	Apart from some settling on the gravel road where the cable has been laid, which does need urgent attention, the installation is acceptable.	Action PG
	Whilst visiting the campsite, however, the Official Verderer found a considerable amount of rubbish including timber with nails in it, two broken bicycles and two broken picnic tables, all on the Open Forest part of the campsite. This has been reported to the campsite warden who has undertaken to ensure the rubbish is removed promptly.	
2015/7877	SSE PROPOSED U/G ELECTRICITY CABLE – OGDENS FARM, FORDINGBRIDGE (revised proposal)	DISCHARGE
	This installation was approved in July last year and there was some confusion as to why it has been brought back to the Court. The Forestry Commission's consultant Land Agent, Mr Alex Ortewell, will be asked to check that there are no changes to what was originally approved. If that is the case, the proposal is approved.	Action PG

MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION

2015/7878 PIPERS, BISTERNE CLOSE

DISCHARGE

The installation of dragon's teeth, requested by the Court, has not taken place and in fact, the track has been resurfaced across the whole frontage of the property up to and past the entrance to the garage, and it has been considerably widened. The Court was very disappointed with this result: it had been led to believe that the garage is only used very infrequently for storage of garden machinery and household items etc. That has proved to be incorrect, and in fact the present occupiers keep an old car in the garage that is used from time to time. Mr Grugeon explained that the current licence entitles the occupier to maintain the track and therefore nothing could be done to stop the new hoggin being laid.

The occupiers of the property have confirmed that they are no longer parking their vehicles outside, but are using their new entrance as agreed. All their vehicles are now parked within the curtilage of the property.

The licence will be re-issued with careful wording stipulating that the access to the garage is for infrequent use only and that the Forest outside the property must be kept in good condition. The licence will include a clause about monitoring by the Forestry Commission. It is hoped that in time the gravelled area from the pedestrian gate to the garage will grass over.

The Court strongly disagrees with the Forestry Commission's treatment of this application for consent.

2015/7879 ORDNANCE AT MATLEY

RESUME

The Forestry Commission is meeting the MOD on Friday to plan the survey programme and to understand and agree how the clearance will be carried out. The clearance may take several months to complete. The Deputy Surveyor will advise the Clerk of the outcome of the meeting.

Action
DS

2015/7880 BEAULIEU ROAD STATION LAND

DISCHARGE

Mr Grugeon advised the Court that the Forestry Commission has been trying since 2003 to get this land back without success. Network Rail is no longer allowed to dispose of assets. In the past railway companies sold off land only to find out later that it was needed, and they have been forced to spend a fortune to replace what they sold. For that reason railway companies no longer give up land unless they have to. To recover the land at Beaulieu Road, it would be necessary to prove a breach of covenant, involving taking the matter to court. That would be extremely difficult and potentially very expensive.

Mr Grugeon is confident that once the builders, who have been occupying part of the land at Beaulieu Road, have finished working on the Hotel, proper reinstatement will take place. Dragon's teeth will then be installed to ensure that future access is limited.

Action
PG

2015/7881 AMPHIBIAN AND REPTILE SURVEY RESUME

Unfortunately the information provided is still considered to be insufficient for the Court to make a decision. The reason why the survey is necessary has still not been made entirely clear and also there are no details on exactly where the refugia are to be placed, how many there will be and for how long they will be left in situ. All these things need clarification. There is also concern that Onduline may not be a suitable material on the Forest. The Court does not want tin sheets that have been used in the past and are potentially very dangerous to stock and other users of the Forest.

Action
DS

2015/7882 PROPOSAL TO CLOSE HOLMSLEY PASSAGE RESUME

The Clerk reported that the local Highways Manager has asked her to write formally requesting Hampshire County Council explore the Court's suggestion that that Holmsley Passage should be closed to through traffic. The Deputy Surveyor asked to be provided with a copy of the letter.

Action
Clerk

2015/7883 LITTER RESUME

The meeting between the Deputy Surveyor and Mr Dowsett to discuss the problem of litter on the Forest will take place shortly. The Deputy Surveyor advised the Court that there is new legislation covering working in close proximity to highways and this may have serious implications for the Forest.

Action
DS/BD

2015/7884 BARRIER AT BRAMSHAW RESUME

A meeting is to be arranged with Mr Grugeon, Mr Graham Wilson (FC Estates Keeper), Mr Readhead and Agister Napthine to discuss where the barrier should be installed as it is important that access to the pound is maintained.

Action
PG/DR

SSSI RESTORATION WORKS

2015/7885 REPAIR AND MAINTENANCE LIST RESUME

A list was not available for this meeting but the Court was advised that it has not changed.

2015/7886 PONDHEAD RESUME

The Deputy Surveyor and the Clerk will discuss the revised proposal to ensure it now accurately reflects what has been agreed. The Forestry Commission will provide a final document for the Verderers' records.

Action
DS/Clerk

ENCROACHMENTS

2015/7887 ENCROACHMENT LIST RESUME

The schedule of current encroachment cases has not changed.

- 2015/7888 ENCROACHMENT AT 98 WOODLANDS ROAD, ASHURST – DISCHARGE
UNAUTHORISED DITCHING
- The dispute with the resident continues, but the Court felt that this is now a matter between Hampshire County Council and the resident. It is expected that the bank that has been created as a result of a ditch being dug out, will very soon re-vegetate.
- 2015/7889 FIELD ACCESS OPPOSITE BROOMHILL FARM, EAST BOLDRE DISCHARGE
- Mr Grugeon said he has been told that there always was a track between the road and the field gate and that it has simply been resurfaced, but no proof has been offered to the Court, nor was there a previous licence. The Court is not satisfied. However, a licence has now been issued by the Forestry Commission which will make it easier for the track to be maintained correctly in future. The Court felt strongly it should be allowed to grass over. The Court also strongly disagrees with the Forestry Commission's treatment of this encroachment.
- 2015/7890 SEATS ON THE OPEN FOREST DISCHARGE
- It was reported that a seat has appeared on Hightown Hill which does not have permission. Mr Grugeon said he will arrange for it to be removed. Action
PG
- It is believed that a memorial seat at Berry Wood, which the Court requested be removed some time ago, may still be in situ. It should also be removed. Action
PG
- Another illegal seat that appeared at Ocknell has been removed.
- 2015/7891 TRANQUILITY MAPPING DISCHARGE
- The final version of the tranquillity map has been produced and has been circulated. The map should help inform the Forestry Commission when it issues licences for recreational events in order to avoid undue disturbance in quiet areas.
- Mr Mills commented that as the main highways in the Forest are shown as areas which are the least tranquil, consideration should be given to quieter road surfaces. Mr Dowsett added that part of the running phase of several scheduled triathlon events will pass through one of the identified most tranquil areas and suggested that, if possible, they should be re-routed in future. Action
Clerk
- 2015/7892 TRAFFIC MANAGEMENT PROPOSALS - TILE BARN LANE, BROCKENHURST RESUME
- Hampshire County Council Highways has advised that following the making of a permanent Prohibition of Driving Traffic Order in Tile Barn Lane (Made 14th February, 2015), the existing temporary build out in the road will now be made permanent. The majority of the existing temporary kerbs will be removed except for the kerb facing traffic on Latchmoor Road which will be replaced with a permanent kerb line. The build out will then be backfilled with locally sourced topsoil to encourage fast re-vegetation. The Court asked that the tarmac is removed inside the kerbs where backfilling with soil is proposed, to give the re-vegetation a better chance of success.

Once the soil and verge have become established, the remaining temporary kerbs will be removed. This work is expected to be completed over the next couple of months. Action DS

The Official Verderer pointed out that the verge opposite the build out has suffered from over-running as the Court expected. The Forestry Commission was asked to contact Mr Brandon Breen at HCC to explore the possibility of putting in dragons teeth to prevent further over-running and to also consider how best to prevent further erosion of the point of the junction. The Clerk will go back to Mr Breen to ask for clarification of which signs it is proposed will become permanent. Action Clerk

2015/7893 ASHURST TO LYNDHURST CYCLEWAY RESURFACING DISCHARGE

The National Park Authority will look for money so that lighter coloured tarmac can be used.

Otherwise, the proposals are considered to be acceptable.

2015/7894 EAST BOLDRE ROAD SIGNAGE RESUME

The proposed signs with pictures showing the facilities available in the village are felt to be unnecessarily urbanising and detrimental to the traditional character of the Forest. The Clerk will respond asking that plain signs be used instead. The idea of using back to back signs to reduce the number of posts is welcome. Action Clerk

2015/7895 REPAIR TO MINSTEAD BRIDLEWAY NO. 10 – LOWER CANTERTON RESUME

It was agreed that the best way of progressing the request by Hampshire County Council Countryside Service for approval to repair this bridleway, is for a site meeting to be arranged. The Official Verderer and Mr Stride said they will attend on behalf of the Court. The Clerk will obtain some possible dates. Action Clerk

At least some of the bridleway is on Crown Land and the Deputy Surveyor said he would make enquiries to find out who in the Forestry Commission the County has been speaking to. Action DS

2015/7896 VERDERERS' ELECTION 2015 DISCHARGE

The Clerk handed out the timetable for this year's Election which will be on Friday 27th November.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2015/7897 GAS REGULATOR BUILDING AT KNAVE'S ASH DISCHARGE

Miss Macnair commented that the gas kiosk at Knaves Ash is, in her opinion, a horrible shade of green. Recent vegetation clearance has made it much more visible. The Forestry Commission will investigate the possibility of the colour being changed. Action PG

2015/7898 SSSI RESTORATION WORKS DISCHARGE

The Deputy Surveyor was asked who signs off restoration projects as complete. In response, the Deputy Surveyor said it is the Contracts Manager in charge of the particular job who should ensure full conditions are delivered.

This raised a further question about who ensures that conditions set by the commoners are fully implemented. The Deputy Surveyor agreed that once works are complete, a representative of the Court or the CDA should be invited to attend when the Contracts Manager makes the final inspection.

Action
DS

2015/7899 CRANESMOOR CUT PINE DISCHARGE

The pine that was cut from Cranesmoor has been stacked in the former Castle Hill Car Park as in previous years. However, this year it is still there. The stack is quite hazardous and with the summer season approaching when more visitors will visit the area it was felt it should be removed. Additionally, the space will be required for the next lot of timber.

The Deputy Surveyor undertook to seek its removal as soon as possible.

2015/7900 ROSARY GARAGE, BRAMSHAW DISCHARGE

The new owner has requested a land exchange which will be beneficial to his future development plans. He owns a few acres nearby which he is offering in exchange for the narrow strip of land beside the garage. At the moment the value of the strip is being assessed in order that an appropriate value for value swap can be achieved. Mr Grugeon is dealing with it and will come back to the Court when he has further details. The Clerk explained that exchange land must be thrown open; alternatively equivalent area to the exchange land must be thrown open elsewhere.

2015/7901 WATER TOWER AT ROUNDHILL RESUME

It is understood the water company wishes to retain the fence round the water tower. The Court is not happy with that proposal as it has already stipulated that the fence should be removed as a condition of the consent for recent works. Mr Grugeon will arrange for a copy of the water company's letter, which sets out why the request to retain the fence has been made, to be forwarded to the Clerk.

The Deputy Surveyor and Mr Grugeon left the meeting

ENCROACHMENTS NOT INVOLVING THE FORESTRY COMMISSION

2015/7902 ENCROACHMENT AT HUCKLESBROOK FARM RESUME

Mrs Westerhoff reported that Natural England is still dealing with this.

October
Action DW

2015/7903 ACORNS, SEAMANS LANE, MINSTEAD DISCHARGE

The Commoners' Defence Association is dealing with an encroachment at this location where a barrier has been erected across a track that has always been open to stock and the CDA has asked for the Verderers' support in abating this encroachment. The Court confirmed it will give its support. The Official Verderer said he has spoken to two of the residents

involved and he believes a satisfactory resolution will be possible, without the need for legal proceedings. However, the Clerk was asked to check whether the Atlas of Forest Rights shows anything that may be useful in this connection. It was also confirmed that there are commoners who will state that their animals have had free and unimpeded access to the track for more than 25 years. Mr Deakin said he will contact Dr Ferris, the Chairman of the CDA, to agree a way forward.

OTHER MATTERS ARISING

2015/7904 STOCK NUMBERS RESUME

As marking fees are continuing to come in, it was agreed to discuss this in May.

2015/7905 NEW BASIC PAYMENTS SCHEME DISCHARGE

The Official Verderer's announcement gave the up-to-date position. A copy of the Minister's letter had been circulated to all members of the Court.

2015/7906 AGISTERS' VEHICLES RESUME

Mr Readhead is investigating the cost of retaining the current vehicles for a few more years. He is also considering the benefits or otherwise of renewing the fleet. The Land Rover Defender, which the Agisters currently use, is going out of production, but if a new fleet is required, they must be ordered promptly. If it is decided to replace the vehicles, consideration will be given as to whether it would be better to buy them or have them on a contract hire basis.

Action
DR

2015/7907 NORLEY WOOD CROSS ROADS EXPERIMENTAL ROAD LAYOUT DISCHARGE

According to the latest accident data, there has been a reduction in personal injury accidents at the junction since the experimental road layout was implemented.

There is no impact on grazing and therefore, subject to reduced signage, and no additional signage, the Court confirmed it is happy for the temporary road layout to be made permanent. The Clerk will advise Hampshire County Council accordingly.

Action
Clerk

OTHER AGENDA ITEMS

2015/7908 HERITAGE LOTTERY FUND LANDSCAPE PARTNERSHIP "OUR PAST, OUR FUTURE" DISCHARGE

The Court regrettably felt it cannot provide financial support to this project.

2015/7909 NEW FOREST SHOW RESUME
July

The Clerk's request for a budget for £5,000 for the Verderers' stand at this year's New Forest Show was approved. The Clerk ran through the suggestions so far for this year's display and everyone was in agreement.

2015/7910 POTENTIAL PLANNING APPLICATION ON LAND AT MARCHWOOD DISCHARGE

The Barker Mills Estate is considering applying for planning approval for an anaerobic digester on land at Marchwood. The land benefits from Forest Rights. The CDA is already considering the proposed application and it was therefore decided that the Court does not need to become involved.

2015/7911 PONY ALLEGEDLY MOVED FROM ITS USUAL HAUNT DISCHARGE

The Clerk circulated a letter from a commoner who believes his pony has been moved from its usual haunt to another part of the Forest by another commoner. The pony was eventually found in a very poor condition and was thought to have strangles. The vets have, however, confirmed it has not, and they don't know what is actually wrong with it. The animal is very sick and there is some doubt as to whether it will recover.

The Court was sympathetic, and once more condemned the illegal movement of other people's animals, but reiterated that action cannot be taken without evidence. The Clerk will inform the commoner of the Court's discussion.

Action
Clerk

HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2015/7912 AGM RESUME

The AGM will be held on Tuesday 21st April 2015 – 17:30 hrs to 19:30 hrs in the Verderers' Hall.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2015/7913 NEW FOREST NATIONAL PARK AUTHORITY RECREATION MANAGEMENT STRATEGY DISCHARGE

The Official Verderer reported that the strategy has been re-written, much to his annoyance.

2015/7914 ACCESS FORUM DISCHARGE

Mr Mills advised the Court that he has applied to be re-appointed to the Access Forum for a further 3 years. There is a formal process which has to be followed.

FINANCIAL MATTERS

2015/7915 FINANCIAL STATEMENT FOR MARCH 2015 RESUME

The financial statement was noted.

HEALTH & SAFETY & TRAINING

2015/7916 CHAINSAW TRAINING DISCHARGE

The Agisters have been booked on chainsaw training courses.

MINUTES of the Court of Verderers held on Wednesday 15th April 2015 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2015/7917 FIRST AID TRAINING

DISCHARGE

Three members of the Agister team and two of the office staff have completed first aid training. The remaining two Agisters and the Clerk are due to attend a training course later in the year.

ANY OTHER BUSINESS

2015/7918 A35 AND A337 ROAD FENCING

DISCHARGE

Mr Deakin repeated his concerns about the condition of some of the fences on the A35 and A337. If things do not improve soon, the CDA may make a Presentment in order to bring the problem to the attention of the public.

2015/7919 STALLION INSPECTIONS

DISCHARGE

Miss Macnair remarked that there are 35 colts forward for inspection for possible inclusion in the Stallion Scheme. In addition the New Forest Pony Breeding and Cattle Society will be looking at 14 yearlings which are in its Futurity Scheme.

There was no further business and the meeting closed at 13:41 hrs.

Domini May
Official Verderer