

MINUTES of the Court of Verderers held on Wednesday 20th December 2006 at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.

PRESENT: Mr O Crosthwaite Eyre Official Verderer
Mr J Adams Elected Verderer & Chairman of the Staff Committee
Mr P Frost Countryside Agency Appointed Verderer
Mr A Gerrelli Elected Verderer
Cllr Mrs K Heron National Park Authority Appointed Verderer
Mr J F Kitcher Elected Verderer
Miss D Macnair Elected Verderer
The Hon R Montagu Forestry Commission Appointed Verderer
Mr A H Pasmore Elected Verderer
Mrs P Thorne DEFRA Appointed Verderer

IN ATTENDANCE: Miss S Westwood Clerk to the Verderers
Mr J R Gerrelli Head Agister (first five items only)

APOLOGIES: None

IN COMMITTEE

The Head Agister was present for the first two items.

2006/2677 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 15th November 2006 were approved.

2006/2678 CONDITION OF STOCK RESUME

The Head Agister said he continues to be pleased with the condition of stock. Overall, ponies improved though the Autumn and they are going into the winter looking well. Cattle are also pretty good. Much now will depend on the weather.

Any animals which are losing condition are removed from the Forest.

43 animals have died from suspected acorn poisoning. Miss Macnair suggested it would be interesting to know if the ponies which died from acorn poisoning were thought to be New Forest or cross-bred animals as it was reported recently in Horse and Hound that the Forest ponies have developed some immunity. It is also thought Shetland ponies may be more susceptible to the toxins found in acorns.

It was further suggested that the analysis of animal deaths could be extended to include pony types/breeds where possible.

The Head Agister confirmed that he passed on the positive comments from the Welfare representatives attending the Tour of the Forest on the 15th December to the Agisters.

After the Head Agister had left the meeting, the Chairman of the Staff Committee said he had very little to add to the comments already made except that one or two animals are losing weight as is normal for the time of year and agreed that a lot will depend on the weather.

2006/2679 STRANGLES RESUME

There are still one or two ponies in the Fritham/Stoney Cross area showing symptoms of strangles. However, there have been no new cases in the last couple of weeks. There is a donkey on Cadnam Green with suspected strangles.

2006/2680 FENCING – ELMERS COURT RESUME

It was agreed that the National Park Authority should be asked to write to Elmers Court regarding its substandard fence along its foreshore boundary. Once on Elmers Court land, stock can access the public highway outside the cattle grids.

2006/2681 FENCING – A31, A35, A337, A326 RESUME

The Head Agister reported he is due to meet Mr Bill Moore of Hampshire Highways (West), tomorrow on site at Holmsley regarding the installation of two new box gates.

The Official Verderer said he has arranged to meet Mr Mel Kendall, Executive Member for the Environment at Hampshire County, and will raise the continuing problems with fencing on the main roads.

Cllr Mrs Heron reported that Mr Tim Lawton of Hampshire Highways has a meeting on January 5th with the person responsible for fencing the trunk roads (A31).

The Head Agister remarked that following the recent tragic death of a motorist who was in collision with a deer, perhaps the authorities will take fencing of the main Forest roads more seriously.

The Head Agister left the meeting.

2006/2682 DECLARATIONS OF INTEREST RESUME

The Elected Verderers and Mrs Thorne declared an interest in the Countryside Stewardship Scheme.

Mr Gerrelli declared an interest in any items concerning Campsites.

The Official Verderer declared an interest in matters concerning Forest golf courses.

Mr Anthony Pasmore declared an interest in the submission by the Forestry Commission re request for consent for earthworks at Fair Cross, Lyndhurst.

2006/2683 FINANCIAL STATEMENT RESUME

The Financial Statement for November will be circulated to all Verderers.

2006/2684 REPORT ON MARKING FEES RECEIVED RESUME

The following Marking Fees have been received:

Ponies	4189	Pigs	617
Cattle	2572	Sheep	41
Donkeys	110		

Total – 7529 Total Ponies, Cattle & Donkeys – 6871

2006/2685 ANIMALS REMOVED FROM THE FOREST RESUME

TYPE	POOR	SICK/INJURED	WANTED BY OWNER	OTHER
Mares with foals	4 (+ 4 foals)	2 (+ 2 foals)	18 (+ 18 foals)	
Other Ponies		3	2	1
Cattle		1		1
Donkeys	1			
Pigs		1		1
Sheep				
Total	5	7	20	3

2006/2686 BYELAW ENFORCEMENT RESUME

The Official Verderer reported that a preliminary hearing in respect of Mr Cooper and Mr Horsburgh was held at the Southampton Magistrate's Court on 29th November. The hearing was adjourned until Friday 5th January when pleas must be entered.

Sheep – Only one sheep has been paid for by the commoner who disputed whether she had to pay for sheep. It is known that the commoner had more depastured but as formal evidence is not available, the situation will have to be accepted. Now that commoners know that they *must* pay for their sheep, problems should not arise in future because all legally depastured animals will be ear-tagged. The Official Verderer has instructed the Agisters that any unmarked sheep must be rounded up and if they are not claimed they will be sold. The Court ratified that instruction.

SUBMISSIONS BY THE FORESTRY COMMISSION

2006/2687 ARCHAEOLOGICAL DIG AT FAIR CROSS DISCHARGE

The application by Mr Pasmore (who declared an interest in this matter), on behalf of the New Forest Section of the Hampshire Field Club to excavate at Fair Cross, Lyndhurst was approved, subject to the usual conditions regarding reinstatement, safe working conditions, compensation for loss of grazing etc.

2006/2688 BOURNEMOUTH & WEST HAMPSHIRE WATER – SAMPLING POINT UPGRADE DISCHARGE

The Court declined to consider the request for improvements to the sampling point at Sway and Nomansland until the land exchange in respect of various previous projects has been completed.

2006/2694 WELFARE TOUR DISCHARGE

The Official Verderer reported that the representatives of the welfare organisations attending the Tour expressed clear satisfaction with the condition of stock on the Forest. A copy of the press release will be copied to all Verderers.

2006/2695 SPEED LIMITS IN THE FOREST RESUME

Hampshire County Council has agreed to conduct a review of speed limits in the Forest with a view of possibly recommending a reduction of the overall limit to 30 mph.

It was suggested that when the Official Verderer meets Mr Mel Kendall, he raises the Court's concerns at the possible introduction of toll charges for main roads because of the likelihood that motorists will be encouraged to use the unfenced minor roads.

2006/2696 WILVERLEY INCIDENT RESUME

The Official Verderer reported that this matter is progressing and it is likely that a Court hearing will be the result. The Verderers' defence has been drafted by Counsel and is being submitted tomorrow.

The solicitors representing the Court and its insurers believe the case should be fought as hard as possible, as do the legal team representing the first defendant.

Mr Pasmore asked to see a copy of the Defence.

The Official Verderer will keep the Court fully informed.

COUNTRYSIDE STEWARDSHIP SCHEME

2006/2697 PAYMENTS RESUME

The payment from DEFRA will not now be sent until early next year. This is very disappointing.

2006/2698 PIGS RESUME

Because of the extension to the pannage season, some pigs have been claimed for under the Stewardship Scheme and then depastured and claimed for again by another commoner. It is a matter that must be considered by the sub-committee and the Official Verderer will discuss it with the Scheme Manager.

NATIONAL PARK

2006/2699 COMMONING REVIEW DISCHARGE

The review is underway.

2006/2700 KEY PARTNERS STEERING GROUP DISCHARGE

This group was set up under the instruction of the Minister to draw up the NPA's Management Plan. Notes of the meetings are available and Mr Pasmore asked for a copy.

2006/2701 CORPORATE PLAN DISCHARGE

At a recent meeting with the Official Verderer, Mrs Lindsay Cornish, Chief Executive of the NPA responded to the concerns expressed by the Court in respect of recreation. Mrs Cornish said it is impossible for the NPA *not* to make any decisions on recreation until after a major review of recreation has been undertaken and it is expected this will take up to 2 years to complete. Mr Pasmore repeated his concerns that the Verderers are being ignored as the plan includes a whole list of actions with completion dates.

It was agreed the Official Verderer should write to the Chairman of the NPA, Mr Clive Chatters, setting out the Verderers' concerns as respects the Corporate Plan.

2006/2702 RECREATION WORKSHOP DISCHARGE

Mr Frost reported that a further workshop is to be held where recreation issues are to be discussed. It was suggested Mr Pasmore should attend.

2006/2703 CONSULTATION ON THE SPECIAL QUALITIES OF THE FOREST RESUME

The consultation has been directed at Consultative Panel members. Mr Frost and Mr Kitcher are both on the Panel. It was agreed that this may be another way for the Court to reiterate its concerns about recreation as the consultation talks about peace and quiet and the free-ranging stock. The Official Verderer suggested Mr Frost and Mr Kitcher should formulate a response to the consultation on behalf of the Court. Mr Kitcher has a copy of the full report.

2006/2704 PROPERTY ACCESSES DISCHARGE

Mr Frost reported that the National Park Authority has recently approved a new access for a property and has stipulated that the old one must be fully reinstated. He then referred to a long brick wall at Woods Corner and suggested the Court might support the principle of getting the property owner to plant a screen of trees etc., to break up what is otherwise a huge expanse of bricks. The land outside the wall, however, belongs to the Crown which would have to agree.

Concern was also expressed that the Forestry Commission is seeking to charge £4,000 for an access to a new commoners' dwelling. This was considered to be rather excessive.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2006/2705 EYEWORTH WOOD RESUME

A recent meeting regarding deadwood in Eyeworth Wood has revealed that more work needs to be done. Concern remains that the amount of deadwood on the ground seriously hampers the Agisters and commoners when trying to catch ponies.

It is thought the Forestry Commission is sympathetic to moving more of the wood but there is a shortage of funds. Natural England will not agree to fallen wood being sold off the Open Forest. The matter will be mentioned to the Forestry Commission in the January Court committee.

2006/2706 BOUNDARY MARKER WORKING GROUP DISCHARGE

A brief is being worked up with a view to employing a consultant to design a style of sign for the New Forest National Park.

2006/2707 LOCAL ACTION GROUP DISCHARGE

Mrs Thorne reported that there are funds available for certain types of training. The grant application for pound building was approved. The Court has been requested to write thanking the New Forest Pony Publicity Group for its work in promoting the ponies.

2006/2708 HERITAGE LOTTERY FUND APPLICATION DISCHARGE

It is too soon to see what benefits might result if the application is successful.

STAFF MATTERS (including the Staff Committee)

2006/2709 PIGS DISCHARGE

Following a problem with sows farrowing on the Forest resulting in some dead piglets, it was suggested that the byelaws be revised. This will be considered by the sub-committee.

TRAINING

There was nothing to report.

HEALTH AND SAFETY AT WORK

2006/2710 LIABILITY INSURANCE DISCHARGE

The Risk Control Surveyor from the Court's insurers, AXA, recently visited the Clerk. He expressed broad satisfaction with the Court's Health and Safety procedures but has highlighted some areas where administrative procedures need to be improved. He will be submitting a report in the new year.

ANY OTHER BUSINESS

2006/2711 HAMPSHIRE COUNTY COUNCIL TRANSPORT SEMINAR – RESUME
JANUARY 2007 February

Cllr Mrs Heron, Mr Montagu and Mr Pasmore will attend the seminar to be held on Friday, 19th January 2007 at the National Motor Museum, Beaulieu.

2006/2712 VISIT BY THE HIGH SHERIFF OF HAMPSHIRE DISCHARGE

The Official Verderer reported that the High Sheriff would like to visit the Court in January. It was agreed she will be invited to sit on the bench next to the Official Verderer.

2006/2713 NEW FOREST BRAND BOOK & GUIDE TO THE FOREST ATLAS DISCHARGE

The Court agreed to contribute £300.00 to the revision and re-issue of the above book. The Official Verderer also asked for some free copies of the book to be provided for members of the Court and the office. Mr Pasmore thanked the Court for the contribution and agreed to the provision of free copies of the book.

2006/2714 FREEDOM OF INFORMATION ACT DISCHARGE

The Official Verderer reported that a requests has been received for information under the FOI Act. The request is being competently dealt with by Mr Colin Draper but it is subject to an appeal to the Information Commissioner.

2006/2715 THROWN OPEN INCLOSURES DISCHARGE

It was reported that the gates to Dame Slough are open and padlocked and there are no problems. However, at Highland Water, three gates are frequently closed, presumably by members of the public who don't realise they should in fact be left open. Stock has become trapped behind the closed gates and the Forestry Commission will be requested to padlock the gates open.

2006/2716 MILKHAM FORDS RESUME
February

Mrs Thorne reported that the three crossings at Milkham, redesigned as part of conservation work, are not suitable for horses. She has spoken to Simon Weymouth (FC) who agrees that improvements need to be made. He hopes these can be done in January but said he needs to look at the budget. Mrs Thorne is concerned about the delay especially as the Verderers have always insisted that conservation works should have a reserve budget specifically for remedial work of this nature.

2006/2717 RUBBISH BEHIND THE FILLING STATION AT PICKET POST RESUME

A quantity of rubbish remains on the Burley side of a new track which has been laid to a house. The construction of the track also gives cause for concern. The matter will be referred to the Forestry Commission.

2006/2718 KINGSTON GREAT COMMON RESUME

No further progress appears to have been made as respects the fencing on the Common. New fences have been erected which traverse the common, restricting the movement of stock. The Official Verderer said he will include this in the letter he will be writing to Mr Clive Chatters, Chairman of the NPA.

2006/2719 HOLLANDS WOOD AND ROUNDHILL CAMPSITES RESUME

The Official Verderer said that to the best of his knowledge there has been no further progress. The National Park Authority is carrying out an Appropriate Assessment. Mr Frost said he would find out the current position. The New Forest Commoners' Defence Association would like to comment.

2006/2720 RUBBISH ON THE FOREST DISCHARGE

Mr Pasmore said that he had reported the presence of two large piles of tarpaulins and a sheet of polythene dumped at Pigsty Bushes near Ashley Hole. He had given the Forestry Commission the national Grid Reference, but the refuse collector was evidently unfamiliar with the use of this reference system and, despite a phone call from him asking for directions to the refuse, the material remains uncollected. Mr Pasmore felt that the collection arrangements needed to be overhauled. The Clerk said she felt the collection service in respect of fly-tipping is quite good and there may be a good reason why this plastic has not been removed. The matter will be taken up with Mr Parke.

2006/2721 SALLY CARDWELL DISCHARGE

The Official Verderer reported that unfortunately, Sally Cardwell, Assistant to the Clerk, has been off work with sciatica for the past three weeks. The Verderers offered their sympathy and wished her a speedy recovery.

There being no further business, the meeting closed at 12.12 p.m.