

MINUTES of the Court of Verderers held on Wednesday 16th December 2009 at 9.30 a.m. in the Verderers' Hall & Library, The Queen's House, Lyndhurst.

PRESENT: Mr O Crosthwaite Eyre Official Verderer
Mr R Deakin Elected Verderer
Mr P Frost Natural England Appointed Verderer
Mr A Gerrelli Elected Verderer & Chairman of the Staff Committee
Mr J F Kitcher Elected Verderer
Miss D Macnair Elected Verderer
Mr C Maton National Park Appointed Verderer
The Hon Mr 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

APOLOGIES: None

IN COMMITTEE in the Library

The Official Verderer congratulated Mr Pasmore and Mr Gerrelli on their re-election and he welcomed Mr Richard Deakin to the Court.

2009/4669 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 18th November 2009 were approved.

2009/4670 CONDITION OF STOCK & THE WELFARE TOUR RESUME

The Head Agister reported that the recent cold, wet weather is already having an effect on stock. A couple of ponies have been removed because they have lost condition. However, the Agisters are on top of the situation and overall the condition of stock is relatively pleasing. This was born out on the recent Welfare Tour.

The representatives of the welfare organisations who attended the Tour were once again very supportive of the stallion scheme and feel it is an important part of the system of management for the Forest ponies.

Most cattle have now returned to their holdings or their feeding areas for the winter. Commoners are receiving letters advising them of their agreed feeding areas. The Agisters and CSS Manager will monitor winter feeding to ensure that the rules are adhered to.

Miss Macnair remarked that 700 registered foals have been issued with passports plus a further 1200 part-breds.

Mr Kitcher agreed with the Head Agister that the condition of the ponies has begun to deteriorate. The Head Agister commented that as usual more foals have been left on the mares in the north of the Forest than in the south.

The Head Agister left the meeting.

Mr Kitcher commented that the Agisters have kept on top of things over the past few years and he is sure that will continue. The commoners are generally more co-operative than they have been in years gone by and they help when asked and take ponies home more willingly. Many commoners have realised that if they take animals in before they lose too much condition they improve quicker and can therefore go back out sooner. Unfortunately the Agisters still don't get as much help in the north as in the south.

2009/4671 WELFARE TOUR PRESS RELEASE DISCHARGE

A press release was issued shortly after the Welfare Tour stating that the Tour was a success and that all the welfare representatives attending expressed their contentment with conditions on the Forest. They understand that the situation is largely because of the system on the Forest and they were full of praise for the Agisters and the commoners. They were all interested in the future of the stallion scheme.

2009/4672 STALLION SCHEME RESUME

A meeting will be arranged in early January.

Stallion inspections will take place on Saturday, 11th April 2010.

2009/4673 DECLARATIONS OF INTEREST RESUME

The Elected Verderers, Mrs Thorne and Mr Maton all declared an interest in the Countryside Stewardship Scheme.

Mr Gerrelli declared an interest in campsites. The Official Verderer declared an interest in matters concerning golf clubs and Mr Maton declared an interest in National Park planning matters.

Mr Pasmore declared an interest in the request for permission for the New Forest History & Archaeology Group's annual excavations. He added that he has no financial interest in the project.

2009/4674 FINANCIAL STATEMENT RESUME

The Financial Statement for November 2009 was approved.

2009/4675 REPORT ON MARKING FEES RECEIVED AS AT END OF NOVEMBER 2009 RESUME

Ponies	4832	Pigs	313
Cattle	2537	Sheep	91
Donkeys	128		
SUB TOTAL	7497	TOTAL ALL ANIMALS	7901

2009/4676 ANIMALS REMOVED IN NOVEMBER DUE TO POOR CONDITION RESUME

3 mares with foals were removed in November.

- 2009/4677 ANIMAL ACCIDENT REPORT FOR NOVEMBER 2009 RESUME
- The Agisters attended 25 accidents, compared with 24 for the same period last year.
- 10 ponies were killed, and 6 ponies and 1 donkey were injured.
- 18 accidents occurred during the hours of darkness.
- 23 involved private cars or light commercials and 2 accidents were not reported.
- 19 involved local motorists.
- The total killed and injured for the year to date is 104 compared with 83 for the same period last year.
- 2009/4678 30 MPH SPEED LIMIT RESUME
- The Official Verderer will write to Cllr Ken Thornber to see if any progress has been made with regard to a possible 30 mph speed limit.
- 2009/4679 BYELAW ENFORCEMENT RESUME
- No new byelaw offences have been reported by the Agisters.
- 2009/4680 REVISION OF THE VERDERERS' BYELAWS RESUME
- The Minister's confirmation of the byelaws is awaited.
- NEW SUBMISSIONS BY THE FORESTRY COMMISSION**
- 2009/4681 NEW FOREST HISTORY& ARCHAEOLOGY GROUP - ANNUAL DISCHARGE
NEW FOREST EXCAVATION
- The request for permission to excavate a site on Bratley Plain during 2010 was approved subject to the usual conditions regarding reinstatement, safe working conditions, compensation for loss of grazing etc.
- 2009/4682 ELECTRICITY SUPPLY TO BURLEY CROFT, BURLEY DISCHARGE
- The proposal by Scottish and Southern Electricity to supply a new underground service to this property was approved subject to the usual conditions.
- 2009/4683 BRITISH TELECOMMUNICATIONS PLC PROPOSED DISCHARGE
UNDERGROUND CABLE – PIGSTY HILL
- The Court consented to the works proposed by BT on the understanding that the junction box is situated below ground. This approval is also subject to the usual conditions.

2009/4684 SCOTIAGAS NETWORKS PROPOSED REINFORCEMENT GAS SUPPLY PIPELINE – LYNDHURST RESUME

Serious concerns were raised regarding the method of laying the replacement gas supply pipe. In particular the proposed use of the material GWB Wyoming Bentonite is of great concern as it is suspected that this material may be extremely hazardous to livestock if any residue is left on the ground. The Court was also concerned that serious damage may be caused to the grazing in the vicinity of the pipeline by vehicles. In view of these significant concerns, consent was withheld pending further information on Bentonite in particular, as well as an assurance that minimal damage will be caused to the grazing. The Forestry Commission will be asked to obtain further information.

MATTERS ARISING OF CONCERN TO THE FORESTRY COMMISSION

2009/4685 LITTER IN THE VICINITY OF THE ENTRANCE TO POUND BOTTOM LANDFILL SITE DISCHARGE

The Clerk reported that the site manager has agreed that the litter collector should look further into the Forest for rubbish, rather than just on the immediate roadside verge. However, the manager has suggested that it is not only vehicles using the site which are responsible for the litter. It was pointed out, however, that glass fibre which has been seen on the verges is unlikely to have been discarded by the public. The Clerk suggested the Forestry Commission's litter collector should be asked to clear the verges. In addition, it was reported that the A337 north of Lyndhurst is particularly bad although the southern end of the road has recently been litter-picked. The Clerk will raise the matter with the Highway Authority.

2009/4686 DRIVE SAFE DAY RESUME

The Clerk apologised that she has not had time to take up the issue of some driving instructors' attitude towards Forest stock. This will be done as soon as possible in the New Year.

2009/4687 THE ATLAS PROJECT RESUME

The Clerk reported she is in the process of deciding which is the most suitable computer system for the project. A lack of space in the office is a major consideration.

2009/4688 LAG DISCHARGE

Mr Gerrelli agreed to take over from Mrs Thorne as the Court's representative on the LAG.

2009/4689 CONTRACEPTIVE VACCINE FOR MARES RESUME
March

Mrs Thorne has been discussing the next step with Mr Ralph Ellis MRCVS. Mr Ellis will be addressing the CDA AGM and will provide details and costings. It was agreed in principle that the CSS would be able to fund a trial however, no real progress can be made until it is decided how the Stallion Scheme will work over the next few years.

SSSI RESTORATION WORKS

2009/4690 ALDERHILL – STREAM RESTORATION AND DIVERSION DISCHARGE

Mr Pasmore kindly produced a report (dated 4th December 2009) the content of which was approved. The proposals are therefore agreed subject to the conditions contained in Mr Pasmore's report.

2009/4691 WARWICKSLADE CUTTING SOUTH RESUME

Mr Pasmore's report dated 11th December 2009 outlined several serious problems with the work that has been carried out at this location. Ms Sarah Oakley (FC) has a copy. The Official Verderer will discuss the issues with the Deputy Surveyor.

VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME (CSS)

2009/4692 CSS UPDATE DISCHARGE

All the cheques have now been sent out.

The money from some of the private commons included in the scheme where agreements are in place with land owners has been received.

VERDERERS' HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2009/4693 HLS PROGRESS REPORT RESUME

The Official Verderer provided an update on the proposals for the Verderers to enter into an HLS agreement. He congratulated Mr Ian Stone on his work in gathering the information on proposed projects to be included in the scheme. The application must be submitted to DEFRA in January and if accepted the agreement should be signed on the 1st March. Prior to that a memorandum of understanding for the partnership agreement must also be signed.

NEW FOREST NATIONAL PARK

2009/4694 NATIONAL PARK MANAGEMENT PLAN DISCHARGE

The Plan and Core Strategy was passed by the members on 10th December.

2009/4695 RECREATION MANAGEMENT PLAN RESUME

The Official Verderer, Mrs Thorne and Mr Pasmore have looked at the first draft of the Recreation Management Plan and Mr Pasmore wrote to Mr Trotter as a member of the sub-committee. A further draft of the Plan will be produced in due course. At present the Plan is not ready for public consultation.

OTHER AGENDA ITEMS

2009/4696 TOURISM CAN RESUME

It was noted that the NFDC is looking for opportunities to promote the Forest during the 2012 Olympics. The implications of this will be considered and representation may be made to the Council.

2009/4697 DATE OF THE NEXT WELFARE TOUR RESUME
May 2010

The spring welfare tour will take place on Thursday, 13th May 2010.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

None

STAFF MATTERS (including the Staff Committee)

2009/4698 STAFF COMMITTEE CHAIRMAN DISCHARGE

Mr Kitcher confirmed he is happy to take over as Chairman of the Staff Committee.

2009/4699 STAFF COMMITTEE MEMBERS DISCHARGE

Mr Deakin was invited to join the Staff Committee and he was pleased to agree.

2009/4700 FIELD IN GREEN LANE, LYNDHURST RESUME

It was suggested that the fencing and gate to the area of land that was recently thrown open should be repaired and the gate locked open. The field will provide an excellent place to catch stock in the area which is not well served by stock pounds.

Subject to the approval of the Forestry Commission, the expenditure needed to repair the fencing and provide a gate was approved.

2009/4701 AGISTERS' EXPENSES RESUME

The Agisters' expenses have not been reviewed for several years. The Head Agister prepared an estimate of the current cost of keeping two riding horses which was approved by the Court. The Clerk was requested to contact the Inland Revenue to ascertain the tax and national insurance position in the event that an increase to the expenses is agreed.

2009/4702 HELPERS ON DRIFTS DISCHARGE

The Agister in charge of the Drift will make it plain that the Verderers' public liability insurance policy only covers bone-fide practising commoners and official helpers on the drifts.

2009/4703 USE OF QUAD BIKES ON THE FOREST DISCHARGE

The use of quad bikes by the Agisters is not covered by the Court's insurance policy and is therefore not permitted. For the same reason, Commoners may not use them on the drifts or when assisting the Agisters in driving in stock. It is also Forestry Commission policy not to permit the use of quad bikes on the Forest except by its Keepers when undertaking prescribed tasks.

2009/4704 HELPERS ON DRIFTS RESUME

Because of health and safety and insurance implications, the Staff Committee was tasked with looking at the position regarding helpers on drifts.

2009/4705 UPDATE ON AGISTER MIKE LOVELL'S CONDITION RESUME

Agister Lovell remains on light duties.

TRAINING

No training is being undertaken or planned at present.

HEALTH AND SAFETY AT WORK

2009/4706 HEALTH & SAFETY REVIEW RESUME

The review will be completed by the January Court.

ANY OTHER BUSINESS

2009/4707 DOG ATTACKS DISCHARGE

Mr Frost reported that a recent conversation with a Police Officer indicates that the police are taking the issue of dog attacks very seriously.

2009/4708 HUSKY EVENT RESUME

A recent event where the organisers had apparently "taken over" an area of the Forest has caused considerable consternation amongst commoners. It was suggested that if such events are to be allowed on the Forest, Forestry Commission officials should be on hand at all access points. There may be occasions when it is essential from an animal welfare point of view for a commoner to gain access to the area where an event is taking place. At the recent event which has brought this matter to the fore, a commoner who was looking for some animals that had been missing for some time was excluded and the event representative refused to allow admission.

The Court feels strongly that events which need exclusive use are not appropriate in the New Forest and permission should not be given. The Official Verderer said he will discuss the issue with the Deputy Surveyor.

2009/4709 BORDER COTTAGE, BRAMSHAW TELEGRAPH – ILLEGAL DISCHARGE PARKING

The new owner of Border Cottage is using the adjacent Open Forest to park vehicles and store a skip. Cars and a fish and chip van have been seen parked on the Forest causing damage to the grazing. It is believed a business is being run from the cottage as deliveries of fish are being made to the property. This matter will be brought to the attention of Mr Street, the Forestry Commission's local Land Agent and the National Park Authority's Verderer will advise the planning officers.

2009/4710 AFRICAN HORSE SICKNESS

RESUME

The Clerk reported that a consultation document has been released by DEFRA concerning African Horse Sickness. Miss Macnair and Mrs Thorne agreed to consider its content and a response will be prepared if necessary.

There was no further business and the meeting closed at 11.55 p.m.