

**MINUTES of the Court of Verderers held on Wednesday 17<sup>th</sup> December 2014 at 9.30 a.m. in the Library, the Queen's House, Lyndhurst.**

PRESENT:	Mr Dominic May	Official Verderer
	Mr A Gerrelli	Elected Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr B Dowsett	Forestry Commission Appointed Verderer
	Miss D Macnair MBE	Senior Elected 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
APOLOGIES:	Mr C Maton	National Park Appointed Verderer

**IN COMMITTEE in the Library**

2014/7642 MINUTES OF THE LAST MEETING RESUME

Two amendments to the Minutes of the Court held on Wednesday, 19<sup>th</sup> November 2014 were requested and agreed. Subject to these amendments being made, the Official Verderer was authorised to sign the minutes.

2014/7643 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 and the Verderers Grazing Scheme.

Mr Hallam Mills declared an interest in HLS Schemes as his Estate is in Higher Level Stewardship. The Estate is also involved in the Better Boundaries Project, run by the New Forest Land Advice Service with support from Natural England. Mr Mills is also a Patron of the New Forest Trust.

The Official Verderer, Mr Deakin, Miss Macnair and Mr Readhead are all members of the New Forest Pony Breeding and Cattle Society.

Mr Dowsett advised the Court that he is a Forestry Commission Voluntary Ranger. Mr Deakin and Mr Readhead are members of the New Forest Stallion Syndicate. Mr Maton is a Forestry Commission contractor.

Mrs Westerhoff and Mr Stride advised the Court that they live in properties owned by the Forestry Commission.

2014/7644 WELFARE TOUR RESUME

The Head Agister reported that the recent Welfare Tour went very well. The Tour was very well attended. A lot of stock was seen and the comments received from the attendees were all very positive.

In particular, DEFRA's representative wrote a very supportive email in which he expressed his grateful thanks on behalf of Defra and its Ministers

for the excellent work done by the Verderers, their office staff and Agisters which he said has clearly contributed in no small part to the strong health of the Forest and its various occupants.

Mr Deakin commented that the exchange of information which takes place on the tours is extremely important and is considered by all to be very helpful.

2014/7645    CONDITION OF STOCK    RESUME

Overall the condition of stock is very good. There are more mares with foals than normal for this time of year because of the cancellation of some drifts. Those mares are beginning to lose condition and will be monitored carefully and removed from the Forest if necessary.

2014/7646    STRANGLES    DISCHARGE

One further case of strangles has been found at Sway this week as well as another suspected case at Holmsley. It was agreed that a note will be added to the Verderers' website and local livery yards will be made aware.    Action SW

Ponies with strangles at this time of year will inevitably lose condition and some may need to be removed from the Forest once they have recovered from the disease. Meanwhile, they will be carefully monitored.    Action Agisters

2014/7647    STOCK LOSING CONDITION AND REMOVED FROM THE FOREST IN NOVEMBER 2014    RESUME

No animals were removed in November.

The year to date figure therefore remains at 165. In 2013 it was 343.

The figures for animals removed will in future be provided in advance of the meeting.    Action Clerk

2014/7648    MARKING FEES RECEIVED TO DATE IN 2014 (2013 in brackets)    RESUME

	Forest	Commons	Total
Ponies	4310 (4387)	727 (729)	5037 (5116)
Cattle	2709 (2523)	1098 (968)	3807 (3491)
Donkeys	96 (94)	60 (71)	156 (165)
Pigs	140 (329)	23 (50)	163 (379)
Sheep	0 (0)	142 (113)	142 (113)
Total	7255 (7333)	2050 (1931)	9305 (9264)

Ponies, cattle and donkeys on the Forest – 7115 (7004)

Ponies, cattle and donkeys on the Commons – 1885 (1768)

Total Ponies, Cattle and Donkeys – 9000 (8772)

2014/7649    BYELAW ENFORCEMENT    RESUME

No byelaw offences have been reported.

2014/7650 ROAD TRAFFIC ACCIDENT REPORT RESUME

The Clerk reported that there were 23 accidents in November in which 14 animals died. The total killed and injured for the month was 17. This compared with 15 in November 2013.

December has already been a bad month for accidents with the Agisters attending 14. In December 2013 there were 7 accidents.

The total animals killed and injured to date is 88 compared with 100 last year.

2014/7651 SPEED CAMERA INITIATIVE DATA RESUME

The revised figure for the number of drivers caught speeding in the Forest in October is 766. The preliminary figure for November is 848.

**Head Agister Jonathan Gerrelli left the meeting**

**Mr Bruce Rothnie, Deputy Surveyor of the New Forest, and Mr Paul Grugeon, Land Agent (New Forest), joined the meeting.**

**SUBMISSIONS BY THE FORESTRY COMMISSION**

2014/7652 REQUEST FOR ACCESS PERMIT BY NETWORK RAIL (NWR) TO FACILITATE THE REMOVAL OF THE CABIN AT THE WOODFIDLEY CROSSING DISCHARGE

NWR previously attempted to remove the cabin within the timescale set by an earlier consent, but found that it had not been completely disconnected, and as a result NWR is now seeking a further permission.

NWR claims there are health and safety issues with the cabin in its present position, as it affects visibility for those using the pedestrian crossing, hence its request to remove the cabin on or about the 5<sup>th</sup> January 2016 (within a 24 hour window).

NWR had caused considerable damage to the open Forest grazing land during their previous failed attempt to remove the cabin. Natural England has now visited the site to assess the damage.

The Court agreed NWR's latest proposals, broadly in line with the conditions set out in the Forestry Commission's consultant's letter to the Clerk dated 8<sup>th</sup> December 2014, and including:

1. the use of bog matting which must be laid and removed promptly,
2. full supervision of the work by the FC, preferably by the local Keeper, and
3. adherence to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

The Court also supported the suggestion made by the Forestry Commission that consideration should be given to a bond being taken in future, as this is the third occasion on which NWR has caused damage to the SSSI.

2014/7653 PROPOSED NEW GATE IN NETWORK RAIL (NWR) FENCELINE TO DISCHARGE  
PROVIDE ACCESS TO THE TP HUT AT BEAULIEU ROAD

NWR propose to create a standard secure pedestrian size gateway in the existing railway fence line at Beaulieu Road to give safer access to their TP hut (which houses electric DC equipment). At present, access is alongside the railway line which poses a hazard for workmen.

The Court agreed to the works subject to the following conditions:-

1. Vehicles are parked on the gravel ring road rather than in the car park.
2. The work area must be kept secure and stock proof at all times (particularly when no-one is on-site)
3. Bog matting must be laid between the access track and the new gate.
4. The three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc., must be adhered to.

2014/7654 ALTERATION OF ACCESS GATEWAYS AT 'PIPERS', BISTERNE RESUME  
CLOSE, BURLEY

The occupants of Pipers wish to move a pedestrian access to the property, and create an additional vehicular access. They have offered mitigation in the form of protection to the grazing which is currently being damaged by turning vehicles.

Photographs of the property and affected area were provided by the occupiers of the cottage, together with a written description of the requested works. However, neither dimensions of the proposed new vehicular gateway were provided, nor a drawing showing the preferred new position. This information was requested, in advance of January's Court, to give an opportunity for a site visit.

Action  
PG

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

2014/7655 BEAULIEU ROAD RAILWAY STATION LAND RESUME  
March 2015

The Forestry Commission is keen to pursue the reverter clause, and was grateful to the Court for its offer of financial assistance towards returning the land between the railway station and the hotel to Crown ownership.

2014/7656 HAMPSHIRE COUNTY COUNCIL HIGHWAYS RESUME  
February

A date for a meeting has been suggested by HCC. It was agreed that an agenda of items to be discussed should be drawn up.

2015  
Action  
OV/Clerk

2014/7657	SWAN GREEN CRICKET CLUB PAVILION	RESUME February 2015
	<p>The licence has now been terminated and the Club has until the end of December to remove the pavilion.</p>	
2014/7658	FALLEN TIMBER	RESUME February 2015
	<p>Mr Stride had a meeting on the Forest with the Deputy Surveyor recently. Mr Stride outlined the minimum requirement he would like agreed with the FC and Natural England:</p> <ol style="list-style-type: none"><li>1. Tracks should be open at all times, and timber should be removed, not pushed to one side;</li><li>2. Lawns should be open at all times, and timber should be removed, not pushed to one side;</li><li>3. Roadside edges should be open at all times, and timber should be removed, not pushed to one side;</li><li>4. Strategic areas where ponies are drifted should be open at all times, and timber should be removed, not pushed to one side.</li></ol> <p>The elected Verderers agreed, and the Court requested that the Deputy Surveyor ask Natural England to agree to this.</p> <p>The Court also asked the Deputy Surveyor to undertake the previously-agreed trial in Frame driftway.</p>	
2014/7659	PARKING ON VERGES	RESUME March 2015
	<p>The problem of illegal verge parking seems to be getting worse, particularly since the Keepers are apparently no longer empowered to deal effectively with offenders as they were able to in years gone by.</p> <p>The Deputy Surveyor said that the Parkwise Scheme remains in operation. However, Mr Deakin said that following a request for information on the number of vehicles that had been stickered and the number of letters written, it became evident that in fact the Parkwise Scheme stickers are rarely used.</p> <p>The Court requested that the Deputy Surveyor empower the Keepers to police illegal verge parking again. The Deputy Surveyor undertook to reassess how Parkwise is working.</p>	Action DS
2014/7660	CYCLE HIRE AT STANDING HAT	DISCHARGE
	<p>The Deputy Surveyor assured the Court that there is no commercial activity on the Open Forest in this respect. No bike hire transactions take place on site. The bicycles are brought to Standing Hat as a provision for supporters of the disabled.</p>	

2014/7661	<b>STREET LIGHTING REPLACEMENT WORKS</b>	<b>DISCHARGE</b>
	<p>It appears that Hampshire County Council has failed to consult with the Forestry Commission on the replacement of street lighting posts on Crown Land in Brockenhurst.</p> <p>The Court understands that they are now communicating in order that the necessary permissions can be issued.</p>	
2014/7662	<b>NPA PROPOSALS FOR RESURFACING CYCLE TRACKS IN THE FOREST</b>	<b>DISCHARGE</b>
	<p>The Forestry Commission assured the Court that the resurfacing will only extend to the present width of the gravel. There is no intention to make any tracks wider.</p>	
<b>SSSI RESTORATION WORKS</b>		
2014/7663	<b>Longbeech Mire &amp; Longbeech Inclosure</b>	<b>DISCHARGE</b>
	<p>The scheme was agreed, with the exception of Longbeech Mire which needs one amendment to incorporate the comments made by Agister Napthine concerning the eroding nick point and stock crossing at 1A, and a clay hole by 1D. Animals drink from the pool in the area and therefore it was agreed that it must be retained.</p> <p>The Deputy Surveyor will ensure the amendment is made and a copy of the revised document will be given to the Clerk.</p>	Action DS
2014/7664	<b>Ma5 (CORBETS HAT MIRE, WOODCRATES MIRE &amp; WHITEMOOR)</b>	<b>DISCHARGE</b>
	<p>The scheme was agreed.</p>	
2014/7665	<b>NORTH SLUFTERS INCLOSURE: REVIEW OF TWO CROSSINGS</b>	<b>DISCHARGE</b>
	<p>The scheme was agreed.</p>	
2014/7666	<b>AMBERSLADE AND BROOMY INCLOSURE: REVIEW OF CROSSING</b>	<b>DISCHARGE</b>
	<p>The scheme was agreed</p>	
2014/7667	<b>COWLEYS HEATH</b>	<b>DISCHARGE</b>
	<p>Mr Readhead asked who is responsible for maintaining the culvert under the road and the adjacent ditches. Regular maintenance is essential to ensure that water does not spread across the road.</p> <p>In response, the Deputy Surveyor said that County Highways are likely to be responsible for the culvert, with the Forestry Commission carrying out the work on the adjacent drains.</p> <p>Mr Readhead said that some remedial works were undertaken recently but further work is required now.</p>	Action DS

**ENCROACHMENTS**

- |           |   |                            |
|-----------|---|----------------------------|
| 2014/7668 | THE ENCROACHMENT LIST   | RESUME                     |
|           | The revised encroachment was circulated to the meeting.   |                            |
| 2014/7669 | ROSARY GARAGE   | RESUME<br>December<br>2015 |
|           | Mr Grugeon said there is a boundary issue that he is working to resolve.  |                            |
| 2014/7670 | WOODGREEN PUBLIC HOUSE SIGN   | DISCHARGE                  |
|           | The sign has been removed.  |                            |
| 2014/7671 | RHINEFIELD HOUSE HOTEL – TARMACKING OF THE ENTRANCE   | DISCHARGE                  |
|           | The Forestry Commission is dealing with this. This part of the inclosure is not currently grazed.   |                            |
| 2014/7672 | PONDHEAD FARM SHOP SIGN   | DISCHARGE                  |
|           | The sign has gone. The car free works have also been completed and the problem of parking on the Forest has been resolved.                                |                            |
| 2014/7673 | DAMAGE TO THE VERGES CLOSE TO PILLEY ALLOTMENTS   | RESUME<br>March 2015       |
|           | The Estates Keeper has visited the area and is monitoring the situation. It is thought it may be difficult to resolve the problem. Mr Grugeon will visit. |                            |
|           |   | Action<br>PG               |

**ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION**

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|-----------|--|-------------------------|
| 2014/7674 | IMPROVEMENT PROGRAMME FOR ENGLAND'S NATURA 2000 SITES (IPENS) – SITE IMPROVEMENT PLAN NEW FOREST   | RESUME                  |
|           | Mrs Westerhoff and Mr Stride agreed to liaise with the Forestry Commission on this document. The Deputy Surveyor will provide an update on how the Plan may affect the Forestry Commission in the Forest. A joint response to the plan will be compiled. |                         |
|           |  | Action<br>DW / RS<br>DS |
| 2014/7675 | CYCLE TRESPASS ON THE GRASS RIDE FROM BRAMSHAW TELEGRAPH TO AMBERWOOD COTTAGE  | DISCHARGE               |
|           | The Court thanked the Forestry Commission for its prompt action in erecting the 'no-cycling' sign which was requested.   |                         |
| 2014/7676 | LYNDHURST WAR MEMORIAL   | DISCHARGE               |
|           | The Court asked if the ground around the war memorial could be tidied up. No gravel will be added. The Deputy Surveyor agreed this can be done.  |                         |
|           |  | Action<br>DS            |

**Mr Rothnie and Mr Grugeon left the meeting**

## **OTHER AGENDA ITEMS**

2014/7677 VERDERERS' COMPUTER SYSTEM DISCHARGE

The Court approved a UK cloud-based system for data backup which has the same encryption standard as that used by UK banks. The Court also approved the use of a cloud-based database software with a similar encryption standard.

2014/7678 COURT DATES FOR 2015 DISCHARGE

The Court dates for 2015 were approved; all meetings are on a Wednesday:

21st January	18th February
18th March	15th April
20th May	17th June
15th July	August – no Court
16th September	21st October
18th November	16th December (Committee only)

## **HIGHER LEVEL STEWARDSHIP SCHEME (HLS)**

2014/7679 HLS BOARD MEETING DISCHARGE

The next HLS Board Meeting is on Wednesday, 14<sup>th</sup> January 2015.

## **VERDERERS GRAZING SCHEME (VGS)**

2014/7680 PROPOSAL TO PAY FOR PURE BRED NEW FOREST PONIES ONLY DISCHARGE

After much debate and careful consideration, it was agreed that it is right to give more support to the pure bred New Forest pony, than to other breeds which may be depastured in the Forest. One of the aims of the HLS is to support cultural heritage and it was agreed that the pure bred New Forest pony is without doubt part of this area's cultural heritage.

It was, however, also agreed that as all the ponies contribute to the conservation interest, they should all receive some support.

It was stressed that in no way does payment, or otherwise, of VGS subsidy, affect the commoners' right to turn out whatever breed or type of pony they choose and that principle will always be upheld.

Mr Stride therefore proposed that from 2015, the pure bred New Forest ponies should continue to receive the 0.8LU VGS payment, whilst all other equines will receive the equivalent of the marking fee only. Miss Macnair seconded this proposal which was carried by vote, 8 to 1.

As respects cattle, as there is no 'New Forest' breed of cattle, it is not appropriate to encourage a particular breed with a supplement.

2014/7681	VGS SCHEME MEMBERSHIP	DISCHARGE
	<p>A small number of commoners who were previously VGS members decided not to join the scheme in 2104. It is hoped that some will be persuaded to rejoin in 2015. Others do not wish to be bound by the VGS rules. It was suggested that the RPA's Single Farm Payment is a larger sum than the VGS subsidy, and therefore a few large commoners are content to forgo the smaller VGS payment.</p> <p>The Agisters have raised an administrative issue regarding collecting marking fees for individual commoners who have a separate second brand in a partnership. However, following further discussions, it was agreed that a simple amendment to the rules of the scheme can be made which will satisfactorily resolve the administration issue.</p>	
2014/7682	FOAL NUMBERS	RESUME
	<p>Concerns about the fall in foal numbers will be discussed at the next meeting.</p>	
<p><b>MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS</b></p>		
2014/7683	NEW FOREST LOCAL ACTION GROUP (LAG)	DISCHARGE
	<p>Mr Gerrelli reported that no decision had been made in response to previous funding applications for grants.</p>	
2014/7684	ACCESS FORUM – SUSTRANS PROPOSALS	RESUME
	<p>Mr Dowsett said that he will look at the proposals put forward by Sustrans concerning cycle routes connecting Salisbury to the North of the Forest.</p>	Action BD
2014/7685	NPA'S TRANQUILITY GROUP	DISCHARGE
	<p>Further fine tuning of the preliminary tranquillity map is taking place to resolve anomalies shown up by the ground truthing. The result will provide a baseline for future assessment of tranquillity in the Forest.</p>	Action DW / BD
2014/7686	NOTIFIABLE ANIMAL DISEASES CONTINGENCY PLAN	DISCHARGE
	<p>Mr Deakin attended a recent meeting with the Head Agister. The practical application of the plan is being considered.</p>	Action RD/JRG
2014/7687	FLOOD RISK MANAGEMENT PLANS	RESUME
	<p>Mrs Westerhoff said she has recently received some consultation papers. A response is required by the end of January. The Court may need to comment. Mrs Westerhoff will consider the documents and ensure a paper is sent within the deadline.</p>	Action DW
2014/7688	RIVER BASIN MANAGEMENT PLANS	RESUME April 2015
	<p>Mrs Westerhoff said she has also received consultation papers in respect of these plans. A response is required in April. Mrs Westerhoff will consider the consultation papers and prepare a response if she considers one is necessary.</p>	Action DW

**FINANCIAL MATTERS**

2014/7689 FINANCIAL STATEMENT FOR NOVEMBER 2014 RESUME

The financial statement was noted.

**HEALTH & SAFETY**

2014/7690 OFFICE HEALTH AND SAFETY REVIEW DISCHARGE

A Display Screen Equipment (DSE) review has been carried out in the office.

A review of health and safety in the office is to be undertaken shortly.

Action  
Clerk

2014/7691 HEALTH & SAFETY REVIEW DISCHARGE

The review of the Agisters' operations in the Forest is ongoing.

**ANY OTHER BUSINESS**

2014/7692 CYCLE EVENT ORGANISERS CHARTER DISCHARGE

Mr Dowsett reported that the charter is subject to further review but he considers the latest proposed changes are relatively minor and should not concern the Court.

A copy of the revision was handed to the Official Verderer. Subject to his approval, the Clerk will contact the NPA to confirm the Court is happy with the changes.

Action  
OV/Clerk

2014/7693 BOVINE TB DISCHARGE

The Clerk confirmed that commoners are returning copies of the recent letter sent requesting details of their cattle TB tests, although a number remain outstanding. The Agisters will visit those commoners who fail to return their letters.

Action  
Clerk/  
Agisters

There was no further business and the meeting closed at 13:00 hrs.