

MINUTES of the Court of Verderers held on Wednesday 18th February 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 A Gerrelli | Elected Verderer |
| | Mr R Deakin | Elected Verderer & Staff Committee Chairman |
| | Mr A 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 Clive Maton | National Park Appointed Verderer |

IN COMMITTEE in the Library

2015/7694 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 21st January 2015 were approved and signed.

2015/7695 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers and Mr Stride 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. The Estate is also 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 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 Dowsett is a Forestry Commission Volunteer Ranger.

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.

2015/7696 CONDITION OF STOCK RESUME

The Head Agister reported that overall, stock looks well although a few ponies are losing condition. They are mostly mares with foals and young ponies. The present nice spell of weather is helping immensely but things will change if the weather turns wet. Weather conditions always have a significant impact on the condition of stock.

2015/7697 STRANGLES DISCHARGE

Unfortunately the strangles outbreak continues, with a number of ponies in the Woodgreen, Hale Purlieu, Hatchet Green and Penn Common areas of the Forest exhibiting symptoms. One pony which had lost a lot of condition was humanely despatched recently.

2015/7698 REPORT ON ANIMALS REMOVED FROM THE FOREST RESUME

13 animals in poor condition and 4 sick or injured were removed from the Forest in January. This compares with 53 poor and 5 sick or injured in January 2014.

2015/7699 REPORT ON MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

| | <u>2015</u> | <u>2014</u> |
|---|-------------|-------------|
| Forest Ponies | 236 | 449 |
| Forest Cattle | 29 | 84 |
| Forest Donkeys | 10 | 8 |
| Forest Pigs | 0 | 0 |
| Forest Sheep | 0 | 0 |
| Total Forest Stock | 275 | 541 |
| Common Ponies | 53 | 52 |
| Common Cattle | 68 | 104 |
| Common Donkeys | 16 | 3 |
| Common Pigs | 0 | 1 |
| Common Sheep | 0 | 0 |
| Total Common Stock | 137 | 159 |
| Ponies, Cattle & Donkeys on the Forest | 275 | 541 |
| Ponies, Cattle & Donkeys on the Commons | 137 | 159 |
| Total Ponies, Cattle & Donkeys | 412 | 700 |
| Total Stock – Forest & Commons | 412 | 701 |

2015/7700 TB TESTING AND THE NEW FOREST TB CONTROL PLAN DISCHARGE

All but three cattle commoners have complied with the conditions in the TB Control Plan for the Forest and have tested their cattle within the time period specified.

Two of the three commoners whose cattle TB tests are outstanding have arranged for the testing to be done in the next few weeks. The third commoner has been unable to find his one cow but it is understood he has now found it and is in touch with APHA (Animal and Plant Health Agency) about arranging for his test.

2015/7701 MOBILE PHONES RESUME

As there are still issues with signal strength on the Agisters' Samsung smartphones, we currently have an iPhone on 14 days trial to see if it is any better.

2015/7702 TWO YEAR OLD COLTS DISCHARGE

The Head Agister reported that apart from one unidentified and unbranded two year old colt which was last seen running near Sloden in the Autumn, all other two year old colts have been removed from the Forest. The outstanding colt was seen in the autumn, running on its own, but has not been seen since. If it comes to light it will be caught and removed from the Forest.

2015/7703 BYELAW ENFORCEMENT RESUME

No byelaw offences have been reported.

2015/7704 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

2015/7741 CHRISTOPHER TOWER REFERENCE LIBRARY

At our January Court, Graham Ferris, of the New Forest Commoners Defence Association (CDA), drew to the Court's attention that the Christopher Tower Reference Library at the New Forest Centre is effectively closing to the public due to the redundancy of the librarians. The Verderers much regret the running down of the library. We store all our Court Minute Books at the library's archive store, so we have a considerable interest in the matter. The Verderers would like the library to remain open, with a permanent librarian as a prerequisite to being open.

We were asked by Dr Ferris to use our considerable influence to stimulate funding. I have asked my predecessor as Official Verderer, Oliver Crosthwaite-Eyre, now chairman of the New Forest National Park Authority and also happily a trustee of the New Forest Centre, to use the National Park Authority's considerable grant-application expertise in favour of the employment of a full-time permanent librarian. I have a verbal commitment from Oliver to pursue this matter further.

Meanwhile, the Clerk and I have a meeting arranged with the Chairman of the New Forest Centre Mary Montagu Scott, and with the Centre Manager Hilary Marshall, next Wednesday 25th February. I shall report back to you at our next Court in March.

2015/7742 MISSING STOCK

Also at our January Court, Mrs Janette Pearce told us that her stock had been moved from Longwater to Emery Down. This is not the first time that stock has been moved from this area. We suspect that a commoner is moving stock to stop them sharing his own animals' feed either at a feeding area, or back on the holding where cattle come in for feeding in the evening.

Moving other commoners' stock is a very serious offence, prohibited by the Verderers' byelaws, and the Verderers will bring a prosecution in the Magistrates Court if this happens again.

2015/7743 VERDERERS' GRAZING SCHEME

You will remember that I announced in January that we have decided to reduce the Verderers' Grazing Scheme payment for non-New Forest ponies to be the equivalent of the marking fee only. We made this change for two reasons.

In the past few years, non-New Forest pony numbers on the Forest have certainly increased, contributing an increase to the overall number of ponies. The Verderers would like to see a decrease in non-native pony numbers, which is why we have decided to pay less to support them.

Secondly, the Verderers would like to encourage more pure-bred New Forest pony foals, to perpetuate the New Forest pony breed. If we can encourage a reduction of non-New Forest pony numbers by reducing the subsidy paid for them, then there will be more room for foals and gradually we can increase our turnout of stallions. This is a long term measure and we will continue to monitor pony numbers over the next few years.

I would like to clarify that the overall pot of money for the Verderers' Grazing Scheme will remain the same; therefore the value of the payment to commoners for pure bred New Forest ponies will increase commensurately.

The application forms for the 2015 Verderers' Grazing Scheme have been posted to all commoners last week. If you have not received one, please contact Leanne Sargeant in the Verderers office. We would like commoners to return the completed form to us by the end of April, please.

ANIMAL ACCIDENT REPORT

2015/7744 THE ANIMAL ACCIDENT REPORT FOR JANUARY 2015

RESUME

The Agisters attended 13 accidents in January. This compares with 11 in January last year.

5 ponies (2 of which were wearing reflective collars), 1 privilege sow and a donkey were killed or had to be destroyed and 2 ponies were injured. In the remaining accidents, the animals were either uninjured or nothing was found.

11 accidents occurred in the dark and 2 in daylight.

13 vehicles were cars or light commercials.

9 motorists were local and 1 accident was not reported.

9 animals were killed and injured in January, which is 1 more than last January.

Interestingly, in January there were no accidents on the B3078 between Brook and Godshill. I wonder if that has anything to do with the speed camera van which has so far caught 300 speeding drivers on that road!

In the last week in January there were no accidents at all.

So far in February there have been 3 accidents. 1 cow was killed and in the other two accidents, the animals reported to have been involved could not be found.

THE SPEED CAMERA VAN

1187 motorists have now been caught travelling over the speed limit on the unfenced roads in the Forest and a further 1265 have been caught on the fenced roads.

To date, 8 drivers have been caught travelling at over 60 mph on an unfenced Forest road.

PRESENTMENTS BY THE DEPUTY SURVEYOR

2015/7745 DRAINS MAINTENANCE ON THE FOREST

Three presentments were made at the January Verderers Court expressing concern for a lack of drain maintenance in and around the Brockenhurst area.

The Verderers will be aware that the Forestry Commission, as landowner, has legal obligations to deliver and maintain favourable condition of the Forest habitats designated as a Special Area of Conservation. We also recognise that animals depastured on the Open Forest are a vital part of delivering this favourable condition as is a thriving commoning community.

At times the interests of improving grazing through drainage can appear to conflict with meeting our legal obligation to manage the habitats in a condition for which it was designated. We believe that open discussion with parties on both sides can result in agreements that achieve benefits for both interests and deliver greater benefit for the Forest as a whole in the longer term. We have an annual process of consultation with Natural England and the Commoners Defence Association to discuss drainage work.

Mr Ferris, in his presentment in January, expressed concern that agreements made during these consultations, over a year ago, have yet to be delivered. I was immediately concerned by these delays and asked that any outstanding discussions between the FC and Natural England were concluded as soon as possible.

All outstanding discussions were resolved at site visits three weeks ago and the FC has clearance to undertake the work agreed in consultations with the CDA some time ago. We plan to get on to the sites as soon as ground conditions allow – most likely in April or May. Operating machinery on the current wet ground is likely to be counter-productive and potentially damaging to the grazing.

Mr Oram, in his presentment, asked whether Parish Councils could be consulted on works in the vicinity of Forest villages. I believe this is a sensible approach and we will seek to involve parish representatives when works proposed may affect villages. Parish Councillors are free to raise any concerns directly with the Forestry Commission for their consideration.

2015/7746 FUELWOOD

The Court has received two presentments from Mr Graham Baker in previous months raising concern about the oversize nature of some Assignment Wood.

Assignment Wood has been presented in two metre lengths for a number of years because the machinery used to extract the timber from the wood to forest roadside uses open trailers with vertical bolsters at fixed spacing. These are the most efficient vehicles for handling lengths of timber with tractor mounted cranes.

The majority of these timbers are small enough in diameter to be man-handled from the stack to trailer by the assignment wood holders, but I agree with Mr Baker that some larger diameter lengths may be unreasonably heavy for manual handling.

In the past, some assignment wood holders may have used chainsaws to reduce lengths at roadside. The standards of competence we require of anyone operating a chainsaw on our land have risen to meet the latest requirements of the Forest Industry Safety Accord. As a landowner, promoting the highest quality of forestry practice, we require evidence of this competence and recent training before permitting chainsaw use on our land.

Although we may not have a history of accidents in the New Forest during collection of assignment wood, I have personally witnessed in my career, some very severe injuries from inexperienced use of chainsaws. I can assure you that when you have personally delivered someone to an Accident and Emergency department with severe injuries, you become a strong advocate for the achieving the highest standards of competence possible. I make no apologies for insisting on these standards at all times on Forestry Commission land.

This year, rather than allocating stacks randomly in advance, stacks with larger material were allocated to those who could meet our competency tests or could find someone with appropriate training to collect it on their behalf. It is clear that although this has helped there remain some examples of where assignment wood holders continue to struggle with larger material.

I have asked the teams that organise the presentation of assignment wood to consider this problem prior to the next allocations later this year and identify possible solutions that may reduce the need for manual handling of larger material.

2015/7747 CYCLING ON THE FOREST

Mr Thew at last month's Court raised his concerns about damage caused by cyclists riding across the Open Forest.

There is general agreement that responsible cycling is an important contribution to the health and wellbeing of our modern society and the New Forest will remain as a venue for this activity. Many hundreds of cyclists every year do act responsibly and give the Forest the respect it requires.

But activities that do not respect the Forest or the enjoyment of it by others are not a welcome part of a responsible, caring and tolerant society.

Clearly, easily available information is a key part of overcoming ignorance. There is already a lot of information, guidance and codes of conduct available to users of the Forest. The Forestry Commission will continue to work with the National Park Authority and District Council to co-ordinate and deliver this messaging. FC staff are dealing with users of the Forest on a daily basis and are very skilled at imparting messages of respect for the Forest – in many cases we do alter behaviour without confrontation.

We all know that some people will be indifferent to any measure of responsibility, remain selfish and be aggressive when confronted – whether it is those who feel it is acceptable to fly tip on the forest, deliberately set fires, hold rave parties on the Forest, indiscriminately pick fungi for commercial gain or cycling across sensitive habitats. All our staff are given training on handling aggression and their personal welfare is paramount.

Clearly, we all need to work together to tackle some of these problems and I have started to investigate our legal powers under our byelaws and what levels of evidence we need to collect to bring a successful prosecution.

The opportunity to increase our resources in this area is very unlikely given the pressures on public spending and I anticipate that we will come under further pressure to reduce our budgets in the next few years.

This means that we have to be as efficient as we can be about policing the Forest and deploy our resources as intelligently as possible to minimise impacts on the Forest. Byelaw enforcement may be one of the tools we can use but we all have our part to play in inspiring all who visit to the Forest to respect its qualities.

PRESENTMENTS

2015/7748 VERDERERS GRAZING SCHEME FOR 2015 & PURE BRED NEW FOREST PONIES
Presentment by Mrs Jane Murray of New Forest Pony Breeding and Cattle Society

'At its recent meeting the Council heard about the announcement in the January Court of your proposal to give more support to the pure-bred New Forest pony, on cultural heritage grounds, than to any other breeds depastured, by giving 0.8LU VGS payment to pure-breds, but others only receiving a return of the marking fee.

The Council were extremely pleased to hear of this development and asked me to write this letter expressing their gratitude to the Court for taking such a positive step to support the breed.

The Rare Breeds Survival Trust has issued its Watchlist for 2015 and the New Forest pony remains in Category 5 Minority for a second year, and our numbers show a more than 5% decrease in registered breeding females over last year. All native equine breeds continue to struggle in this prolonged difficult economic climate, and the Dartmoor has moved up to Category 2 Endangered status, and the Dales are up to Category 1 Critical, so your action in support of the New Forest pony is both timely and extremely welcome, and again we offer our thanks to you for taking it.'

Mrs Murray went onto clarify that the reference in the letter to the Dartmoor Pony means the pure bred Dartmoor and not the Dartmoor Hill Pony which is not a recognised breed. The problems on Dartmoor stem from a lack of control of stallions. Mrs Murray added that the New Forest Pony Breeding and Cattle Society works closely with the other native pony societies and the Rare Breeds Survival Trust.

2015/7749 PONDHEAD SSSI WETLAND RESTORATION PROPOSALS
Presentment by Mrs Sally Hayward, Pondhead resident

Mrs Hayward made a lengthy presentment in which she expressed her serious concerns at the proposals for restoration works at Pondhead. Mrs Hayward said that in her opinion the science is flawed and she told the Court that she has commissioned a review of the ecological implications which has been prepared by a firm of ecological consultants. She expressed the view that the scheme should be subject to an Environmental Impact Assessment and questioned why that is not going to be done. Mrs Hayward is particularly concerned that if the proposed works go ahead, her property and others in the area may flood.

A copy of Mrs Hayward's presentment and the report to which she referred was handed to the Clerk. It is too large to include in these minutes and therefore it will be kept on file in the Verderers' Office.

2015/7750 MAINS WATER SUPPLY TO BEAULIEU ROAD PROPERTIES
Presentment by Mr Anthony Norris, owner of Beaulieu Road Station Master's Cottage

Mr Norris came to the Court to complain that the water supply to the hotel and residential properties at Beaulieu Road has still not been connected. He asked the Court to progress the matter urgently.

In reply, the Official Verderer thanked Mr Norris for his presentment and assured him that the Court will find out the reason for the delay and try to ensure the connection is made as soon as possible.

2015/7751 PONDHEAD SSSI WETLAND RESTORATION PROPOSALS
Presentment by Mr Richard Mabbutt of Pondhead Farm

Mr Mabbutt also expressed concern at the proposed works on the Forest at Pondhead. He too believes that the works may create a greater flood risk but in addition, he is particularly worried that there appear to be no contingency plans should the scheme not work as planned. He added that the Court seems to have a long term battle with artificially placed log jams (which prevent spawning sea trout in Autumn). He also referred to problems at Ditch End last year.

Mr Mabbutt also felt the flood survey and analysis that has been carried out is not accurate; he said it is contradictory and he felt the proposed works will increase the flood risk.

Mr Mabbutt supplied some photographs of his land, taken on 28th June last year which show a side channel from Pondhead Farm, which is to be shallowed, is serving as a flood relief channel.

IN COMMITTEE in the Library

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

CONSIDERATION OF PRESENTMENTS

2015/7752 VERDERERS GRAZING SCHEME FOR 2015 & PURE BRED NEW DISCHARGE
FOREST PONIES

In answer to a query, the Official Verderer explained that the reduction in the amount paid to non pure bred New Forest ponies will mean that the value of the Livestock Unit (LU) will increase for pure bred ponies and other stock including cattle and pigs.

2015/7753 PONDHEAD SSSI WETLAND RESTORATION PROPOSALS RESUME

The Deputy Surveyor said he will go back to the team responsible for drafting the proposals to ensure proper consideration has been given to the risk that private property may be flooded.

Mrs Westerhoff said Natural England would not want to see private land flooded and if advised that that is likely, would wish to see the proposals modified.

The requirement for an Environmental Impact Assessment is dependent upon the quantity of infill that is required on the particular project. In the case of the Pondhead proposals, an EIA is not required. Action DS

The Court expressed concern that there are no contingency plans for remedial works following the end of the HLS in 2020, should any of the restoration works be found to need ongoing maintenance.

2015/7754 MAINS WATER SUPPLY TO BEAULIEU ROAD PROPERTIES RESUME

A mains water pipe was provided to the Sale Yard in 2011. At that time several property occupiers, including the Hotel, paid to connect to the sale yard mains water pipe but this has not happened. The Court feels the problem must now be resolved. Mr Grugeon said that it is his intention to resolve the issues which have arisen over the licence and ensure that the outstanding (9m) length of pipe which is needed to connect the properties is laid with the minimum of delay. Action PG

Mr Readhead said he will discuss the history of the water supply with the HLS/VGS Administrator as she has been contacted by Mr Norris. Action DR/LS

SUBMISSIONS BY THE FORESTRY COMMISSION

2015/7755 WILVERLEY SCOUT HUT RENEWAL OF LICENCE DISCHARGE

The licence for the scout hut in Wilverley Inclosure is due for renewal. The Court raised no objections.

2015/7756 NETWORK RAIL REPLACEMENT FENCING DISCHARGE

The proposals to replace the railway fence at Woodfidley, Beaulieu Road, Setley Pond and Shirley Holmes are acceptable to the Court which would like the works done as soon as possible on safety grounds. Consent is subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

Mr Grugeon said he will re-visit the consultation that has taken place with Natural England (NE) regarding work in the area. Action PG

The Clerk will email Bridget Leyden asking that NE grant consent for the works to be undertaken now on the grounds of public safety and safety to stock. Action Clerk

2015/7757 NETWORK RAIL MINOR BRIDGE REPAIRS SOUTH OF BEAULIEU ROAD DISCHARGE

The proposals to undertake minor bridge repairs on the bridge south of Beaulieu road were approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

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

| | | |
|-----------|--|-----------------|
| 2015/7758 | SWAN GREEN CRICKET PAVILION | RESUME April |
| | <p>Mr Grugeon reported that the estimated cost for removing the redundant pavilion is between £6,000 and £10,000. This will include complete restoration and landscaping.</p> <p>The Official Verderer proposed that the Court should cover the costs of removing the pavilion up to a maximum £10,000. Mr Gerrelli seconded the proposal which was carried unanimously.</p> <p>Mr Grugeon was asked to provide a copy of the written estimate he has received. He was also asked to confirm the VAT liability.</p> | Action PG |
| 2015/7759 | FALLEN TIMBER | RESUME |
| | <p>The Court asked that the trial in Frame Wood commence as soon as possible.</p> | Action DS |
| 2015/7760 | REPLACEMENT NEW FOREST KEEPER | DISCHARGE |
| | <p>The Court was very pleased to hear Deputy Surveyor confirm his intention to maintain 'frontline resources' and employ a replacement Keeper to fill Tim Creed's post. The vacancy will shortly be advertised internally.</p> | |
| 2015/7761 | ORDNANCE AT MATLEY | RESUME |
| | <p>Mr Simon Smith (FC) continues to chase the MOD for action on the clearance. It is understood the MOD plans to undertake a survey but the timing has not been confirmed. Meanwhile the semi-exclusion zone will be maintained. The Official Verderer will write a further letter to the Deputy Surveyor complaining that the lack of action is having a deleterious effect on the management of stock in the area at a time of year when close monitoring is essential to ensure animal welfare. There are also significant health and safety issues, and open forest maintenance such as cutting and burning is not possible.</p> | |
| 2015/7762 | FLOOD RISK MANAGEMENT PLAN | DISCHARGE |
| | <p>Mrs Westerhoff confirmed she sent off the Court's response to the consultation.</p> | |
| 2015/7763 | CAR FREE DITCHING – REVIEW | RESUME |
| | <p>The Deputy Surveyor has asked Gary North (FC) to ensure that ditching is only carried out where it is deemed to be needed rather than re-digging all the original car free ditches.</p> <p>The reinstatement of the old ditch in Forest Road, Burley, has yet to be carried out.</p> | |

SSSI RESTORATION WORKS

2015/7764 REPAIR AND MAINTENANCE LIST DISCHARGE

The Deputy Surveyor said there are no changes this month.

2015/7765 STUDLEY WOOD SSSI RESTORATION PROPOSALS DISCHARGE

The proposed works in Studley Wood were approved, however, Mr Mills expressed his continued disappointment that there is no evidence in the proposals that the local Catchment Area Plan and the likely effects of the works on fish have been given proper consideration. Mrs Westerhoff explained that fish, along with other relevant species, will be given due consideration as with all restoration sites.

ENCROACHMENTS

2015/7766 ENCROACHMENT LIST RESUME

The encroaching fence at Woodlands View, East End, has now been removed.

The problem of the unauthorised ditching along Woodlands Road has yet to be satisfactorily resolved. The individual who carried out the works is under the misapprehension that the car-free ditches are actually drainage ditches. Natural England is involved.

Pilley Allotments: an effective method of resolving the verge parking problem in the area will be formulated by the FC in March.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2015/7767 NEW STEPS IN WILVERLEY PIT CAR PARK RESUME
October

The Forestry Commission acknowledged that consent should have been obtained for the new flight of steps prior to their construction, and the Deputy Surveyor's apology for the oversight was accepted.

However, some members of the Court felt the steps have an urbanising effect and they remain unconvinced that two sets of steps from the car park are necessary.

It was agreed that the situation should be monitored through the summer and the steps will be looked at again after the summer to see if they have successfully reduced erosion and prevented unauthorised vehicular access to Wilverley Plain; these being the reasons that the steps were constructed in the first place. Meanwhile, the Forestry Commission will plan to submit an application for retrospective consent at that time.

2015/7768 VERDERERS' ELECTION DISCHARGE

Three Elected Verderers retire this year, and may make themselves available for re-election. They are Mr Richard Deakin, Mr Anthony Gerrelli and Mr Richard Stride; the latter having been co-opted upon the retirement of Mr Anthony Pasmore. Mr Pasmore's term of office would have come to an end this year.

The timetable for the election has been drawn up by the Under Sheriff and

is agreed.

The Official Verderer reminded the Deputy Surveyor that in accordance with the regulations governing Verderers' Elections, the Forestry Commission covers the cost of preparing the electoral role.

The High Sheriff, who will be the Returning Officer, will be Lady (Louisa Caroline) Portal MBE.

2015/7769 BRAMSHAW GOLF CLUB

DISCHARGE

Bramshaw Golf Club misunderstood the November Court Minutes and wrote a fair letter, defending its position, to the Official Verderer. The Court wished to clarify that its complaint was that the Forestry Commission is not actively managing its licences.

The Clerk has telephoned the Golf Club to clarify this .

The Official Verderer will respond to the letter received from the Golf Club.

Action
OV

The Golf Club has confirmed its intentions to take forward the proposed alterations to the course as the planning application will not be as expensive as feared.

2015/7770 VERDERERS' POLICIES

DISCHARGE

The previous Deputy Surveyor once said that he believed the Verderers powers extend only to protecting grazing on the Forest and not the protection of the landscape. As the Court has never agreed with this opinion, the Official Verderer asked retired Senior Elected Verderer, Mr Pasmore, to produce a paper setting out his opinion on the legal basis upon which the Verderers consider landscape impact when considering applications for consent.

Mr Pasmore wrote a very clear and interesting paper which was circulated to all member of the Court. The Deputy Surveyor requested a copy and the Clerk will ensure he receives it.

Action
Clerk

2015/7771 ESSO PIPELINE REPAIR AT IPLEY

DISCHARGE

Mr Deakin explained that Esso has an urgent requirement to repair the cathodic protection on the oil pipeline leading from Fawley to Avonmouth. The request for consent was urgent. Mr Deakin said that he and the local Agister, Mike Lovell, attended a site meeting and were happy with the proposals. A method of work was agreed which leaves the adjacent stock pound accessible.

The Court therefore granted retrospective consent, subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

2015/7772 DENNY TO BALMER LAWN DRIFTWAY

DISCHARGE

This passageway is all but impassable. It is never good in the winter but Mr Stride felt it could be improved. As it gives access to Trim Holly Pound, all agreed that any improvement that can be made will be welcome. The Deputy Surveyor raised no objection to it being added to the Forestry Commission's passageway repair list.

2015/7773 DE MINIMIS SUBMISSIONS

RESUME

The Clerk proposed a different method for handling applications for minor works. She felt that a lot of Committee time is taken up unnecessarily in discussing applications for minor works from utility companies. The Clerk suggested that she should be given delegated powers to make decisions, with the assistance of an Elected Verderer on applications where the effect on the Forest and grazing is temporary and very limited. A list of the decisions that had been made would then be provided each month to the Court. This would ensure that a formal record of decisions is still maintained. The Deputy Surveyor and Mr Grugeon felt this would be a great help to the Forestry Commission as well and would cut down considerably on administrative time and costs.

The OV, Mr Deakin and the Clerk will meet to discuss whether this proposal should be taken forward and if so how.

Action
OV/RD/SW

Mr Rothnie and Mr Grugeon left the meeting

ENCROACHMENTS NOT INVOLVING THE FORESTRY COMMISSION

2015/7774 ENCROACHMENT AT HUCKLESBROOK FARM

RESUME

Mrs Westerhoff said she will contact Natural England for an update.

Action DW

OTHER MATTERS ARISING

2015/7775 ASHURST TO LYNDHURST CYCLEWAY

DISCHARGE

The Court has been asked to comment on the proposed resurfacing of this cycleway based on the details and plans which have now been provided by HCC.

When the cycle track was originally built, Appointed Verderer the Hon Ralph Montagu worked hard to minimise its landscape impact.

The Court is keen that the cycleway blends into the landscape as far possible. Therefore five requests will be made to HCC in respect of these proposals as follows, all based on Mr Montagu's original stipulations:-

1. That light brown coloured (i.e. similar to sand or gravel) macadam be used, rather than black that is currently proposed.
2. That the new surface is no wider than the existing surface.
3. Wooden signs are used rather than a more urban, metal design, and they should be as small as possible.
4. As few signs as possible are used.
5. No road markings are painted on the cycle track.

The Clerk was asked to make a formal response to Hampshire County Council and ensure a copy of the letter is sent to Mrs Alison Barnes, Chief Executive of the New Forest National Park Authority.

2015/7776 POSSIBLE FUTURE CYCLEWAY FROM CADNAM TO LYMINGTON DISCHARGE

The Official Verderer said he understands that the proposal for this new cycleway is not in the current draft National Park Management Plan, but it may be included before the document is finalised.

OTHER AGENDA ITEMS

2015/7777 NEW BASIC PAYMENTS SCHEME RESUME

The Official Verderer explained that a recent meeting with DEFRA and the Rural Payments Agency resulted in an impasse. There is a lot of uncertainty as to how the new BPS will operate in the Forest and some serious problems have been identified which are proving very difficult to resolve. A decision on the way forward must, however, be announced by DEFRA by 31st March. As a result, the Official Verderer asked members of the Court to give the new BPS further consideration and he asked Mr Deakin to arrange a meeting of the Elected Verderers to formulate a response to DEFRA.

2015/7778 DUAL USE RESUME

The new Basic Payment Scheme and HLS Schemes will continue alongside one another until the end of the current HLS schemes. However, what happens after that has yet to be decided. Mr Mills asked for a copy of the Official Verderers' letter to the Defra Minister, George Eustace, on the subject of Dual Use.

Action
Clerk

HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2015/7779 AGM RESUME

A date for the AGM has yet to be arranged. At the meeting, there will be an open forum to discuss wildlife and conservation issues arising from work, monitoring and consultations paid for by the HLS.

VERDERERS GRAZING SCHEME (VGS)

2015/7780 APPLICATION FORMS FOR 2015 DISCHARGE

The application forms for this year have been sent out.

Miss Leanne Sargeant has been asked to follow up those who don't send back their forms. It is recognised that this is a huge task and the Clerk asked whether the Elected Verderers and Agisters could provide some assistance.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2015/7781 NEW FOREST NATIONAL PARK AUTHORITY RECREATION MANAGEMENT STRATEGY RESUME

Members of the Court were asked to read the strategy and let the Official Verderer have any comments.

Action
All

FINANCIAL MATTERS

2015/7782 FINANCIAL STATEMENT FOR JANUARY 2015 RESUME

The financial statement was noted.

HEALTH & SAFETY & TRAINING

2015/7783 FIRST AID DISCHARGE

The Clerk reported that staff will be undertaking First Aid refresher training this year.

ANY OTHER BUSINESS

2015/7784 NFNPA REVISED 1APP (PLANNING APPLICATIONS) LOCAL DISCHARGE
REQUIREMENTS CONSULTATION

Mr Gerrelli and Mr Mills were asked to read and comment on the paper and provide comments to the Clerk. Action
AG/HM/SW

2015/7785 STALLION SUB COMMITTEE DISCHARGE

It was confirmed that the Stallion Sub Committee will meet on 6th March at 10.00 a.m.

2015/7786 HORSE PASSPORTS RESUME

Miss Macnair advised that the Passport Regulations are currently under review and it may be necessary to renegotiate the Forest's derogation. The Clerk said she will take this forward. Action
SW

2015/7787 DEER RTA STATISTICS DISCHARGE

The Clerk was asked why the statistics on deer RTAs are no longer read out in Open Court as it was believed used to happen in the past.

In response, the Clerk explained that the Forestry Commission no longer provides the statistics.

There was no further business and the meeting closed at 13:45 hrs.

Annice May
Official Verderer
18th March 2015