

MINUTES of the Court of Verderers held on Wednesday 22nd February 2017 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 J Greenwood	Elected Verderer
	Cllr E Heron	National Park Appointed Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr A H Pasmore	Elected Verderer
	Mr D Readhead	Elected Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
APOLOGIES:	Mr G M H Mills DL	DEFRA Appointed Verderer
IN ATTENDANCE:	Miss Sue Westwood	Clerk to the Verderers
	Mr Jonathan Gerrelli	Head Agister

IN COMMITTEE in the Library

2017/9103 MINUTES OF THE LAST MEETING RESUME

The Minutes of Court held on 18th January were approved and signed.

An amendment to the December minutes requested in January had been made and those minutes were also approved and signed.

2017/9104 DECLARATIONS OF INTEREST RESUME

The Official Verderer, and Elected Verderers Mr Deakin, Mr Greenwood and Mr Readhead all declared an interest in the New Forest Higher Level Stewardship Scheme, the Verderers Grazing Scheme, and the new Basic Payment Scheme. Mr Pasmore declared an interest in the new Basic Payment Scheme.

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

Mr Dowsett is a Forestry Commission Volunteer Ranger.

Mr Deakin and Mr Readhead are members of the New Forest Stallion Syndicate.

Mr Greenwood is employed part-time by Cadland Estate and therefore has an interest in the Stallion Grazing. Mr Greenwood also has a stallion of his own.

Cllr Heron declared his membership of Hampshire County Council, New Forest District Council and the New Forest National Park Authority. He will declare any additional interests that may arise during the course of the meeting at the item.

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

Mrs Westerhoff is a tenant of the Forestry Commission.

2017/9105 CONDITION OF STOCK – REPORT BY THE HEAD AGISTER RESUME

The Head Agister explained that over the past month, ponies in particular have lost condition. The Agisters have been busy removing animals as necessary. He said that we were lucky with the weather in the early part of the winter but since then it has turned cold and then wet. As usual it is mares with foals/yearlings still on them which are losing condition the quickest. The deterioration will continue for the next few months, but the weather will dictate how bad things become. If we have a good spring things will improve and the Agisters won't be so busy. Having said all this, the majority of the stock continues to look well.

Mr Deakin agreed with the Head Agister's appraisal of the condition of stock. He added that whatever the weather does there will be no grass on the Forest yet. Good ponies will do well, the others decline.

Mrs Westerhoff enquired about cattle numbers. The Head Agister said that there aren't many cattle on the Forest now. Those that are out are being fed by their owners. The Agisters are keeping an eye on the animals and the feeding areas.

2017/9106 TRACK AND CROSSING PLACE AT MATLEY RESUME

Whilst discussing cattle feeding areas, it was mentioned that a stream crossing place near Sandhole is impassable. As a result, cattle are spreading out to avoid the deep mud and are creating a certain amount of unnecessary damage. The feeding area itself is fine and the access is good as it is via inclosure tracks. In addition, the feeding area recovered well last year. It is felt, therefore, that the feeding area should not be altered. The solution is for the Forestry Commission to repair the passageway which is also needed for stock welfare. It was agreed the FC should be asked to carry out the necessary remedial work to ensure the passageway is once more passable.

Action
RD/Clerk

2017/9107 REPORT ON ANIMALS REMOVED FROM THE FOREST RESUME

This very useful report had been circulated prior to the Court.

2017/9108 STOCK DEATHS - OTHER THAN ROAD TRAFFIC ACCIDENTS RESUME

This very useful report had been circulated prior to the Court.

2017/9109 REPORT ON MARKING FEES RECEIVED TO DATE AND RESUME
COMPARISON WITH PREVIOUS YEAR

	<u>2017</u>	<u>2016</u>
Forest Ponies	417	312
Forest Cattle	156	124
Forest Donkeys	8	7
Forest Pigs	0	0
Forest Sheep	0	0
Total Forest Stock	581	443
Common Ponies	109	49
Common Cattle	130	44
Common Donkeys	18	3
Common Pigs	0	0
Common Sheep	52	0
Total Common Stock	309	96

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Ponies, Cattle & Donkeys on the Forest	581	443
Ponies, Cattle & Donkeys on the Commons	257	96
Total Ponies, Cattle & Donkeys	838	539
Total Stock – Forest & Commons	890	539

2017/9110 BYELAW ENFORCEMENT DISCHARGE

No new byelaw offences have been reported

2017/9111 ANNOUNCEMENT RESUME

The Announcement was approved.

The Head Agister left the meeting.

OPEN COURT – 10.00 a.m.

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

The Head Agister opened the Court with the usual proclamation.

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

The Official Verderer welcomed the Burley WI who were visiting the Court today.

2017/9112 MALDWIN DRUMMOND

It is my sad duty to report the death of Maldwin Drummond last Saturday 18th February aged 84. An Elected Verderer for 29 years, Maldwin's first Court was January 1962 and he served until he resigned in June 1990 to take up the position of Chairman of the New Forest Committee. He came back to the Court in 1999 when appointed Official Verderer for a three year term of office until 2002. So he served this Court for 32 years in all.

His tenure of elected office was a time of great change: he was deeply involved in the 1964 New Forest Act, was instrumental in the protection of the Forest by car-free ditching and dragon's teeth and the implementation of the car parks and campsites, to stop the free-for-all that up to that time existed when cars simply drove wherever the driver fancied over the Open Forest.

Additionally Maldwin was chairman of the New Forest Consultative Panel and then the New Forest Committee.

Personally I have known Maldwin all my life as he was a great family friend of my father. He was a super chap, engaging, knowledgeable and wise. He never lost his enthusiasm for the Forest, and during my time as Official Verderer often asked me for updates on particular issues which concerned him, offering his support if he could help in any way. I knew him both at sea and on land: he once said "My life has been old ships and new forests". He was a true servant of our New Forest.'

ANIMAL ACCIDENT REPORT

2017/9113 THE ANIMAL ACCIDENT REPORT FOR JANUARY 2017

The Agisters attended 9 accidents in January. This compares favourably with January last year when there were 16 accidents.

4 ponies died and 1 was injured. 3 ponies and 1 donkey were reportedly involved in accidents but nothing was found.

6 accidents occurred in the dark, 1 at twilight and disappointingly, 2 in daylight.

2 drivers are known to be local. There were no hit and runs.

2017/9114 THE SPEED CAMERA VAN

We now have data for October, November and December 2016.

In October, 461 motorists were caught speeding on the unfenced roads, in November 393 were caught and in December 194. That is a total of 1,048.

PRESENTMENTS

There were no presentments at this Court.

IN COMMITTEE in the Library

SUBMISSIONS BY THE FORESTRY COMMISSION

2017/9115 SSE REPLACEMENT ELECTRICITY POLES EAST OF IPLEY MANOR DISCHARGE

The proposal to replace a number of electricity poles on the Open Forest east of Ipley Manor was approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing.

Some work has already been undertaken to reduce the height of trees in the vicinity of the lines and concern was expressed that the brash has been left on the grazing. The Forestry Commission has been in touch with SSE which has given assurances that all the brash will be removed as soon as ground conditions permit. However, it is likely this may not be achievable until the autumn because of the risk of disturbing ground nesting birds.

2017/9116 SOUTHERN GAS NETWORKS INSTALLATION OF NEW GAS MARKER POLES DISCHARGE

The Court considered SGN's proposal to install 7 marker poles to aid aerial inspection of the high pressure gas pipeline where it crosses public highways at Kings Copse, Blackwell Common and Ipers Bridge.

The Court however, was not convinced that the poles are essential and requested that SGN be asked to consider a less obtrusive method of marking the pipeline. It was suggested that a different colour tarmac on the road might be a solution.

Action
PG

Verderers' consent for these markers was therefore refused.

2017/9117	BRAMSHAW CRICKET CLUB SEPTIC TANK SOAKAWAY	DISCHARGE
	Mr Readhead has made a site visit and felt the proposals for the new soakaway are acceptable. The manhole covers are at ground level and are agreed on a like for like basis. Further details are however requested as respects the height and positioning of the vent pipe. If it is put on the wall of the pavilion it is acceptable. The Court gave consent in principle subject to the usual three conditions and also that the Land Agent provides the Clerk with details of the vent pipe. If she has any concerns, the Clerk will refer back to the Court for instructions.	Action PG
2017/9118	SSE CABLE TO MALLARDS, MAIN ROAD, EAST BOLDRE	DISCHARGE
	Consent for a new underground electricity supply to Mallards is requested. The Court approved the proposals subject to the usual three conditions and also that the cable be routed under the gravel road and not in the verge.	Action PG
MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION		
2017/9119	SWAN GREEN PAVILION	RESUME
	No further progress has been made mainly due to a lack of resources in the Forestry Commission. Mr Grugeon said the planning application needs to be resubmitted and this he agreed to do as soon as possible. Natural England has expressed the view that because of the number of trees in the vicinity of the pavilion, there should not be an issue with bats. The Clerk was asked to double check this with Natural England.	Action PG Action Clerk
2017/9120	BT OPENREACH BROADBAND CONNECTION TO RHINEFIELD HOUSE HOTEL	DISCHARGE
	Mr Grugeon said he is awaiting proposals. It was agreed to discharge this item and Mr Grugeon will bring proposals back to the Court when he receives them.	
2017/9121	FALLEN TREES IN PENERLEY WOOD	DISCHARGE to Action List
	The Deputy Surveyor said that Penerley Wood is on the list for tidying up in late summer. Mr Readhead expressed concern that the situation is getting worse and it was pointed out that the Agisters are finding access on horseback is becoming increasingly difficult.	Action DS
2017/9122	BRAMSHAW GOLF CLUB	DISCHARGE
	Mr Readhead said he has made a visit to the course and does not feel there is an issue with the clearance work that has been carried out. The Court suggested that the barrier could now be erected close the old car park as planned. The gravel surface over two-thirds of the car park is to be removed and that area left to return to grazing. The remainder of the car park will be available for overspill when the golf course is busy. Mr Grugeon and Mr Readhead will seek a meeting with Mr Stuart James, the General Manager of the Golf Club.	Action PG/DR

2017/9123	ACCESS LICENCES	RESUME
	<p>Discussions continue as respects the wording of these licences as the Court remains concerned that the way they are currently worded encourages residents to surface their accesses.</p> <p>It was felt that it should be possible to produce one document but with the granting of an access separated from the making of a way.</p> <p>Cllr Heron suggested two Verderers meet with Mr Grugeon to try to agree a form of words. The Official Verderer and Cllr Heron will meet with Mr Grugeon as soon as possible.</p>	Action OV/EH/PG
2017/9124	LYNDHURST ROAD (ASHURST) STATION LAND	DISCHARGE
	<p>The Clerk reported she has a contact at Crown Estates with whom she is in touch. The Clerk will bring this matter back to the Court when she has something further to report.</p>	
2017/9125	CONCRETE BLOCKS OUTSIDE CULVERLEY FARM	DISCHARGE
	<p>The Forestry Commission is in touch with the owner of the farm concerning the concrete blocks. It has been agreed they will be removed and replaced with dragon's teeth. The Deputy Surveyor undertook to check who is undertaking the work and advise the Clerk.</p>	Action DS
SSSI RESTORATION WORKS		
2017/9126	REPAIR AND MAINTENANCE LIST	RESUME
	<p>The Deputy Surveyor confirmed there are no changes to the list.</p> <p>He was asked to find out why the first item has remained on the list since 2014.</p> <p>A plan is to be prepared for the work required at Queen's Bower. Mr Nick Wardlaw will consult with Mr Pasmore.</p> <p>The Court asked when work in Pitts Wood will be undertaken.</p>	Action AHP/NW
2017/9127	ALUM GREEN RESTORATION PROPOSALS	DISCHARGE
	<p>The proposed amendments were agreed.</p>	
2017/9128	PONDHEAD RESTORATION WORKS	DISCHARGE
	<p>Mr Readhead remarked that the restoration work at Pondhead appears to be working well. No excess water was seen following recent heavy rain.</p> <p>The Deputy Surveyor said the Forestry Commission has set up some fixed point cameras to check on the result of the works and to reassure those who have expressed concerns about their likely effect.</p>	

ACTION LIST

2017/9129 ACTION LIST RESUME

The following two items are complete and have been taken off the list:-

No. 12. FC cattle grid at Dibden

No. 20. Repairs to fence around Holmsley Campsite

ENCROACHMENTS

2017/9130 ENCROACHMENTS LIST RESUME

An updated encroachments list was provided.

2017/9131 WATERS GREEN FOOTPATH DISCHARGE

It was agreed this item should be removed from the Action List. The resident has agreed not to park on the verge and therefore dragon's teeth will not be necessary.

2017/9132 3 FOX COTTAGES DISCHARGE

This item is to remain on the list.

2017/9133 NEW ACCESS TO DURMAST COTTAGE DISCHARGE

This item is to be removed from the list as the proposals have been agreed.

2017/9134 ENCROACHMENTS, ENFORCEMENTS AND CAR FREE DEFENCES DISCHARGE

The Deputy Surveyor said that the Forestry Commission has appointed a Verge Restoration Officer who will shortly take up the post.

2017/9135 EAST BOLDRE – VERGE PARKING DISCHARGE
to Action List

The Deputy Surveyor said he believes the initial survey of the area has been completed.

An Elected Verderer provided a photograph showing a number of vehicles parked on the grazing at the end of Chapel Lane, the Forestry Commission's Estates Officer has been trying to contact the owners. The next stage is for a notice to be left on the windscreens.

2017/9136 WOODGREEN CRICKET CLUB RESUME

Originally, nothing was to be stored behind the pavilion. However, more recently a collection of items including gates, scaffold poles and other materials have accumulated in the area which has been shut off to exclude Forest stock.

The Court was not willing to give consent for this area to become a permanent store, with or without a container or some other type of building. The Cricket Club will be asked to remove the materials and equipment and open the area up to stock. It was, however, agreed, that in the summer months, when cricket is being played, animals may be excluded if necessary for hygiene reasons. In future, no equipment is to be stored outside the pavilion.

As respects the practice wicket, the present cover consisting of a tarpaulin held down with bricks and scaffold poles is unacceptable and the Club will be asked to come up with a better solution.

An area outside the square is currently fenced (thrown open in winter) with a rather ad-hoc construction made of scaffold poles which the Club will be asked to tidy up. It is not an ideal structure but it is stock proof unlike some cricket club fences, which are the more usual post and wire.

The Court is insistent that the grass track leading past the pavilion must not be gravelled.

There is no agreed site management statement with Natural England and this will be a requirement of the new licence. Mr Grugeon will bring a new agreement to the Court for consent.

Action
PG

2017/9137 BT CABLE AT CROCKFORD DISCHARGE

Mrs Westerhoff said she has visited the site and in her opinion nothing more can be done at present.

2017/9138 DITCHING ALONG KINGS COPSE ROAD DISCHARGE
to Action List

The Forestry Commission will carry out this work as soon as possible.

2017/9139 FRITHAM – VERGE PROTECTION WORKS DISCHARGE
to Action List

No plan has been drawn up as yet. A number of cars have been seen parked on the verge opposite Crowders and it appears further attempts may have been made to fill in the ditch that was dug to prevent encroachment.

2017/9140 WOODGREEN CAR FREE DEFENCES DISCHARGE

A number of complaints have been received concerning the ditching works at the bell mouths along the avenue between Castle Hill and Godshill Wood inclosures. Mr Dowsett, the Clerk, Mr Gary North and Keeper Mathew Davies from the Forestry Commission met with representatives of Woodgreen Parish Council on site and discussed a possible compromise which has been implemented. If this does not work and further damage to the verge is caused by illegal parking, additional works will have to be carried out.

OTHER AGENDA ITEMS

2017/9141 FOREST LAWNS – DENNY LAWN DISCHARGE
to Action List

The Deputy Surveyor advised the Court that Dave Morris has looked at the area and he believes that excessive in-channel vegetation is the cause of the flooding. It is not sensible to undertake clearance work at this time of year because of the damage that will result. The Court requested a site meeting with Natural England at the earliest opportunity in order to agree a way forward.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

- 2017/9142 HIGHCLIFFE TO CALSHOT COASTAL PATH RESUME
March
- The proposed new coastal path may well cross part of the Open Forest at Hilltop, from Moonhills to Otterwood. If so, Verderers' consent will be required. A number of questions arise including whether the path has to be surfaced. The Deputy Surveyor said he will get in touch with Natural England to ascertain what they are thinking. There are no published plans as yet.
- Action
DS
- 2017/9143 NEW PARK RESUME
- There are ongoing issues with the fencing of New Park in particular in and around the fields used by the bloodline and futurity scheme colts. Mares from the Forest are continuing to gain access to New Park which is a problem when there are colts in the fields with fencing that is not particularly stock proof.
- The Court confirmed that the Verderers will not contribute to the boundary fencing. The Deputy Surveyor undertook to speak to Simon Holloway to find out the latest position.
- Action
DS
- 2017/9144 BROWNHILLS INCLOSURE FENCE DISCHARGE
to Action List
- The fence around this inclosure is not stock proof and animals are constantly gaining access. The local Keeper is aware of the problem and is continually having to remove stock from the inclosure.
- 2017/9145 PONIES BARKING BEECH TREES IN MARK ASH RESUME
- The Deputy Surveyor said the Forestry Commission has a volunteer undertaking a survey of the area and he carries a camera to record offending ponies.
- Damage is continuing despite some offending ponies having been removed from the Forest last year.
- Fencing and cattle grids is not a short term solution, mainly due to the cost.
- The HLS board has agreed to fund a study into why certain ponies are eating the bark off the Beech trees but as yet the tender has not yet been let. It won't, however, help the situation now.
- Mr Pasmore commented that approximately 3 acres of hollies between the Canadian Cross and Oakley Inclosure have been pollarded and he wondered if this was an attempt to draw the ponies away from the Beech. The Deputy Surveyor thought not.
- It was commented that ponies were seen eating the bark of ash trees in Hollands Wood last year.
- Mr Deakin said that nothing can be done until the ponies are properly identified. At that point they can be caught and removed. The Official Verderer felt the payments made last year to owners of ponies which are removed could be continued this year with the Court's approval.

2017/9146	GATE CATCHES	RESUME
	<p>Cllr Heron reported that he has received a number of complaints about badly maintained gate latches, in particular the 'trombone' type that have been fixed to certain gates in recent years.</p> <p>The Deputy Surveyor was asked how often the gates are inspected. He was unable to provide an answer, but undertook to discuss the problem of badly maintained catches with the relevant Forestry Commission staff.</p>	Action DS
2017/9147	SEAT IN MARK ASH	RESUME
	<p>A seat has appeared in Mark Ash. It is a deliberately constructed seat on Open Forest close to the gate to Anderwood. The Deputy Surveyor said he will investigate.</p>	Action DS
2017/9148	GREAT BRITISH SPRING CLEAN	DISCHARGE
	<p>A press call has been arranged on Monday 27th February at 9.00 a.m. at Picket Post. Cllr Heron will be attending and Miss Macnair said she would also go along.</p>	

The Deputy Surveyor and Land Agent left the meeting

OTHER MATTERS ARISING

2017/9149	BASIC PAYMENT SCHEME AFTER BREXIT – THE NEW FOREST NATIONAL PARK AUTHORITY SUB COMMITTEE	DISCHARGE
	<p>Mr Pasmore said he will report to the Court after the next meeting of the NPA sub-committee.</p>	Action AHP
2017/9150	WELFARE TOUR	RESUME May
	<p>It was agreed the spring welfare tour will be held on Friday 5th May.</p>	

HIGHER LEVEL STEWARDSHIP SCHEME

2017/9151	HLS MINUTES	DISCHARGE
	<p>The minutes of the last meeting have been circulated.</p>	
2017/9152	HLS BOARD REPRESENTATION, CHAIRMAN AND SIGNATORY TO THE AGREEMENT	RESUME May
	<p>The HLS Board will need to elect a new Chairman once the Official Verderer retires.</p> <p>The Court will need to elect a representative which does not have to be the Official Verderer.</p> <p>The current Official Verderer is registered with the Rural Payments Agency as the 'farmer' for the New Forest. A new person will have to be nominated when he retires.</p> <p>It was agreed that these matters should be considered once the new Official Verderer is in post.</p>	

2017/9153 TURF HILL INCLOSURE RESUME

It was suggested a meeting with the Forestry Commission should be requested to discuss the removal of the ruts. The Deputy Surveyor will be asked to add this to the Action List. Action Clerk Add to Action List

2017/9154 PROMOTION OF HLS ACHIEVEMENTS DISCHARGE

It is felt there should be more promotion and celebration of HLS achievements and successes. The website does carry some information but it is felt it could be improved. Action SLM & TW

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2017/9155 CONSULTATIVE PANEL REPRESENTATION DISCHARGE

Miss Macnair kindly agreed to continue to represent the Court on the Consultative Panel.

FINANCIAL MATTERS

2017/9156 FINANCIAL STATEMENT FOR JANUARY 2017 RESUME

The Financial Statement was noted.

HEALTH & SAFETY

2017/9157 HEALTH & SAFETY REVIEW DISCHARGE

A review of health and safety is under consideration. Action RD

ANY OTHER BUSINESS

2017/9158 STALLION SCHEME 2017 DISCHARGE

The stallion sub-committee met to discuss and agree the process for this year's stallion scheme. Mr Deakin is preparing some notes of the meeting. Action DM

Miss Macnair asked that she be advised of the date of the next meeting.

2017/9159 HIGHWAY FENCING DISCHARGE

Cllr Heron asked if progress is being made. The Clerk confirmed the system of sending the list to the local Highways office for updates is still operating successfully. Cllr Heron commented that fencing priorities are currently under consideration. Action EH/Clerk

2017/9160 SCHOOLS CONFERENCE DISCHARGE

Miss Macnair told the Court that at a recent schools conference, a representation from the younger children suggested that total automation will one day be the norm with robots taking over most tasks leading to the extinction of mankind! The Court was alarmed to hear this may be the view of the younger generation.

2017/9161 NATIONAL GRID PROPOSALS FOR UNDERGROUNDING THE HIGH DISCHARGE
VOLTAGE PYLONS AND LINES IN THE NORTH OF THE FOREST

Mr Dowsett met the contractors on site on Monday 13th February. Their work practices were explained and they took on board concerns about Bentonite and the need to avoid any spillages. Mr Pasmore has also inspected the place where the first hole had been excavated. He said the restoration is excellent and he is very impressed.

2017/9162 HATCHET GREEN VERGE DAMAGE RESUME

The verges around Hatchet Green are being badly damaged by vehicle parking. Mr Pasmore agreed to raise the issue with the Parish Council.

Action
AHP

2017/9163 TWO YEAR OLD COLT AT MILKHAM DISCHARGE

Mr Deakin confirmed this colt has been caught and removed from the Forest.

2017/9164 BROOMY PLAIN ROAD PROPOSALS DISCHARGE

Mr Greenwood asked which organisation will be responsible for the verge protection works. The Official Verderer confirmed that the Forestry Commission will deal with the verges with the County Council being responsible for constructing the passing places.

Mr Greenwood expressed dissatisfaction with the suggestion that areas restored when concrete left over from the old airfield is lifted could be regarded as adequate compensation for lost grazing. He remarked that the concrete should have been removed anyway so he felt it cannot be compensation. The Court's general view, however, was that this is the only way that the concrete is likely to be lifted as funds are not available from normal sources.

2017/9165 AGISTERS TRAILERS DISCHARGE

Mr Readhead reported that the new stock trailers have been delivered.

There was no further business and the meeting closed at 1.30 p.m.

Domonic May
Official Verderer