

**MINUTES of the Court of Verderers held on Wednesday 21<sup>st</sup> January 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 B Dowsett	Forestry Commission Appointed Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr C Maton	National Park Appointed 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:	None	

**IN COMMITTEE in the Library**

2015/7694 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 17<sup>th</sup> December 2014 were approved and signed.

2015/7695 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.

Mr Mills also declared an interest in Cranes Moor as a neighbouring land owner.

Mrs Westerhoff and Mr Stride are tenants of the Forestry Commission.

2015/7696 CONDITION OF STOCK RESUME

The Head Agister said that the cold wet weather is now beginning to affect the animals. Overall, stock is still looking well but a few are losing condition and some will undoubtedly have to be taken off the Forest as the winter progresses. The Forestry Commission has started holly pollarding which enables the ponies to eat the younger leaves which they would

otherwise be unable to reach. It was noted the ponies are also now eating the gorse.

2015/7697 STRANGLES DISCHARGE

Apart from the pony at Sway which was seen to have strangles just before Christmas, the only other pony which has been seen with strangles is at Godshill. Both are being monitored.

2015/7698 ANIMALS REMOVED FROM THE FOREST IN 2014 RESUME

The total number of animals removed from the Forest in 2014 because they were losing condition was 169. In 2013, the number was 345.

2015/7699 REPORT ON MARKING FEES RECEIVED IN 2014 RESUME

	2014	2013
Forest Ponies	4311	4390
Forest Cattle	2709	2523
Forest Donkeys	96	94
Forest Pigs	151	330
Forest Sheep	0	0
<b>Total Forest Stock</b>	<b>7267</b>	<b>7337</b>
Common Ponies	727	731
Common Cattle	1098	968
Common Donkeys	60	71
Common Pigs	23	15
Common Sheep	142	113
<b>Total Common Stock</b>	<b>2050</b>	<b>1898</b>
Total Ponies Forest & Common	5038	5121
Total Cattle Forest & Common	3807	3491
Total Donkeys Forest & Common	156	165
Total Pigs Forest & Common	174	345
Total Sheep Forest & Common	142	113
<b>Total</b>	<b>9317</b>	<b>9235</b>
Stock Turned out by Licencees in above figures.	0	20
Ponies, Cattle & Donkeys on the Forest	<b>7116</b>	<b>7007</b>
Ponies, Cattle & Donkeys on the Common	<b>1885</b>	<b>1770</b>
<b>Total Ponies, Cattle &amp; Donkeys F &amp; C</b>	<b>9001</b>	<b>8777</b>

2015/7700 BYELAW ENFORCEMENT RESUME

No byelaw offences have been reported.

2015/7701 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**

2015/7702 BRAMSHAW GOLF CLUB

At our last public Court in November, Mrs Mary Gray of Lush's Farm complained about the abuse of the open Forest by Bramshaw Golf Club's inappropriate use of machinery in wet ground conditions, and she asked that the Forestry Commission monitor activities on the course, rather than await a complaint. The Verderers support Mrs Gray's request, and we have asked the Forestry Commission to actively manage this licence, and other licences, more closely.

2015/7703 FENCE ALONG THE A31 BETWEEN CADNAM AND RINGWOOD

In the next few weeks, the Highway Agency's contractor, EM Highways, will be replacing three sections of fence along the A31 between Cadnam and Ringwood with post and rail with stock netting, to our agreed standard. The areas involved are on the westbound carriageway from Junction 1 of the M27 where it joins the A31 at Cadnam, to the Minstead Junction and then further along the road on the westbound carriageway, from West of Stoney Cross (at the end of the deer fence) to Mogshade Underpass. A further section of fence is to be replaced on the eastbound carriageway from Mogshade Underpass to approximately 300 m west of Stoney Cross. This is the next (very welcome) step towards the whole of the A31 fence eventually being constructed of post and rail, rather than the present post and wire. In addition, vegetation clearance is to take place on the westbound carriageway between the layby at Stinking Edge Wood and Picket Post Services. This will help with inspection of the fence and therefore improve safety on the road, plus a reduction of gorse and other coarse herbage will reduce the risk of fire. All necessary consents for the works have been obtained. Most of the work will be carried out at night to avoid too much disruption to traffic and we have the full assurance of EM Highways that all necessary precautions will be in place to ensure that commoners' stock cannot access the road at any time.

2015/7704 VERDERERS' GRAZING SCHEME PAYMENTS FOR 2015

Due to a change of Higher Level Stewardship scheme year by Natural England, implemented by the EU, the new HLS year will run from 1st January 2015 to 31st December 2015.

One of the aims of the Higher Level Stewardship 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. After much debate and careful consideration by the Verderers, it was agreed at our December Committee that it is right to give more support to the pure bred New Forest pony, than other breeds which may be depastured in the Forest. It was, however, also agreed that as all the ponies contribute to the conservation interest, they should all receive some support. We have decided 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 payment of the marking fee only. 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 that he or she chooses and this principle will always be upheld.

We will be sending out the 2015 VGS application form in due course, and I will make a further announcement about this in our February Court.

2015/7705 HIT AND RUN REWARD SCHEME

In 2014, there were 30 hit and run accidents in which legally depastured animals were killed or injured. Careless drivers did not report these accidents, in some cases leaving injured animals to suffer. I would like to remind the Court that the Verderers offer a £1,000 reward to a member of the public who provides information which leads to the successful conviction of a driver for failing to report an accident involving a Forest animal. Details of the reward scheme can be found on the Verderers' web site.

**ANIMAL ACCIDENT REPORT**

2015/7706 THE ANIMAL ACCIDENT REPORT FOR DECEMBER 2014

RESUME

The Agisters attended 21 accidents in December 2014. This compares with 16 in December 2013.

8 ponies, and a donkey were killed or had to be destroyed and 2 cattle were injured. In the remaining accidents, the animals were either uninjured or nothing was found.

17 accidents occurred in the dark, 2 at twilight and 2 in daylight.

17 vehicles were cars or light commercials and 1 was a large refuse/recycling vehicle. 3 accidents were not reported.

7 motorists were local.

THE ANIMAL ACCIDENT REPORT FOR 2014

The Agisters attended 138 accidents in 2014. This compares with 181 accidents in 2013, so that is a welcome reduction.

27 animals were killed outright, 6 were ponies wearing collars, 41 animals were injured and had to be destroyed, a further 23 suffered less serious injury, 10 were uninjured and in 41 instances nothing was found.

37 accidents occurred in daylight, 16 in twilight and 85 in the dark.

103 vehicles were cars or light commercials, 2 were HGV's and 3 were motorcycles.

62 motorists were local.

30 accidents weren't reported.

In percentage terms, the number of animals killed in road traffic accidents in the Forest in 2014 was 0.73% of all stock depastured. That is the same as in 2012, and remains the lowest on record.

THE SPEED CAMERA VAN

Since the beginning of October, the speed camera van has caught 1100 motorists travelling over the speed limit on the unfenced roads in the Forest. One motorist was caught doing 48 in the 30mph zone in Bramshaw. The highest speed recorded on an unfenced road in a 40 mph zone was 74 mph on the B3055.

## PRESENTMENTS

### 2015/7707 DRAIN MAINTENANCE AT BROCKENHURST

Presentment by Mr James Young, Practising Commoner and Landowner adjacent to the Weirs and Culverley (School) Green, Brockenhurst.

'This presentment is about lack of drainage maintenance in the Brockenhurst area.

I farm and common in a low lying flat area which because of this requires regular maintenance to my drains. Following two particularly wet winters I have yet again completely cleared the main drains this autumn on my holding in order to try and reduce my land flooding for much of the winter.

This has been mainly in vain however because the water flows to my property boundary and is then completely bayed up because the Forestry Commission have not maintained their ditches for some years now.

In particular, I attended a site meeting at Culverley (School) Green over 12 months ago with representatives of the Forestry Commission and Commoners Defence Association. It was agreed to clear the ditches out across this green in order that this area of forest would not be under water and of course at the same time it would allow the water to drain from my land, however nothing has happened to date.

Just recently Forestry Commission contractors have replaced a fractured pipe under the track at North Weirs opposite my property. Again the ditch is clogged just below the end of the pipe through lack of maintenance so we have the ludicrous situation that the water level is now higher than it was before the work.

I do urge the court to ensure that the Forestry Commission carries out its obligations in this area before we all disappear completely under water'.

### 2015/7708 DRAIN MAINTENANCE ON THE FOREST

Presentment by Mr Harry Oram, Chairman of Brockenhurst Parish council and former Operations Manager for the Forestry Commission

'Good morning Official Verderer and Verderers. My name is Harry Oram and I am the Chairman of Brockenhurst Parish council and before my retirement in 2012 I was Operations Manager for the Forestry Commission here in the New Forest.

The subject of my presentment is the condition of the drainage ditches on the Forest. Not to be confused with the car free ditches dug in the 1960's. The presentment is divided into three parts, background, issues and request.

Background – I am aware that drainage on the Forest is a divisive issue. The habitats of the Forest are of international importance and have very high conservation designations, SAC, SPA, Ramsar and SSSI. It seems that conservationists and environmentalists wish to reduce the drainage of the Forest, the 'wetter the better' view, whereas the Commoners expect a reasonable amount of ditch maintenance to take place to safeguard the grazing for their stock (traditionally carried out following the 1949 Act).

Under the SAC and SSSI regulations the Verderers have a duty to ensure that unfavourable units are managed to progress through to favourable status. This will often mean neglecting and blocking ditches. I am aware that excessive amounts of drainage were carried out in the 19<sup>th</sup> and 20<sup>th</sup> centuries. Whilst in remote parts of the Open Forest such neglect may be appropriate and not cause any adverse results, the Forest villages are also included within the SAC area. Brockenhurst has many lawns and greens and neglecting long-established drainage systems has had a detrimental effect on the

infrastructure of the village. Houses, including listed buildings, paths, access tracks, allotments, riding route and adjoining farmland have all been damaged or put at risk through inadequate drainage. This is in addition to the problems with lawns and greens that are of importance to the local Commoners for the grazing of their stock.

Recently some vegetation cutting along water courses has been carried out by FC staff at two locations in Brockenhurst, North Weirs and Martins Road, but much more work is required.

A simplistic broad-brush blanket policy to cover 45,000 acres of the Forest cannot be suitable for all conditions. In the past a Drainage Working Group worked for the Open Forest Advisory Committee to establish what level of ditch maintenance was appropriate for the prevailing conditions and factors.

Issues – There have been occasions when inspections have taken place to identify where drainage work should be carried out in Brockenhurst that is important to the local community and neighbouring householders. No notification to the Parish Council has been made and people directly affected are unaware of the decisions made.

As a related issue, the state of the roadside ditches of A, B and C roads over the Forest is causing concern. For many years Hampshire County Council has carried out the necessary works but now the officers of HCC are adamant that the adjoining landowners are responsible. It is important that Parish Councils know which Agency to contact to request works.

Requests – It is hoped that the Verderers can use their powers to introduce a procedure to establish an inspection of the areas in and around Forest villages under FC management. As well as representatives from the Verderers, FC and NE a local community representative should be present and participate in the deliberations and the Parish Council should be made aware of any decisions regarding drainage.

The CDA should receive a sympathetic hearing for their requests for drains maintenance and the FC should have sufficient resources available to carry out the work within a reasonable timescale.

The Agency with the responsibility for roadside ditches must be identified'.

#### 2015/7709 DRAIN MAINTENANCE ON THE FOREST

Presentment by Dr Graham Ferris – Chairman of the New Forest Commoners' Defence Association

'The Commoners' Defence Association has for some time been concerned at the lack of drainage ditch maintenance to be carried out by the Forestry Commission on the Open Forest.

This results in the loss of grazing due to standing water on lawns for prolonged periods and access routes on foot or on horseback becoming impassable, and, as previous speakers have made clear, it also impairs the field drainage of neighbours' property and increases the flood risk for local communities.

Just over a year ago a Forest wide process was agreed with Natural England (NE) and the Forestry Commission (FC) that the CDA would indicate specific areas of concern and site visits with NE and FC would determine what drain maintenance work would be appropriate and how that work should be carried out. This process was to be trialled in the Brockenhurst area.

Site visits took place and work was agreed.

Regrettably the rather modest programme was not completed in 2014, due, it has been suggested, to the summer being too dry and the autumn too wet!

CDA members feel that this is an excuse for inaction that could be trotted out every year in one form or another.

The CDA would ask the Verderers to share our concerns and urge the Forestry Commission to tackle this issue with greater resolve and that despite the rather dismal start, we can develop with the Forestry Commission an ongoing programme of drain maintenance, in line with the guidance that Natural England has given, across the Open Forest'.

2015/7710 THE CHRISTOPHER TOWER REFERENCE LIBRARY AT THE NEW FOREST CENTRE, LYNDHURST  
Presentment by Dr Graham Ferris, Chairman, CDA

'CDA members were shocked and disappointed to learn via the local press that a decision had been made to close the Christopher Tower Reference Library in the New Forest Centre and to make redundant the two librarians, Richard Reeves and Jude James, both widely recognised as outstanding authorities on the New Forest and its history, and even if amateur volunteers can be found and trained up, it is proposed to only allow access to the Library by appointment.

Commoners and commoning are vital, integral parts of the history of the New Forest and its cultural heritage. Researchers studying this heritage will be hampered by restricted access to the impressive documentation.

The CDA, like other organisations and individuals had deposited documents in the confident expectation that they would be safeguarded and made readily available to future generations. If that confidence is eroded and the continuity of the record broken, the hugely important asset that the Library represents will be at risk.

It is to be regretted that wider knowledge, beyond the Trustees, of the threat hanging over the future of the Library should only have become evident after the axe had fallen, especially whilst other funding streams into the Forest were being developed, such as the Heritage Lottery Bid, in which the future of the Library might have been included.

We would ask the Verderers to consider using their considerable influence to stimulate potential providers of funds to come forward to secure the future of the Library.

Running down the Reference Library would be an act of cultural vandalism'.

2015/7711 CYCLING ON THE FOREST  
Presentment by Mr Ian Thew

'Official Verderer, members of the Verderers' Court, good morning and thank you for this opportunity to speak to you. My name is Ian Thew and I live in Burley Rails Cottage which is located deep within a New Forest Inclosure and for many years I have been an active New Forest Sporting Licensee; in consequence of which, I am probably out and about on the Forest more than most people.

I have come here today to express my concern for the damage that is being inflicted on flora, fauna and fabric of the Forest by an ever increasing genre of cyclists. These cyclists ridicule the byelaws, the cycling code and the general ethos of the Forest by either, riding their bicycles away from the designated routes; causing damage to the Open Forest, its woodlands and its valley bottoms and mires or, by choosing to cycle through the Forest, either on or off the designated ways, in large, noisy groups, during the hours of darkness

using ridiculously bright lamps to light their way.

I have had many occasions to challenge these people and the minority were, more often than not, first-time visitors to the Forest, usually on hire-bikes, who were genuinely ignorant of the Forest rules and apologetic for their actions but the majority were, clearly, regular offenders who were anarchistic, belligerent, abusive and, sometimes, forthright in what they consider to be their birthright.

Clearly, cyclists are here to stay and, as one who makes part of his living from tourism, their business is welcome. But, if we are to encourage cycling in the Forest then the ground rules should be clearly apparent to all so that ignorance cannot be used as an excuse by those who offend, and similarly, it should be policed and there should be provision to enable those who are protecting the interests of the Forest to penalise or prosecute those who choose to ignore these rules.

I have written to the Chairman of the National Park Authority on this subject and he has advised me that enforcement of byelaws on the New Forest Crown Lands is the responsibility of the Forestry Commission. I have also been informed, rightly or wrongly, by employees of the Forestry Commission that there are no provisions within the Forestry Commission budget to enable prosecution of offending cyclists.

The Crown Keepers of the New Forest have traditionally and effectively policed such issues; but with reduced numbers and drastically reduced power and resources, those that I have spoken to seem to be despondent and frustrated. They are now men without teeth – which isn't fair. How can we expect these men to protect this Forest when they cannot bite back when bitten? Surely the aforementioned and other topical issues that are affecting the New Forest today present a case for reinstating the keepers to their original numbers and bestowing upon them some, if not all, of their necessary powers which gave their forebears the respect and the ability to carry out their duties as expected.

I am often rendered speechless and helpless when informed by off-road cyclists that there is nothing I or anyone else can do about them. Surely it's time that something is done, before it is too late, to stop these people, who are hell bent on destroying, for the sake of their own gratification, that which we all love and cherish and that which the majority of people come here to enjoy.

I request that the Verderers use the authority of this court to urge the Forestry Commission to police illegal cycling on the New Forest.

2015/7712 FUELWOOD  
Presentment by Mr Graham Baker

'This is the next episode in my efforts to collect my fuelwood.

1. I did contact the Commission, admittedly more in hope than expectation, to see if some action could be taken to enable me to collect the rest of my allotment this year. No response.
2. I did wonder if the two metre rather than 4 foot length problem was due to machinery constraints and looked at my wood and that of others for track marks. I found none and I do not believe the cord wood is straight enough or long enough to be cut by complex machinery. There may be other reasons why it has to be two metres but not that one.
3. I have visited my stack three times since my last appearance at court. First to paint my allotment number on the large logs. Second in the hope of finding an authorised contractor to cut my wood and on that occasion I noticed very little cord wood had



been taken. I finally visited on the afternoon of the last day on which we can collect the wood and was pleased to see most wood had been taken. As I got closer I was less pleased to see this included my wood. From the photo I will leave with the Clerk you will note the thief had a conscious, or a detailed knowledge of commoners' problems as wood that could be lifted by hand and untouched allotments had not been stolen. I therefore add theft prevention to the list of reasons by wood allotments should revert to 4 foot lengths'.

2015/7713 MISSING STOCK  
Presentment by Mrs Janette Pearce

'My name is Janette Pearce and along with my husband have been commoning since 1983.

We take a keen interest in our animals and their haunts and check them regularly.

We were surprised when we were unable to find some of our ponies in their usual haunts at Longwater and spent some considerable time and effort in looking for them. We were even more surprised to be told by several concerned commoners that they were running up and down the Emery Down Road, looking completely lost.

It was obvious that they have been dumped there, victims of an unauthorised movement, swept up and dumped in unfamiliar surroundings, no thought given to their safety and welfare or our costs and worry of retrieving them.

These ponies lost condition, caught strangles and were in danger on a road that they were unaccustomed to. I know that this has happened to other commoners and their animals and I am very angry about it.

Why would someone do this? The only reason is to move animals away from a feeding area.

I am sure that you will all agree that this practice is unacceptable and I suggest that in areas where this happens some thought should be given as to whether permission to feed stock on the Forest should be allowed'.

**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**

2015/7714 DRAIN MAINTENANCE ON THE FOREST RESUME

There are three types of ditch on the Forest:  
ditches on the Open Forest constructed to drain an area of Forest;  
roadside ditches designed to remove water from the highway;  
and car free ditches which are intended to discourage verge parking.

Culverts under the public highway will be the responsibility of the highway authority as will roadside ditches dug to take water from the highway, but the Forestry Commission is responsible for ensuring that drains designed to take water away from the highway culverts and ditches are kept clear.

The Deputy Surveyor agreed to find out why previously agreed work at Brockenhurst has not been carried out.

Action  
DS

2015/7715	CHRISTOPHER TOWER REFERENCE LIBRARY	RESUME March
	<p>The Official Verderer and the Clerk hope to meet with the Chairman of the Trustees and the Centre Manager to discuss the future of the Library and discuss options for the continued storage of the Verderers' minute books. Mr Pasmore will be invited to join the discussion.</p>	Action OV
	<p>The Official Verderer has also asked the National Park Authority for help in identifying possible funding streams.</p>	
	<p>Mr Mills felt very strongly that the Library must be saved and he will talk to the Chairman of the National Park.</p>	Action HM
2015/7716	CYCLING ON THE FOREST	RESUME
	<p>The Deputy Surveyor said that a prosecution of a cyclist who is found to be cycling off-track is not out of the question, providing the necessary evidence can be obtained. He added that he is due to visit Epping Forest shortly to gain an insight into how its byelaws are enforced. The Court suggested to the Deputy Surveyor that it may be prepared to share in the legal costs of a prosecution.</p>	
	<p>The Court felt it is essential that the Keepers' powers are acknowledged and that the Keepers receive the necessary support from the Deputy Surveyor in order that they can do their job which is to police the Forest and enforce the existing byelaws.</p>	
	<p>The Deputy Surveyor said it is his intention to appoint a new Keeper to replace the Tim Creed who has recently resigned. The Court will provide the Deputy Surveyor with any necessary support to ensure that happens.</p>	
2015/7717	FUELWOOD	RESUME
	<p>The Deputy Surveyor said he is investigating solutions to the problem of oversize fuelwood and is in touch with Mr Baker. He will provide a formal response at the February Court.</p>	
2015/7718	ILLEGAL MOVEMENT OF STOCK	DISCHARGE
	<p>The Official Verderer will make an announcement at the next Court reminding commoners that moving someone else's stock is a breach of the byelaws which, subject to the necessary evidence being obtained, will be dealt with by prosecution in the Magistrates Court.</p>	Action OV

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

2015/7719	ORDNANCE AT MATLEY	RESUME
	<p>The Deputy Surveyor reported that a site visit by the MOD took place in November, but he has heard nothing further.</p>	Action DS

2015/7720 ALTERATION OF ACCESS GATEWAYS AT 'PIPERS', BISTERNE DISCHARGE  
CLOSE, BURLEY

A plan was received from the householder as requested and having studied it, the Court gave consent for the pedestrian gate to be moved and a new vehicular entrance to be constructed as requested. No parking will be permitted on the Forest and dragon's teeth will be installed close to the new pedestrian gate in order to prevent any vehicular access to the gate outside the garage which is being allowed to remain. The area on the open Forest between the new dragon's teeth at the new pedestrian gate and the previous vehicular access in front of the garage should be allowed to restore to grazing. Additionally the house owner must make good the fence behind the property which is currently allowing stock access to the site including the cess pit. The necessary variation to the access licence will be made.

Action  
PG

2015/7721 IMPROVEMENT PROGRAMME FOR ENGLAND'S NATURA 2000 SITES DISCHARGE  
(IPENS) SITE IMPROVEMENT PLAN FOR THE NEW FOREST

The plan identifies work that is ideally required, however, the necessary funding is not currently in place.

The Official Verderer thanked Mrs Westerhoff for her very comprehensive report which the Court confirmed should form the basis of her response to the consultation. A copy of the response was requested by the Deputy Surveyor.

Action  
DW

2015/7722 FLOOD RISK MANAGEMENT PLAN RESUME

The Court asked Mrs Westerhoff to obtain further information on the proposed Bartley Water balancing/flood storage ponds as their potential impact on the Forest, and in particular the grazing, needs to be considered.

Action DW

The response to the consultation, drafted by Mrs Westerhoff, was approved and will be submitted.

Mr Mills wished to ascertain whether any work at Foulford is planned as it could be helpful in protecting Ringwood from flooding. Mrs Westerhoff said she will enquire.

### SSSI RESTORATION WORKS

2015/7723 REPAIR AND MAINTENANCE LIST RESUME

The Deputy Surveyor reported there are no changes to the list provided in December.

2015/7724 CRANES MOOR DISCHARGE

Mr Mills declared an interest as he is a neighbouring land owner.

The paper setting out the proposed works on Cranes Moor following the SSSI Habitat Restoration Consultation meeting held on 3<sup>rd</sup> December 2014 was approved.

Mr Mills, however, expressed concern at what he feels is a principle that has been adopted that Scots Pine is felled as a matter of course. He felt that some stands of pine are important landscape features and should sometimes be retained. He felt that landscape beauty should be considered as well as the ecology of the Forest. In response, it was pointed out that significant resources are expended every year in removing seedling pine which would otherwise invade considerable swathes of the Forest. For that reason pine is often removed where the opportunity arises. Having said that, in the Cranes Moor proposals, certain stands of pine are being left because their positive contribution to the landscape is recognised. Mrs Westerhoff offered to meet Mr Mills on site to discuss the issue further if he felt that would be helpful.

Action  
DW/HM

## ENCROACHMENTS

2015/7725 ENCROACHMENT LIST

RESUME

There was nothing new to add to the list and the issues on the present list are being addressed.

## ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2015/7726 CAR FREE DITCHING

DISCHARGE

Mr Deakin expressed concern at the recent car free ditching work in Forest Road, Burley. The digging of a new ditch, much closer to the highway, has resulted in a double ditch with a large bank in between. This is felt to be extremely hazardous to depastured stock as well as any horse riders who may attempt to jump the ditches and potentially land and slip on the road.

Action  
DS

It had been agreed in the past that in these instances, the spoil from the new ditch would be put in the old ditch. The Deputy Surveyor promised to see that the problem is resolved.

2015/7727 WIDENING OF TRACKS AT TURF HILL AND LONGSLADE

DISCHARGE

Mr Gerrelli said he believes gravel tracks at Turf Hill and Longslade may have been widened.

Action  
DS

The Deputy Surveyor promised to investigate.

2015/7728 DENNY CAMPSITE – DISUSED CDP (CHEMICAL DISPOSAL POINT)

DISCHARGE

Mr Deakin commented that the CDP is no longer in use and is now overgrown with brambles. He requested it be removed. This will be actioned by the Forestry Commission.

Action  
DS

2015/7729 CESSPIT AT HOLLY HATCH

DISCHARGE

Mr Stride reminded the FC that he had previously complained that the new cesspit arrangement is unusual, rather odd and very unsightly, but no action has been taken. Mr Grugeon said he will see what can be done to improve it.

Action  
PG

2015/7730 NATIONAL GRID PROPOSALS FOR UNDERGROUNDING THE HIGH VOLTAGE PYLONS AND LINES IN THE NORTH OF THE FOREST RESUME  
March

Mrs Westerhoff, Mr Dowsett and Mr Deakin all expressed an interest in attending the meetings that are to be held to discuss the possibility of placing the high voltage lines that cross the North of the Forest underground. This project forms part of the National Grid's Visual Impact Provision project for all protected landscapes. Action  
DW/BD/RD

The relevant emails and dates for the meetings will be circulated to all members of the Court. The Deputy Surveyor confirmed that Mr Stan Abbot, who is part of the Forestry Commission's Planning Team, will attend on its behalf.

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

2015/7731 SUSTRANS CYCLE ROUTE INTO THE NORTH OF THE FOREST DISCHARGE

At a recent Access Forum meeting, attended by Mr Mills, Sustrans' proposals, made at the request of the NPA, for new, designated, on road cycle routes, linking Salisbury to the Forest were discussed. Mr Dowsett investigated the proposals and reported that sections of two of the routes were within the Forest perambulation, one from Woodgreen to Godshill on Forest Road and the other from Woodgreen to Hale on the Hale Purlieu Road. The only location at which additional signage is felt to be necessary to ensure the safety of cyclists is at Dry Brook Ford, where the Sustrans survey recommends the Highway Authority paint 'SLOW' on the road surface. The Court raised no objections.

2015/7732 VERDERERS' JURISDICTION OVER THE FENCED ROAD VERGES A35 ASHURST TO LYNDHURST CYCLE TRACK AND PROPOSED NEW CYCLE TRACK FROM CADNAM TO LYMINGTON RESUME

The Official Verderer advised the Court that a letter has been received from Hampshire County Council's Solicitor challenging the Verderers' authority over the verges of the fenced roads and the A35 in particular. The Official Verderer sought the opinion of Counsel, Mr Charles Parry, who has a detailed knowledge of the New Forest Acts.

The advice of Counsel is that the County Council is required to consult with the Verderers on any proposals affecting the fenced road verges.

A proposal for resurfacing the Ashurst to Lyndhurst Cycle track is expected in February.

Meanwhile, Minstead Parish Council is seeking support from the National Park Authority and Hampshire County Council for the construction of a new cycle track along the verge of the A337 from Cadnam to Lyminster.

The Official Verderer asked members of the Court to consider whether, in principle, they would support the construction of the Cadnam to Lyminster cycle track. Minstead Parish Council is hoping that the new track will be included in the National Park's Five Year Plan.

Members of the Court were asked to take into account the possibility of requesting the return to the Forest of land taken from the Forest for the construction of the Vinney Ridge junction of the A35 and the large laybys on the A35 between Lyndhurst and Holmsley.

#### HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2015/7733	HLS – CAR FREE DITCHING & VERGE PARKING	RESUME April
	The Official Verderer believes that some of the Car Free Ditching work that is being funded by the HLS may be unnecessary. He feels that in some places the ditches do not need to be re-dug and that there is more of an issue with verge parking by residents, visitors and tourists. An HLS project is therefore being worked up. Meanwhile the Deputy Surveyor is giving thought to which car free ditches need re-digging, and which do not.	Action OV  Action DS

#### VERDERERS GRAZING SCHEME (VGS)

2015/7734	VGS PAYMENTS	DISCHARGE
	Three commoners complained that they have not received their payments in respect of last year. Upon investigation it seems their application forms were not received. A decision on whether they can be invited to complete a form now, and receive payment, will be made shortly.	Action OV
	Meanwhile, the application form for this year is currently being re-designed as some further or different information is required.	Action VGS Administrator

#### FINANCIAL MATTERS

2015/7735	FINANCIAL STATEMENT FOR 2015	RESUME
	The financial statement was noted.	

#### HEALTH & SAFETY & TRAINING

2015/7736	CHAINSAWS	DISCHARGE
	Mr Deakin reported that some equipment is being purchased which is required in order to ensure the health and safety of the Agisters.	

#### ANY OTHER BUSINESS

2015/7737	SEMBCORP WATER – ACCESS TO HIGHTOWN COMMON RESERVOIR	DISCHARGE
	Sembcorp proposals for accessing Hightown Common were approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.	Action Clerk

2015/7738	ROCKFORD COMMON TURKEY OAK REMOVAL	DISCHARGE
	Mrs Westerhoff reported on a site visit that she and Mr Dowsett attended recently at which the National Trust outlined its proposals for the felling of Turkey Oak and Birch on Rockford Common. Mrs Westerhoff said she was pleased with the proposals which she felt are to be welcomed. The Court agreed.	

2015/7739 UK CYCLING EVENTS SPRING SPORTIVE

DISCHARGE

Mr Dowsett reported that notification has been received of the Wiggle Spring Sportive to be held in April. He added that in the terms and conditions issued to participants, there is no reference to depastured stock. The Clerk has contacted the organisers asking them to ensure that in future a warning to take care when passing stock is included. The Clerk said that she has received an assurance that in the revised terms and conditions, which are being drawn up now, the need to take care will be included.

Mr Dowsett and the Clerk will liaise shortly to look at all the known events for this autumn in order to identify any potential clashes with drifts.

2015/7740 REMOVAL OF LAYBY ON THE A337 AT BROCKISHILL

DISCHARGE

Following a serious road traffic accident last year, Hampshire County Highways is proposing to remove the layby on the A337 at Brockishill.

Following the accident, the County Council's Safety Engineering Team visited the site at the request of the Police who felt it should be investigated under the Casualty Reduction Partnership. During their visit the SET noticed the layby which is on the apex of the bend before the accident site. Following the SET's report, the consensus of opinion at both the County Council's area office and the District Council was that the layby is not required and as it is in a potentially precarious place, it should be removed.

As the removal of the layby will prevent motorists from stopping and climbing over and damaging the fence, it was agreed the removal of the layby is to be welcomed.

There was no further business and the meeting closed at 13:39 hrs.

*Domine May*

*Official Verderer*

*18<sup>th</sup> February 2015*