

**MINUTES of the Court of Verderers held on Wednesday 17<sup>th</sup> July 2013 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
	Miss D Macnair MBE	Senior Elected Verderer
	Mr B Dowsett	Forestry Commission Appointed Verderer
	Mr A Gerrelli	Elected Verderer
	Mr D Readhead	Elected Verderer
	Mr R Stride	Co-opted Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister
APOLOGIES:	Mr C Maton	National Park Appointed Verderer

**IN COMMITTEE in the Library**

2013/6747 MINUTES OF THE LAST MEETING RESUME

Mr Gerrelli asked for an amendment to be made to the June Minutes, at Minute Number 2013/6689, entitled The Welfare Programme. Mr Gerrelli said he did not *suggest* that the age limit for mares should be reduced from 18 to 16 years but that he had pointed out that some commoners are keeping 16 year old mares in order to benefit from the Welfare Scheme, whereas in the past it was likely that they would have taken them off the Forest at that age. It was agreed that this amendment should be recorded in these (July) Minutes.

The Minutes of the Court held on Wednesday, 19<sup>th</sup> June 2013 were otherwise approved and signed by the Official Verderer.

2013/6748 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, Mr Maton, Mrs Thorne and Mr Stride all declared an interest in the Higher Level Stewardship Scheme and the Verderers Grazing Scheme.

Mr Gerrelli declared an interest in campsites.

Mr Dowsett advised the Court that he is a Forestry Commission Voluntary Ranger.

Mr Stride reminded the Court that he is an employee of the Forestry Commission.

2013/6749 CO-OPTED VERDERER MR RICHARD STRIDE DISCHARGE

The Official Verderer welcomed Mr Stride to the Court. Mr Stride said that he is pleased to re-join the Court. He served as a co-opted Verderer for just over a year following Mr Maldwin Drummond's resignation in 1990 when the latter took up the Chairmanship of the New Forest Committee. In November 1991 Mr Stride was elected to the Court and served for a further 6 years.

2013/6750    CONDITION OF STOCK    RESUME

The Head Agister said that overall the condition of stock is very good, as it should be at this time of year. Because of the current spell of hot, dry weather, the grass on the Forest is now getting burnt up but in the 'bottoms' including places like Whitten Pond, there is plenty of grass. Mares with foals are noticeably leaner than those without.

2013/6751    STOCK LOSING CONDITION AND REMOVED FROM THE FOREST    RESUME

2 mares with foals and 3 without foals. The total for June is 5. The total for last June was 7.

The total for the year is 339 compared with 207 to the end of June last year.

2013/6752    MARKING FEES RECEIVED THIS YEAR TO DATE    RESUME

	Forest	Common	Total
Ponies	4338	772	5110
Cattle	2361	906	3267
Donkeys	93	70	163
Pigs	0	35	35
Sheep	0	108	108

Total            8683

Ponies, cattle and donkeys on the Forest – 6792

Ponies, cattle and donkeys on the Common – 1748

Total Ponies, Cattle and Donkeys – 8540

#### MARKING FEES RECEIVED IN 2012 TO THIS DATE

	Forest	Common	Total
Ponies	3990	783	4773
Cattle	2079	879	2958
Donkeys	86	66	152
Pigs	0	102	102
Sheep	0	136	136

Total            8121

Ponies, cattle and donkeys on the Forest – 6155

Ponies, cattle and donkeys on the Common – 1728

Total, Ponies, Cattle and Donkeys - 7883

2013/6753    WELFARE PROGRAMME    DISCHARGE

The Official Verderer reported that at the recent VGS Management Committee meeting it was decided that the age limit for animals removed from the Forest on the Welfare Programme should remain at 18 years. A review of the Welfare Programme should be held after it has run for three years i.e. at the end of 2014.

A discussion then took place in which various opinions were expressed, such as the view that older mares are more likely to get in-foal than younger ones and older stallions will serve the older mares in preference to the younger mares. It was also suggested that stallions which have sired more than 100 foals should not be used again and that dominant older mares are inclined to drive off the younger ones. It was further suggested that the present Stallion scheme is not sustainable and that more younger stallions are required. It was considered to be too difficult to get a young stallion passed now.

Action  
JRG

The New Forest Pony Breeding and Cattle Society has set up a Futurity Scheme which the Verderers Grazing Scheme is supporting.

The Welfare Programme was discussed further later in the meeting (see minute number 2013/6789).

**The Head Agister left the meeting.**

2013/6754 ANNOUNCEMENTS AND DECISIONS

RESUME

Two additional items were added to the announcements and decisions which were then approved.

2013/6755 STOCK NUMBERS

DISCHARGE

It is felt that the reason for the increase in the number of ponies turned out is because due to the poor market for ponies, some commoners have kept yearlings which would in the past have been sold. A few commoners have purchased more stock and of course several new commoners have turned out recently.

Action  
VGS Cttee

**OPEN COURT – 10.00 a.m. in the Verderers' Hall**

IN ATTENDANCE: Mr Mike Seddon, Deputy Surveyor of the New Forest (DS)  
Mr Mark Street, Area Land Agent (New Forest)

**ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER**

2013/6756 SHEEP

Following Mr Cook's presentment last month, our Clerk, Sue Westwood, met with the National Trust's Rural Surveyor, Mr James Taylor, together with Mr Lee Hullin, the Trust's Lead Ranger on the Northern Commons. Mr Taylor and Mr Hullin have agreed to contact Mr Cook to explain the basis on which the National Trust permits sheep to graze on the Bramshaw Commons.

2013/6757 TWO YEAR OLD COLTS

Mr Brian Ingram asked what penalties a commoner who is NOT in the Verderers' Grazing Scheme may face if they allow a two year old colt to remain on the Forest beyond the 1<sup>st</sup> of February and I undertook to provide an answer in this Court.

Allowing a colt to remain on the Forest after the 1<sup>st</sup> February is a breach of the Verderers' byelaws and therefore the owner runs the risk of prosecution in the Magistrates' Court. The Court is prepared to pursue such action in the case of a persistent offender.

2013/6758 MICROCHIPPING

A microchipping session has been arranged on Thursday, 12<sup>th</sup> September from 4 to 6 pm at the Beaulieu Road Sale Yard for members of New Forest Pony Breeding and Cattle Society and members of the New Forest Commoners' Defence Association. Any pony or donkey, foals and older ponies, may be brought along.

The cost is £15, payable on the day - very cheap compared to taking a pony to the Vet. The cost will be refunded if the pony is sold at one of the autumn Beaulieu Road Sales.

Anyone wishing to take an animal along for microchipping must book in with the Head Agister, Jonathan Gerrelli by the 31st August. The Head Agister is here if you want to book in today.

A minimum of 30 bookings is required in order for the session to go ahead so please do not delay booking in.

Fully and correctly completed passport application or identification forms must be taken along.

Usual Pony Society registration fees apply.

We would like to thank the New Forest Livestock Society for the use of the sale yard for the microchipping.

2013/6759 MR RICHARD STRIDE

'I am pleased to welcome Mr Richard Stride as co-opted Verderer today in place of Mr Anthony Pasmore who resigned in May. Richard has served the Court previously, for 9 years from 1988 to 1997. Thank you for agreeing to serve again Richard'.

2013/6760 BEAULIEU ROAD PONY SALE YARD

'The project to put a roof over the sale yard is progressing and will be completed by the September pony sale'.

**ANIMAL ACCIDENT REPORT**

2013/6761 THE ANIMAL ACCIDENT REPORT FOR JUNE 2013

RTA REPORT FOR JUNE 2013

The Agisters attended 6 accidents compared with 9 in June last year.

The total number of animals killed and injured up to the end of May was 41 compared with 24 in the same period last year.

3 ponies were killed, nothing was injured and the remaining animals involved in accidents were either uninjured or not found.

2 accidents were not reported by the drivers involved.

3 accidents occurred in daylight, and the other 3 at night.

On the Thursday 6<sup>th</sup> June at 2.05 in the afternoon, a bay mare was injured and subsequently destroyed after an accident between Picket Post and Burley. The driver of the Citroen C3 reported the accident. He comes from Bridport, Dorset.

On the Saturday 8<sup>th</sup> June a skewbald mare was killed at Black Gutter on the B3078. The accident happened at 10.50 p.m. The driver reported the accident. He comes from Burgess Hill in West Sussex and he was driving a Vauxhall Combo van.

On Friday 14<sup>th</sup> of June at 9.35 p.m. a bay mare was hit by a motorcycle. The mare was wearing a reflective collar. Due to the extent of her injuries, the mare was destroyed. This accident occurred on the B3054, near the junction with Moonhills Lane Beaulieu. The motorcyclist came from Humberside.

Tuesday 18<sup>th</sup> June at 9.10 a.m. and Agister Robert Maton receives a call from a member of the public who said that she had just witnessed a Ford people carrier striking a donkey. The vehicle had driven off. Fortunately the donkey appeared to have escaped unscathed as nothing was found injured.

At approximately 3.15 in the afternoon on Wednesday 19<sup>th</sup> June, our office received a call from a lady who said she had collided with a brown foal which fell down and then got up and ran off with its dam. The lady who was driving a Ford Focus comes from Brockenhurst. The accident happened at Latchmoor Gate. The bay filly foal was found uninjured.

On Friday 21<sup>st</sup> June at 10.30 p.m. a cow was reportedly struck by a car at Wilverley Pit. The vehicle was seen by a witness to have been damaged. Unfortunately, however, the witness didn't stop, neither he didn't report the accident for several days. The driver of the vehicle involved also failed to report the accident. So far nothing has been found injured and so we hope the unfortunate animal was not badly hurt.

Unfortunately so far in July, we have already received reports of 10 accidents in which 4 animals have been killed and 2 injured. All bar 1 occurred in daylight. This must indicate either a complete lack of awareness or consideration for the Forest's animals on the part of motorists driving through the Forest.

We are receiving reports of drivers who have 'bumped' animals which are standing in the road reluctant to move. It is understandable that drivers become frustrated at being held up, especially in this hot weather, but it is not acceptable to deliberately allow a vehicle to come into contact with an animal. Ponies and donkeys in particular are easily injured and a broken leg is a death sentence. Most animals will move if they are given enough incentive and time. Personally I find opening the window and banging on the side of the car with my hand usually encourages animals to move, and isn't quite as irritating to any nearby residents as honking the horn! And yes, I know, those of us who are lucky enough to have air con may be reluctant to let all that nice cool air out of the window but surely the welfare of the animals should really be more important!

The accident rate this year is showing a very regrettable increase. Up to Sunday just gone, there have been 78 accidents involving Forest stock. That compares with 43 to the same date last year.

## **PRESENTMENT BY THE DEPUTY SURVEYOR OF THE NEW FOREST**

2013/6762 PANNAGE

In accordance with the provisions of Section 7 of the New Forest Act 1964, the Verderers have been consulted with regard to the dates of the pannage season and I hereby formally notify the Court that the season will commence on **Monday 9 September 2013** and that it will end on **Thursday 7 November 2013**, both dates inclusive.

May I remind Commoners who hold the right of Common of Mast that:-

1. Pigs turned out must be levant and couchant in and upon the land from which the right is derived.
2. Pigs may not be turned out until they have been inspected by an Agister, effectively ringed, marked and the appropriate fee paid. This must take place during normal working hours. 48 hours' notice must be given and the time and place where the pigs are to be inspected and marked must be agreed.
3. Pigs must be marked before they are put onto the Forest.
4. Pigs may not be turned out into the Inclosures.
5. Breeding sows, that is female pigs in-pig, may be allowed the privilege of remaining on the Open Forest after the end of the pannage season if so authorised in writing by the Deputy Surveyor for the period specified in the consent.
6. Any breeding sow that is granted the specific written consent of exercising the privilege must be inspected, ringed, marked and paid for during the pannage season.
7. Any breeding sow exercising this privilege must return to the holding at night.
8. Apart from the aforementioned privilege of turning out breeding sows with proper authorisation onto the Open Forest beyond the pannage season, no pig will be allowed to remain on the Forest after the end of the season.
9. No period of grace is allowed for the removal of such unauthorised pigs.
10. Any consent granted for the exercise of the privilege is limited to the period following this particular pannage season and cannot be presumed to apply for future years, for which a separate application must be made.
11. Any unmarked animal running on the Forest does so in contravention of the Verderers' Byelaws and the owner is liable to a fine of up to £200.00.
12. Property owners of land adjacent to the Forest are reminded that it is their responsibility to fence out Forest animals from their land.

## PRESENTMENTS

2013/6763 SHEEP  
Presentment by Mr Geordie Cook

Mr Cook made a further presentment about sheep, mentioning a number of people who he feels will know the position concerning sheep on the commons. People mentioned include Mary Gray (who he claimed had written a letter to the Verderers) , Sir Berkeley Pigott, Miss Dionis Macnair and Mr Maldwin Drummond. Mr Cook also mentioned the House of Lords Select Committee set up to consider the New Forest Bill which was held prior to the 1964 Act being passed.

The Official Verderer interrupted Mr Cook and asked him to take a seat whilst he repeated his earlier announcement on this subject. He told Mr Cook once again that this is a matter for the National Trust, and he asked that Mr Cook wait until the Trust representatives have spoken to him. He added that Mr Cook must take up this matter with the National Trust, because it is not a matter for the Court. Mr Cook thanked the Official Verderer and said he hoped he would take up the matter with those whom he had mentioned.

2013/6764 LATCHMOOR STREAM RESTORATION  
Presentment by Mrs Margaret Bunyard

Mrs Bunyard drew the Court's attention to a report written by Mr Tom Langton which she said provides an independent evaluation of the work proposed for Latchmore and other sites.

Mrs Bunyard provided several copies of the report for the Verderers and remarked that it is also available on the internet.

Mrs Bunyard wished to stress that Mr Langton is an independent ecologist, and his report was not commissioned by the Friends of Latchmore. She added that the FoL are not against restoration per se but feel there should be pre-design monitoring and evaluation before any work is undertaken as well as post-project monitoring.

**IN COMMITTEE in the Library**

**CONSIDERATION OF PRESENTMENTS**

2013/6765 SHEEP DISCHARGE

It was agreed that the Clerk should speak with the National Trust again to find out when its representative(s) intend to contact him.

2013/6766 LATCHMORE STREAM RESTORATION DISCHARGE

The Deputy Surveyor said the report to which Mrs Bunyard referred has been available for a while.

The Official Verderer will respond to Mrs Bunyard's presentment in September, saying that the Court is grateful to her for bringing the report to its attention. The Deputy Surveyor confirmed the Forestry Commission will submit the proposals and necessary planning application for the restoration work at Latchmore in due course.

**NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION**

2013/6767 SOUTHERN GAS NETWORKS (SGN) PROPOSED U/G GAS SUPPLY TO MANOR FARM, HOLMSLEY ROAD, WOOTTON DISCHARGE

Ms D Mann and Ms C Lane, representatives from SGN, attended the meeting.

The proposals were approved subject to the usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

The Court asked for clearer plans to be provided in future and if possible photographs as well.

2013/6768 SEMBCORP BOURNEMOUTH WATER – WATER TOWER DISCHARGE  
REPLACEMENT BEAULIEU, ROUNDHILL CAMPSITE

The proposals for the new water tower were approved, however, the Court requires all galvanised fittings on the tank to be painted green to blend with the tank itself and the surroundings. Green is felt to be the preferred colour, not least for historical reasons. The approval is subject to the usual conditions. Work is expected to start in the Autumn.

2013/6769 SCOTTISH AND SOUTHERN ELECTRICITY PROPOSED U/G DISCHARGE  
ELECTRICITY SUPPLY TO GATEWOOD VIEW, BLACKFIELD

The new cable is largely in the gravel road. No objections were raised to the proposal which will improve security for the outbuildings at this property following a recent theft. The proposals were approved subject to the usual conditions.

2013/6770 BT OPENREACH PROPOSED U/G DUCTING AND CABLE TO 5 GAZA DISCHARGE  
AVENUE, EAST BOLDRE, SO42 7WH

A further set of annotated photographs of the proposals had been provided direct to the Verderers, and was circulated prior to the Court. However, they were still not satisfactory as one annotated photograph appeared to show a junction box in the ditch. Given that the ditch forms part of the Forest's car free defences and will one day need to be re-dug, the siting of the box was not felt to be practical. The Official Verderer spoke to Mr Graham Blomfield of BT Openreach who explained the proposals in more detail and agreed that the new junction box must be sited in the verge, between the ditch and the road.

After some further discussion, the Court agreed the proposals but only subject to the Forestry Commission being able to agree Heads of Terms and a satisfactory method statement.

It was reiterated that all proposals for works involving the Crown Lands of the Forest must be submitted to the Forestry Commission in advance of the Court and not directly to the Court. The Forestry Commission will then bring proposals to the Court once it is satisfied that they are acceptable.

*Mr Street confirmed after the meeting that the Forestry Commission did receive a copy of the annotated photograph that had been provided direct to the Clerk.*

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

2013/6771 HIGHWAY REPAIRS, THE LINWOOD ROAD AND THE B3054 RESUME

B3054 – The Official Verderer has complained to Hampshire County Council Highways Department about stone chippings on the verges following recent tar and chipping resurfacing. Hampshire County Council Highways Department was told, in advance of the work, that chippings cause irreparable damage to pony teeth which can lead to serious welfare issues. The Deputy Surveyor said that Hampshire County Council Highways Department needs to insert a paragraph into the specification to its contractor to stop the overspill of stone chippings onto the verges. It was also suggested that the contractor could fit similar screens to those



used for snake control between the road and the verge to stop chippings getting onto the verges during such operations.

As a result of communication between Mr Tim Lawton (Head of Highways West) at Hampshire County Council Highways Department, and the Official Verderer a paper entitled 'Working on Roads in the New Forest' has been prepared. The intention is that the paper will be laminated and copies given to all the gangs that carry out road works on the Forest. The Official Verderer and Mr Street will consider the paper and agree any amendments with Mr Lawton.

Action  
OV/MS

The suggestion was made that a bond should be payable by the contractors to the landowner in order to prevent these problems.

Linwood Road – The Court would like further consideration to be given to how to resolve the problem of over-running of the verges at the Linwood end of the road. There have also been a couple of accidents involving commoners' animals on the road in the past year. One suggestion is that the road should be narrowed to a single track with passing places.

Action  
MS

2013/6772 40 MPH ROUNDELS ON FOREST ROADS

RESUME

Mrs Thorne commented that some of the 40mph roundels which are painted on the roads are in odd places. The Clerk said she will contact Hampshire County Council Highways Department and ask for their comments.

Action  
SW

2013/6773 A31 FENCING WORKS

RESUME

Enterprise Mouchel (contractor for the Highways Agency) has been looking at various A31 fence issues raised by the Agisters. As a result some vegetation works are required. EM would like to complete the works from the Forest side of the boundary fence if possible, as this is a safer more sterile environment. Ideally, EM would like to get in to complete the works before the end of July.

The Forestry Commission as well as the Court must approve this request and the Clerk will contact EM with a view to agreeing a date for a site meeting. Mr Street and Mrs Westerhoff will attend. The Official Verderer said he would like to go along as well if he is available.

Action  
SW  
MS/DW/  
OV

2013/6774 DRIFT MANAGEMENT

RESUME

A further meeting is arranged for the 22<sup>nd</sup> June. Mr Deakin has created a drift resource profile for the 2013 drifts showing which car parks and cycle routes which are to be closed, attended and/or signed and how many rangers/stations are required. The paper will be discussed at the meeting on 22<sup>nd</sup> June.

The cost of providing the additional (21) barriers required to facilitate temporary closure of car parks is £8,796. It has been agreed that this cost will be covered by the Verderers' Grazing Scheme, and it is considered a good legacy project for the Higher Level Stewardship Scheme.

2013/6775 REPAIRS TO HIGHWAY FENCING RESUME

Several examples of poor fencing repairs were given to Hampshire County Council Highways Department and a response is awaited. Action SW

2013/6776 TREE OUTSIDE LONG MEADOW DISCHARGE

The tree has been removed.

Whilst on the subject of trees, it was pointed out that the tree at Denny Lawn which was supposed to be removed two years ago is still there. It appears that the person who originally bought it was unable to remove it, but it has now been re-sold and the new owner intends to remove it shortly.

### SSSI RESTORATION WORKS

2013/6777 WHITEFIELD MOOR AND HILLTOP SAMs (Scheduled Ancient Monuments) DISCHARGE

The Court was advised that work to restore these two SAMs is due to start this week.

2013/6778 PROPOSED CHANGE TO ACCESS STRUCTURES AT AMBERSLADE AND BROOMY INCLOSURE AS PART OF REMEDIAL WORKS RESUME

A site meeting is to take place shortly.

### ENCROACHMENTS

2013/6779 ENCROACHMENT LIST DISCHARGE

A new list was provided and discussed.

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

2013/6780 RAGWORT DISCHARGE

Miss Macnair commented that there is a huge amount of ragwort inside the boundary of Holmsley Lodge. Miss Macnair is concerned that the seeds will blow onto the Forest. The Court suggested action could be taken under the Weeds Act.

The old building has been demolished but following construction of footings, all work has ceased. It is thought the site is once more for sale.

Mr Stride reported that the Forestry Commission currently has seven gangs pulling ragwort on the Forest. Mr Stride also said that he will contact the Council about pulling ragwort in the lanes around Sowley, Pylewell, etc..

2013/6781 LITTER BINS DISCHARGE

The first new style bin has been installed at Bolderwood.

2013/6782	A BOARDS	DISCHARGE
	Mrs Thorne remarked that an advertising 'A' Board has appeared on the triangle by Moyles Court, advertising the Red Shoot. Mr Street reported that the Wiltshire County Council has relaxed the rules on signage on verges but if any signs appear on Forestry Commission land, they will be removed.	
2013/6783	THE PANNAGE SEASON	DISCHARGE
	Mr Deakin thanked the Forestry Commission for agreeing the pannage season and thanked the Deputy Surveyor for his announcement. It is felt that having an early announcement is helpful.	
2013/6784	VINNEY RIDGE-BLACKWATER DRIFTWAY	RESUME
	The work on this driftway has still not been undertaken. Mr Stride explained that it is a very wet area and it has not been possible to take a machine onto the ground to carry out the work. The work will be undertaken as soon as possible.	Action RS
2013/6785	ACCESS TO FURZEY LODGE POUND AND PILLEY POUND	DISCHARGE
	The Deputy Surveyor said the works required to prevent access to these pounds being blocked by parked vehicles will hopefully go into next year's car free defences programme. Meanwhile any ditches that need to be re-dug will be done when there is a machine in the area.	Action DS
2013/6786	DOUBLE YELLOW LINES IN TANNERS LANE	DISCHARGE
	Mr Gerrelli was unhappy at the appearance of double yellow lines in Tanners Lane and he asked whether the Lane falls under the jurisdiction of the Forestry Commission. Mr Street advised that some of the lanes in the area are still in Crown ownership whilst others belong to Pylewell Estate. He thought the stretch of road to which Mr Gerrelli is referring probably does not belong the Crown and therefore it is outwith the control of the Forestry Commission. The owner of the highway will have highway rights. The lines are quite narrow and do not look like they have been painted by Hampshire County Council Highway Department	
2013/6787	CAMPING ON THE OPEN FOREST	DISCHARGE
	Mr Readhead asked if there are agreed sites where Duke of Edinburgh groups may camp overnight. Mr Street said there are, and that they were agreed years ago.	
2013/6788	LYNDHURST SEWAGE WORKS	RESUME
	Mr Stride asked if the screening that was around the sewage works will be replaced following the removal of alien plant species. At the moment the works look like an industrial yard, totally out of keeping with the traditional character of the Forest. Mr Stride suggested some new native species such as holly should be planted but pointed out that a temporary fence would be required as the area which was once a Verderers' Inclosure, is now Open Forest. In reply Mr Seddon said that he would check the Forest Design Plan to check on the long term intentions for the area around the sewage works.	Action DS

**The Deputy Surveyor and Mr Street left the meeting**

**OTHER MATTERS ARISING**

- 2013/6789 THE WELFARE PROGRAMME – THE AGE LIMIT FOR PONIES AND DISCHARGE  
THE QUALIFYING PERIOD
- Following on from the earlier discussion, it was confirmed that approximately 80 ponies were removed from the Forest under the Welfare Programme last year. Mr Draper, VGS Manager, will ask the Agisters to be more pro-active in promoting the scheme by suggesting that ponies which look like they will start to deteriorate be removed. Action  
CD
- The qualifying period for VGS payments is at odds with the desire to remove older ponies under the Welfare Programme: currently a pony must be turned out for 7 months to qualify for the grazing payment under the VGS. As the VGS commences on the 1<sup>st</sup> March, ponies which come in on the drifts in August and September, and are immediately removed under the Welfare Programme, lose the qualification for a grazing payment because they will not have been de-pastured for 7 months since 1st March. This removes the incentive to owners to remove such older ponies. It was agreed that those ponies which are removed in August and September under the Welfare Programme will now be eligible for both the Welfare Programme payment and VGS payment. Action  
CD
- 2013/6790 THE NEW FOREST NATIONAL PARK AUTHORITY, NEW FOREST RESUME  
LANDSCAPE ACTION PLAN
- Mrs Westerhoff had prepared some documents showing her proposed amendments. These were circulated to members of the Court with a request for comments by the end of July. Action  
All Verderers
- The recent bracken survey is considered to contain an inaccurate statement within the report that bracken has not increased. In fact, no measurements have been taken since Tubbs' 1990 report and this statement simply repeated Tubbs' 1990 claim.
- Once Mrs Westerhoff has received comments she will prepare a further draft response and circulate it to all members of the Court. Action  
DW
- 2013/6791 UNBRANDED ANIMALS DISCHARGE
- Having an unbranded animal at large in the Forest is a breach of the byelaws and it was agreed that persistent or blatant offenders should be pursued.
- 2013/6792 NATIONAL TRUST TREE REMOVALS ON THE BRAMSHAW DISCHARGE  
COMMONS 2013
- Under the terms of a standard felling licence, trees that are felled have to be replaced. However, it will assist the National Trust with its delivery of Higher Level Stewardship objectives for the restoration of lowland heath if certain Pine, Birch and Turkey Oaks felled on Black Hill and Half Moon Commons are not replaced. The proposed work has clear benefits to reduce the invasive species from the common, limiting seeding onto adjacent areas whilst allowing for the regeneration of native flora. Having considered the proposals for tree removals from Black Hill and Half Moon

Commons, the Court was happy to support the National Trust in its desire to fell and not replant, and therefore the Court supports the National Trust's application for the necessary felling licence. In addition to the benefits already mentioned, the Court believes the work will improve grazing and reduce any overgrazing on the adjacent commons. The Clerk was asked to write to the National Trust to formally confirm the Court's support.

Action  
SW

2013/6793 CYCLE EVENTS

RESUME

Mr Dowsett explained that Mr Nigel Matthews at the National Park Authority is setting up a liaison group tasked with developing a code of conduct for cyclists and a charter for cycling event organisers. The intention is to provide guidelines for recreational cyclists and people who are running cycling events within the New Forest.

Mr Dowsett's offer to represent the Court on the liaison group was accepted.

Action  
BD

The Court was concerned to hear that one particular event, which is scheduled for December this year, may involve over 400 participants using the waymarked network on the Crown Lands. The event has been advertised on the internet and is described as follows....

*The course sweeps through the quiet flowing leafy off road tracks, Cycle Paths and is joined by sections of Forest lanes, taking in breathtaking views of the Forest with its crisp covering of golden leaves. The event will suit a wide range of rider's disciplines and abilities, as the course is fairly flat and not technical. **Experienced riders will want to set a good time, as they blast around this flowing course**, while new riders can ride at their own pace taking in the scenery.*

The Court was alarmed that cyclists are apparently being encouraged to cycle at speed on the waymarked cycle network. It was felt very strongly that the waymarked network was never intended for large commercial, quasi competitive cycling events and it was noted that there is a speed limit on the cycle network of 20 mph. The Clerk was asked to write to the Deputy Surveyor expressing the Court's grave concerns.

Action  
SW

2013/6794 MEMBERSHIP OF COMMITTEES AND WORKING GROUPS

RESUME

With the recent and future changes in the membership of the Court, there is a need to look again at who represents the Court on the various committees and working groups.

Several committees and groups have been disbanded but there are also some new ones. The matrix produced by the Clerk in 2011 is being amended to reflect the changes that have taken place so far, and will be circulated with the papers for September's Court.

Action  
SW

When Mrs Thorne's replacement attends the next Court, further discussions will take place and volunteers sought and approved as necessary.

2013/6795	COMMONERS' HOUSING SCHEME	DISCHARGE
	Mrs Westerhoff reported that the application for a commoners' dwelling at Bartley has been passed.	
2013/6796	CONSULTATIVE PANEL	DISCHARGE
	Miss Macnair said she will attend the Consultative Panel in September in place of Mrs Thorne who will have retired from the Court by that date.	
2013/6797	A31 LIAISON MEETING	RESUME
	A rolling programme of replacing the post and wire fence with more robust post and rail is considered to be the way forward. The VGS will pay for the extra cost of upgrading the fence which, in effect, means paying for the rails. Approval has been obtained in principle from the Highways Agency. The exact amount that will be required on an annual basis from the VGS has yet to be finalised. This is considered to be a good legacy project for the Higher Level Stewardship Scheme.	Action OV

#### **THE HIGHER LEVEL STEWARDSHIP SCHEME & THE VERDERERS' GRAZING SCHEME**

2013/6798	HLS BOARD MEETING	DISCHARGE
	The Official Verderer said the minutes of the recent board meeting will be circulated when approved by the other board members.	
2013/6799	VGS MANAGEMENT COMMITTEE – GELDINGS	DISCHARGE
	The increase in the number of geldings on the Forest is considered to be interfering with the traditional herd structure. In order to discourage commoners from turning out geldings, from 1 <sup>st</sup> March 2014, geldings will no longer be eligible for a grazing payment. An announcement to this effect will be made in the September Open Court.	Action OV

#### **FINANCIAL MATTERS**

2013/6800	FINANCIAL STATEMENTS FOR JUNE AND JULY	RESUME
	The financial statements were noted.	
2013/6801	AUDITED ACCOUNTS	RESUME
	It had been hoped that the Audited Accounts would be ready for approval at this meeting but unfortunately due to some understandable queries raised by the New Auditors that has not been possible. The accounts will be ready for the September Court.	Action SW

#### **HEALTH & SAFETY & TRAINING**

2013/6802	HEALTH & SAFETY REVIEW	RESUME
	Mr Deakin reported that as a result of the review, which has been extremely comprehensive, a very good policy and set of procedures will be in place. All that remains is to devise a monitoring and improvement system and this will be discussed further at the next Staff Committee meeting.	Action RD/JRG/SW

MINUTES of the Court of Verderers held on Wednesday 17th July 2013 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2013/6803 HEALTH & SAFETY TRAINING

DISCHARGE

The Clerk and the Agisters all passed the examination at the end of their IOSH (Institution of Occupational Health and Safety) training and will be awarded with certificates in due course.

### **ANY OTHER BUSINESS**

2013/6804 HOT BRANDING

RESUME

Although Mrs Thorne is shortly to retire and this is her last Court, it was felt that Mrs Thorne should continue to represent the Court and the Forest in this very important matter. Mrs Thorne confirmed she would be happy to do so.

2013/6805 DRIFTS

DISCHARGE

Mr Gerrelli asked if drifts would be held this autumn in areas where there are few, if any foals. In response, it was agreed that this is a matter for the Staff Committee, but it was felt that it is important for welfare reasons to continue to hold drifts, especially in areas where reflective collars need to be fitted or ponies are in need of worming. It is thought the drifts may well be tailored this year. In some areas it may be desirable to catch particular animals but not to go after everything.

2013/6806 MRS PAT THORNE

DISCHARGE

The Official Verderer ended the meeting by thanking Mrs Thorne for all her work over the past 10 years, particularly in respect of her membership of the Staff Committee, and also the various external committees on which she has represented the Court. He added that Mrs Thorne's efforts to ensure that hot branding is not banned has and continues to be invaluable.

There was no further business and the meeting closed at 13.35 hrs.