

MINUTES of the Court of Verderers held on Wednesday 16th July 2014 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 B Dowsett	Forestry Commission Appointed Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr G M H Mills	DEFRA Appointed Verderer
	Mr D Readhead	Elected Verderer
	Mr R Stride	Co-opted Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister
APOLOGIES:	Mr A Gerrelli	Elected Verderer
ABSENT:	Mr C Maton	National Park Appointed Verderer

IN COMMITTEE in the Library

2014/7381 MINUTES OF THE LAST MEETING RESUME

Two small typographical errors, which had previously gone unnoticed, were pointed out in the Minutes of the Court held on Wednesday, 19th June 2014. It was agreed these minor amendments should be made and the Official Verderer will then sign the minutes.

2014/7382 DECLARATIONS OF INTEREST RESUME

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

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 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.

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

2014/7383 CONDITION OF STOCK RESUME

The Head Agister said that condition of stock remains very good. There is a lot of food on the Forest and the stock look very well. Cattle are thriving. Because of the weather conditions there appears to be more grass than usual on the Forest. The water table is still high and it is ideal growing weather.

2014/7384 STRANGLES RESUME

The strangles outbreak rumbles on.

The young colts in Cadland now have it as well. They are being carefully monitored, but in line with veterinary advice they will be left alone unless there is a good reason not to. Action Agisters & owners

2014/7385 LAME PONIES DISCHARGE

The Head Agister reported a larger than usual number of lame ponies. A variety of reasons for the lameness have been noted and all are being dealt with as they arise.

2014/7386 STOCK LOSING CONDITION AND REMOVED FROM THE FOREST RESUME

Mares with foals - 1

The total removed last month was 1 compared with 5 last year.

The year to date figure is 157. In 2013 it was 339.

2014/7387 MARKING FEES RECEIVED TO DATE IN 2014 RESUME

	Forest	Commons	Total
Ponies	4304	723	5027
Cattle	2604	1098	3702
Donkeys	96	59	155
Pigs	0	23	23
Sheep	0	142	142
Total	7004	2045	9049

Ponies, cattle and donkeys on the Forest – 7004
 Ponies, cattle and donkeys on the Commons – 1880
 Total Ponies, Cattle and Donkeys – 8884

MARKING FEES RECEIVED TO THE SAME DATE IN THE PREVIOUS YEAR

	Forest	Commons	Total
Ponies	4338	772	5110
Cattle	2361	906	3267
Donkeys	93	70	163
Pigs	0	35	35
Sheep	0	108	108
Total	6742	1891	8683

Ponies, cattle and donkeys on the Forest – 6792
 Ponies, cattle and donkeys on the Commons – 1748
 Total Ponies, Cattle and Donkeys – 8540

2014/7388 BYELAW ENFORCEMENT DISCHARGE

There is an illegally depastured pony at Ogdens belonging to a lady who is not a commoner. The Agisters and the Clerk are dealing with it. Action Agisters/ Clerk

Head Agister Jonathan Gerrelli left the meeting

2014/7389 ANNOUNCEMENTS & DECISIONS

RESUME

The announcements were approved.

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

IN ATTENDANCE: Mr Mike Seddon, Deputy Surveyor of the New Forest
Miss Melissa Jones, Assistant Land Agent (New Forest)

ANNOUNCEMENT AND DECISIONS

2014/7390 BOVINE TB LICENCE

You will remember that in January I described the consultation which DEFRA undertook proposing, amongst other things, some changes to the way that bovine TB is controlled. The main proposal affected the turn-out of cattle onto Common Land. In order to achieve a tighter control, it was suggested by DEFRA that the exemptions from testing pre- and post-movement on to Commons would be withdrawn. In other words, some form of testing would have to take place before cattle were depastured or brought back into the holding. In some cases, that would technically mean a daily test, which is clearly impossible. Such a rule would have stopped cattle being turned out on the New Forest.

The Verderers share the grave concern about the spread of bovine TB nationally, and we very much wish to maintain the New Forest free of TB, creating a "Fortress Forest", eventually leading to Official TB-Free Status.

The Verderers have now successfully negotiated a licence from Animal Health Veterinary Laboratories Agency which allows cattle to be depastured or brought back into the holding without pre-movement testing, as long as the holding is contiguous with the Common Land, or within one mile of the Common Land. This licence applies to all cattle for which marking fees are paid.

The terms of the licence are actually quite complex, and for that reason I will not go into the fine detail now, but we will be circulating a copy of the licence and the Control Plan for the New Forest to all cattle Commoners in the near future. We will be inviting all cattle commoners to attend a meeting on Monday 18th August at 6 pm in Lyndhurst Community Centre, at which the Regional Veterinary Lead for the South East Region, Animal Health Veterinary Laboratories Agency will give a presentation.

We are concerned about the import of animals from known TB areas and the recommendation from Animal Health Veterinary Laboratories Agency with which the Verderers are in full agreement, is that Commoners should not buy, or bring in, cattle from TB hot spots such as the West Country.

2014/7391 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH OUR BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER

I am pleased to report to the Court that we have been informed by New Forest District Council's Safety Advisory Group that UK Cycle Events has submitted a new route for its October Wiggle which avoids the roads which we will be using during our Balmer Lawn drift. We understand that the final route will not be published until all risk assessments have been completed. We would like to thank UK Cycle Events for its cooperation.

ANIMAL ACCIDENT REPORT

2014/7392 THE ANIMAL ACCIDENT REPORT FOR JUNE 2014

The Agisters attended 10 accidents in June compared with 6 in June last year.

2 ponies and 1 donkey were injured and subsequently destroyed, on two occasions the animal escaped uninjured and on five occasions no injured animal was found.

5 accidents occurred in daylight, 3 in the dark and 2 at twilight.

Two of the accidents were not reported. The accidents which were reported all involved cars or light commercials. Four motorists were local. The other drivers came from Southampton, Bournemouth and Verwood.

Details of June's accidents are as follows:

On the morning of Sunday 1st June a chestnut gelding was found at Turf Hill with a broken leg. He was humanely destroyed by the Agister. We have attributed the pony's injury to a road traffic accident but no-one has reported having collided with a pony at that location.

On Monday 2nd June at 22:53 two cows reportedly collided with a car at Deadman Hill on the B3078 and were seen to run off. No injured animals were found.

On Saturday 7th June at 21:45 a Charolais Cow involved in an accident between the Filly Inn and Tilebarn Lane outside Brockenhurst escaped uninjured.

On Sunday 8th June at 19:10 a brown Jenny Donkey was injured and subsequently destroyed on the B3078 at Longcross.

On Thursday 12th June at 18:55 a bay foal was struck by a door mirror on Back Lane, Sway. The foal was uninjured.

On Tuesday 17th June at 18:00 a tractor struck a palomino mare whilst trying to manoeuvre around a group of ponies, the pony was later destroyed due to her injuries. The accident was witnessed but the driver failed to report the accident.

On Sunday 22nd June at 00:57 a driver reported striking a cow with the door mirror of his vehicle. No injured animal was found.

On Tuesday 24th June at 11:50 a driver reported clipping a pony as it ran in front of her vehicle at Mockbeggar Lane, Ibsley. No injured animal was found.

Also on Tuesday 24th June at 21:30 a pony was clipped by a vehicle at Picket Post Burley. No injured animal was found.

Again on Tuesday 24th June at 22:38 a driver reported hitting a black cow at Irons Hill B3055 (E). Nothing was found.

The total number of animals killed and injured in road traffic accidents at the end of June 2014 was 29, compared with 41 to the same date last year.

ACCIDENTS SO FAR IN JULY

So far in July there have been 5 accidents in which 2 ponies and 1 Cow were killed. In the other two accidents the animals were not found.

One of the accidents was not reported, three occurred during daylight, including two where the animals died, and two in the dark where one animal was killed and another not found.

PRESENTMENTS

2014/7393 RESTORATION" WORK AT DITCHEND, GODSHILL
Presentment by Mr Colin Draper

'I am here this morning to raise my concern over work which is being carried out by contractors on the HLS restoration project at Ditchend.

The project was completed under 3 years ago and was hailed a great success, restoring both the Ditchend Brook past Pitts Wood to the Forest boundary, and a secondary stream running diagonally from the corner of Pitts Wood to its confluence with the Ditchend Brook, returning both streams to what were claimed to be their natural meanders.

The Current work on the stream which joins the Ditchend Brook has involved filling in the meander with hundreds of tons of material including heather bales, hoggin and clay, topped off with a layer of stone, bringing the stream bed almost level with the surrounding heathland. The Forestry Commission has described this as "snagging". The word snagging conjures up an image of minor adjustment; a small correction here a repair there. What is being carried out at Ditchend is instead a major project which has transformed the recently restored stream bed into a wide meandering stone track, nowhere is it more than a few inches below the surrounding levels and in many places it is now virtually level with the surrounding landscape. The reason given for the work is that the stream, swollen during the winter months by the unusually heavy rainfall, has eroded its banks in places. This is a natural process and creates deeper pools which hold water during sustained dry periods when the stream is no longer flowing, providing micro habitats as well as water for Forest stock and wildlife; destroying these pools and raising the level of the stream bed throughout its course, has left in its place a featureless stone track which is a scar across the Forest landscape.

There are now heather bales stacked next to the main Ditchend Brook making it seem likely that it will be treated in the same way. This goes far beyond what was hailed as a conservation success and raises serious concerns over the implications for other "restoration" projects.

I would urge the Court to review this project as a matter of urgency and before any further work is carried out at Ditchend, which is in process. I attach some photos which graphically illustrate the transformation of the meandering stream bed into a stony track'.

2014/7394 DRIFTS AND LARGE SCALE CYCLE EVENTS
Presentment by Mr Brian Tarnoff, New Forest Association, Land Management Committee Chairman

'I'm here to reiterate the New Forest Association's support of the Verderers in their rights and duties under the New Forest Acts to carry out Drifts; in particular, their decision to proceed with the Balmer Lawn Drift as planned, despite potential conflict with UK Cycle Events New Forest Wiggle. The working forest is an essential component to both its heritage its unique habitat, NFA's core values. We were appalled when last year's Wiggle created a situation of unintentional brinksmanship which caused the Verderers to cancel the Ober Drift for the sake of health and safety, and would be similarly outraged if, despite good faith efforts like the Cycle Events Organizers Charter, there was another recreational obstacle to the working forest.

We are heartened to hear that the Wiggle organizers will change their course. We hope that this is the beginning of better understanding and respect for the purpose and rights of the working forest, and will lead to these events being planned more proactively with both the Verderers and NFDC's Safety Advisory Group involved earlier before or during the crucial risk assessment. Cycling is merely one facet of the recreational pressure the NFA wants to see managed sympathetically for the needs of the forest'.

2014/7395 GRIDIRON 100
Presentment by Mr Brian Tarnoff - not on behalf of the NFA

'Yesterday, I became aware of a second Large long range cycle event also taking part on Sunday 12th October, which the Verderers may already be aware of, the CTC WESSEX Cycling GRIDIRON 100km. This event will include "up to 1000" participants on a route similar to and partially overlapping the Wiggle "Epic" Route, excepting it already avoids the B3055. The event was described to me as distinctly different from the Wiggle. The riders are given detailed instructions of their route which they follow, more like orienteering with bikes.

I worry that the two concurrent events plus the orienteering element may lead to confusion in some of their participants, who may mistakenly end up on the B3055, during or after the drift, which even when completed would leave free roaming livestock in the area skittish and more unpredictable than usual. I ask the Verderers to point out this risk to CTC WESSEX Cycling. Even if it diminishes the challenge of their orienteering element, their instructions should explicitly forbid the use of that stretch of the B3055. I would also add that the road signage for the Drift should be as clear as possible for both motorists and cyclists who may use the route'.

The Clerk advised the Court that the New Forest Safety Advisory Group has confirmed that the Gridiron event and the Wiggle will not clash.

2014/7396 TB CONTROL PLAN FOR THE FOREST
Presentment by Mrs Mary Gray, Commoner from Brook

Mrs Gray thanked the Court for its input into securing a workable TB control plan for the Forest.

2014/7397 WALKING GOURMET PICNIC
Presentment by Mrs Mary Gray, Commoner from Brook

Mrs Gray brought the Court's attention to an event she has seen advertised in a local newspaper. It is for a four mile Walking 'Gourmet' Picnic starting from Abbotswell, Frogham at the weekend. Mrs Gray went on to say the event is being charged for and she asked whether such events are allowed and she also expressed concern that she felt this is another recreational activity that results in unwelcome additional pressure on the Forest. She felt it sets a precedence for similar events which could increase in number to the detriment of the Forest.

The Official Verderer thanked Mrs Gray for bringing the matter to the attention of the Court and said it will be investigated.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2014/7398 WALKING GOURMET PICNIC

DISCHARGE

The Clerk advised the Court that she spoke briefly with Jayne Albery in the Forestry Commission and ascertained that a formal permission has been applied for, for the picnic which is due to take place on Saturday. A similar event will be held in September for which permission has been applied for.

In response to an enquiry as to whether such commercial activities on the Crown Lands are legal, the Deputy Surveyor advised that they can be, where covered by any necessary permission.

Applying for a formal permission means the organisers of such events can be advised whether their event is likely to clash with other activities in the area and, if so, an alternative location can be agreed. The system also enables the Forestry Commission to impose conditions to safeguard the Forest. It is better that such events are run with the formal permission of the Forestry Commission.

2014/7399 DITCH END RESTORATION

RESUME

The Deputy Surveyor said this work has been on the Repair and Maintenance List for a while as the channel had become unstable. The channel was washed out during the winter and was eroding further.

However, based on information in Mr Draper's presentment disquiet was expressed by all members of the Court at the snagging work that is currently being undertaken, with the exception of Mrs Westerhoff who felt that given time the infill will settle leaving a shallow channel as originally intended. The Deputy Surveyor agreed with Mrs Westerhoff and added that if the infill does not settle, some material can be removed.

As there was some disagreement as to exactly what work was originally agreed and the intended end result, the Clerk was asked to find the original papers and circulate them prior to a site meeting which the Deputy Surveyor agreed to arrange as a matter of urgency.

Action
DS/Clerk

In response to the Official Verderer's request for work to stop until agreement is reached on a way forward, the Deputy Surveyor said he cannot agree to that because the contractor, Alaska, is contracted to complete the work now. Stopping the work will result in a payment being made for nothing and will jeopardise the delivery of agreed HLS objectives. He also felt there were insufficient grounds to suspend the works which were necessary to secure the restoration.

2014/7400 GRIDIRON 100

DISCHARGE

Mr Dowsett will try to obtain a map of the Gridiron route. If he feels there are any issues, he will raise his concerns with the Clerk.

Action
BD

NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION

2014/7401 GAS, WATER & ELECTRICITY CONNECTIONS TO PLOTS 1-3 DISCHARGE
ADJACENT TO TIMBER TOP, FOREST PARK ROAD,
BROCKENHURST.

The proposals to provide the above property with the three mains services of gas, water and electricity were approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

2014/7402 SSE CONNECTION TO NEW COMMONERS' DWELLING IN DISCHARGE
BROCKISHILL ROAD, BARTLEY

Two options were put forward. One requiring one new pole and a length of underground cabling along the verge, the other requiring two new poles and a shorter length of underground cabling affecting the verge.

The proposal to provide electricity to this property via two new poles, one on the existing flight of overhead cable and the other approximately 80m further on and then to lay an underground cable into the new development was favoured.

Mr Stride proposed that the 2 pole scheme be accepted. Mrs Westerhoff seconded the proposal, which was carried unanimously, subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

It is recognised that this consent is a departure from the Court's usual requirement for all new electricity connections to be placed underground. The reasons that approval was given in this instance are as follows:-

The grazing on the verge is of very poor quality, and already cluttered with various street furniture.

The dwelling is for a young commoner, and is being constructed under the Commoners' Dwelling Scheme which prevents the property being subsequently sold at a profit on the open market.

2014/7403 SSE CONNECTION TO PARTRIDGE PIECE, OGDENS DISCHARGE

The Court queried why the cable could not be laid in a more direct route. In response, Miss Jones said she believed there are some obstructions that preclude that option.

The Court therefore approved the proposals in principle, subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc., but on the condition that there is a legitimate reason why the more direct route cannot be used. Mr Dowsett undertook to inspect the site and report back to the Clerk.

Action
BD

Following the meeting, Mr Dowsett contacted the Clerk and explained the direct route is obstructed by trees and roots and would involve crossing a ditch. The proposed routing is within an existing track and the entrance drive to the property. It is only a few metres longer than a direct route and will have no impact on the grazing.

- 2014/7404 SOUTHERN GAS NETWORKS PROPOSED REPLACEMENT GAS DISCHARGE
KIOSK- MANCHESTER ROAD, SWAY
- Rebuilding the kiosk like-for-like was approved, subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc. An additional condition was that the kiosk should be rebuilt with a brick finish which matches the adjacent railway bridge.
- 2014/7405 BURLEY GOLF CLUB SEASONAL FENCING OF GREENS DISCHARGE
- The Deputy Surveyor said that the Forestry Commission has been approached with a proposal to fence the greens on this course during the winter to prevent damage by stock. He added that the Forestry Commission has some concerns about the proposals. The Court shared the Forestry Commission's concerns and confirmed that if brought forward, such a proposal would be refused.
- It was suggested that fertilising the greens with seaweed encourages stock. However, seaweed is non-toxic and is preferable to chemical fertilisers.
- 2014/7406 CAMPSITE SIGNAGE DISCHARGE
- The Forest campsites are now run by Camping in the Forest and as a result new signage is necessary. Whilst welcoming the change of colour of the campsite signage to a shade of green more in keeping with the Forest, the Court was not keen on the addition of the logo at the top of the sign. The Court also felt the words "welcome to" are unnecessary.
- 2014/7407 DUNCES ARCH PROPOSED SCREENING WORKS DISCHARGE
- The proposals for screening at Dunces Arch were approved including the temporary fencing that will be required for approximately 5 years to allow the new trees to establish.
- 2014/7408 NEW FOOTPATH, SOUTH SIDE OF WATERS GREEN, DISCHARGE
BROCKENHURST
- The proposal to lay a gravel footpath was felt to be acceptable subject to agreeing some details, as the area is currently a mess. Missing dragon's teeth allow car parking which further erodes the grazing. It was agreed that the authority to agree the final design should be delegated to the Official Verderer and Mr Stride who will attend a site visit with Gary North (FC). Miss Jones will arrange a site visit to take place as soon as possible as Hampshire County Council would like to carry out the work during the school holidays. The permission will be subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.
- Action
MJ
OV/RS
- 2014/7409 OGDENS FARM UNDERGROUND ELECTRICITY CABLE DISCHARGE
- It was explained that the cable is required to provide a back-feed in the case of a power failure to properties at either Ogdens or Frogham. For that reason, an alternative route is not feasible.
- SSE has agreed to adhere to any specific requirements requested by

either the Forestry Commission or the Verderers. The Forestry Commission will require a signed agreement that if at any point in the future, there are issues with the cable or the reinstatement, SSE will return and rectify the problem to the satisfaction of the FC and Verderers. Action MJ

It is understood that the cable at the Abbot's Well end does not interfere with common grazing as it runs through the car park directly to the road. The Clerk was asked to check. Subject to this being found to be correct, the proposals were approved. Clerk

Permission was granted subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

2014/7410 NEW UNDERGROUND ELECTRICAL SUPPLY TO NEW COPSE NORTH COTTAGE AND WOODFIDLEY COTTAGE DISCHARGE

The cable route to New Copse North Cottage was approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc..

The cable route to Woodfidley as currently proposed was not considered acceptable, as it is felt there is no reason why the cable cannot go through the inclosure and so avoid disturbance to the grazing. The substation can also more easily then be located in the inclosure rather than on the Open Forest.

The Official Verderer said he will visit the site and the Court was happy to delegate the final decision on the route of the cable to him. Any permission will be subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc. Action OV

An additional condition of any approval for the cable route to Woodfidley Cottage will be that the debris from the old fence and hedge which has been dumped on the Open Forest must be removed.

2014/7411 RELOCATION OF FLAG POLE IN BURLEY DISCHARGE

A request was received to relocate the flag pole in Burley from its present position on the wall outside the Working Men's Club to either next to the War Memorial on the 'traffic island', or next to the milestone on the verge.

The Court felt, however, that in its present position, the pole can easily be seen from the War Memorial and it is not therefore, convinced that there is a need to move the pole. The Court does not wish to see the pole placed on common grazing and feels that moving it will also be detrimental to the landscape. For these reasons the request was declined.

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

2014/7412 ELECTROCUTED PIG DISCHARGE

Mr Deakin and the Clerk met Neil Jarret of SSE at the site where a pig was electrocuted on Penn Common. The aim of the meeting was to better understand the detail of the incident, to ensure that it had been followed

up adequately, and to evaluate the ongoing residual risk to both humans and animals in the future from the numerous similar installations dotted across the Forest.

The initiating event was the failure of the transformer internal insulation, which resulted in a short circuit to earth. This should have resulted in a power surge to earth, which would have been detected by the system protective devices, which then would have tripped the power, making the situation safe. However, the earth was faulty, so no power surge occurred, consequently the safety devices permitted the supply to remain live. This meant that the earth cable was live with supply voltage, with that voltage dissipating to earth over an area around the earth installation. The pig stood with its' hind legs close to the pole, front legs at body length from the pole, and took a drink from the adjacent pond. At this point there was a significant voltage potential difference across the animal body, which would have resulted in a current flow through the body, killing the pig. Since the incident the 1952 transformer has been replaced with a new one, and the earth mat has been replaced and fully tested as meeting specified impedance requirements. The previous earth installation was found to be faulty, but no root cause of the fault was identified during the investigations. There are annual health checks completed by line walkers, who visually inspect the installations looking for tell-tale signs of a fault, and checking that there is no voltage present in the earth. They do not routinely check the earth system impedance. As in many electrical installations there have been examples of damage due to copper theft, but this is not prevalent on the Open Forest.

Considering the risk to animals going forward, resulted in an evaluation that a repeat incident was very unlikely, but not impossible. Very unlikely, because for the death consequence to be reached, the scenario has to include, a fault resulting in a short to earth, the earth system to be faulty, routine checks not find the problem, and an animal has to get into a position with one end close to where the earth cable enters the soil, and the other end a body length away from it. This only likely where a pole is close to a pond as in this case. These equipment failures are rare, and there is no record of another animal being killed in previous years. Considering the risk to humans, resulted in an evaluation that although an occurrence was not impossible, it should be considered practically impossible. This because in addition to the factors influencing the animal incident probability, the scenario would have to include two people in bare feet, holding hands at arms-length, one close to the earth cable soil entry point, the other at a distance from that point stood in water. It was felt that the overall residual risk was acceptable, and did not merit any additional mitigation.

Neil Jarret did comment that Agisters and Forestry Commission keepers who, in the course of their normal duties happen to notice any suspect visual signs, such as cut cables or evidence of digging near poles, should alert SSE who will do follow up checks. This would reduce the probability of any fault going undetected. He provided the appropriate contact details.

2014/7413 CROSS COMPLIANCE

DISCHARGE

The Forestry Commission is in the process of writing to the Forest sports clubs regarding their responsibilities if they are within nitrate vulnerable zones.

2014/7414	ORDNANCE AT MATLEY	RESUME
	The Deputy Surveyor has obtained the support of Police Inspector Simon Tribe in trying to get the Ministry of Defence to clear the unexploded ordnance from Matley.	Action DS
2014/7415	DRIFT FENCING	DISCHARGE
	Mr Deakin now has the map of drift fences which was agreed with the Forestry Commission some years ago.	
	The Deputy Surveyor said that additional drift fencing can usually be agreed.	
	Mr Deakin will take the recent request for an additional length of drift fencing back to the Staff Committee for further discussion.	Action RD

SSSI RESTORATION WORKS

2014/7416	REPAIR AND MAINTENANCE LIST (FORMERLY THE SNAGGING LIST)	RESUME
	A new list was circulated.	
2014/7417	SLUFTERS	DISCHARGE
	The proposed works at Sluffers have been granted planning permission.	

ENCROACHMENTS

2014/7418	ENCROACHMENT LIST	RESUME
	An updated list was circulated and Miss Jones advised the Court of the latest position on the various issues.	
2014/7419	PONDHEAD FARM	RESUME
	Illegal parking on the Forest outside Pondhead Farm is continuing. The VGS Administrator will visit the Farm with the Estates Keeper to explain that this is against the Terms of the VGS. In addition, a check will be made to see if the sign board advertising the Farm Shop has consent. The Forestry Commission will complete a scheme to protect the Forest in the area with car-free ditching and dragon's teeth. Meanwhile, Mr Readhead and Mr Stride will undertake a site visit.	Action LS/GW MJ Action DR/RS
2014/7420	FOREST ROAD, BURLEY	RESUME
	The issue of the damage caused at Forest Road has not yet been resolved and negotiation with the person responsible continues. The Verderers strongly object to any possibility of a licence being issued for an access track due to the significant loss of grazing. The Forestry Commission is minded to issue a licence for access for animals only.	Action MJ/GW

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2014/7421	LICENSING OF EVENTS AND FEED/REST STATIONS	DISCHARGE
	<p>The Deputy Surveyor explained that where the Forestry Commission is aware an event is taking place, it will seek information on feeding/rest stations and if they are to be sited on Crown Land a formal permission will be issued. Such stations are usually sited in car parks or in the gravel splays leading to gates/barriers. They are not permitted on grazing.</p>	
2014/7422	SPEED CAMERA INITIATIVE	DISCHARGE
	<p>Mr Deakin gave a brief update on the position regarding the speed camera initiative. The Forestry Commission agreed to provide a barrier key to the camera operator to facilitate parking the van in the most suitable locations. Approval was also given for the van to be parked inside barriers if necessary.</p>	
2014/7423	NEW PARK SIGN	RESUME
	<p>A new sign has appeared at the former Buckhound Kennels Entrance to New Park for which it is believed consent has not been given. The Deputy Surveyor said he will ask the Estates Keeper to have a look.</p>	Action DS (GW)
2014/7424	DRIFTWAY FENCING AT HAWKHILL AND FRAME	DISCHARGE
	<p>Mr Deakin asked if the work to repair these inclosure fences could please be carried out prior to the commencement of the drifts. Several requests have been made for the work to be carried out, but so far nothing has happened. The Deputy Surveyor will raise the issue with the relevant member of FC staff.</p>	Action DS
2014/7425	PANNAGE DATES FOR 2014	RESUME
	<p>The Staff Committee requested that pannage commence on Saturday 13th September. However, the view was expressed that this date is too early as there is no point in putting pigs out until there is something for them to eat.</p> <p>The Deputy Surveyor said he will discuss the dates for this year's pannage season with the Keepers and will let the Clerk know his decision at the end of August.</p>	Action DS
2014/7426	BRACKEN CUTTING	DISCHARGE
	<p>A request was made for bracken cutting to be undertaken earlier, particularly where it is necessary for safety reasons when carrying out drifts. The Deputy Surveyor suggested the Head Agister should speak with Mr Dave Morris. Mr Deakin will advise the Head Agister.</p>	Action RD/JRG
2014/7427	FORESTRY COMMISSION 24 HOUR ANSWERING SERVICE	DISCHARGE
	<p>A request was made for the operators to tell drivers involved in road traffic accidents with a commoner's animal that he /she must report the incident to the Police. The Deputy Surveyor did point out that the Forestry Commission provides this service free of charge to the Verderers, but suggested the Clerk liaise with Mrs Linda Cox (FC Office Manager)</p>	Action Clerk

regarding what is required from the call centre operatives.

Miss Macnair said she would like to praise the call centre as when she found it necessary to ring them recently, her call was dealt with extremely efficiently.

2014/7428 CYCLE HIRE AT ASHURST DISCHARGE

Mr Readhead advised the Court that the hired bicycles on Ashurst Campsite have come from Mr Spokes Cycle Hire in the railway station car park close by. The rumour that bicycles were being hired from the campsite is unfounded.

2014/7429 GOLF COURSE / CRICKET PITCH LICENCES DISCHARGE

In response to a query from Mr Readhead, the Deputy Surveyor confirmed that the golf courses and cricket pitches all have conditions regarding management of their grounds included in their licences or in their Management Plans. Concern was expressed that one course manager did not appear to understand what is and is not permitted.

Mrs Westerhoff and the Clerk advised Mr Readhead that the management plans for both Bramshaw and Lyndhurst Golf Courses are available for him to study. The Clerk pointed out that they are very large documents which are not easy to reproduce and therefore providing a copy would not be straightforward.

The New Forest Golf Club, however, has a laminated summary sheet for ease of reference by its ground staff. The sheet lists the procedures that are permitted. The Court felt strongly that all the sports clubs should be required to produce similar, concise and easy to follow guidelines for ground staff, as it is recognised that referring to the full management plan every time there is a query is unlikely to be feasible.

2014/7430 NEWLY APPOINTED FORESTRY COMMISSION LAND AGENT DISCHARGE

The Deputy Surveyor informed the Court that a replacement Land Agent has now been appointed. His name is Paul Grugeon. He is new to the Forestry Commission, but it is hoped he will soon be up to speed with the vagaries of the Forest! He takes up his post on Monday 21st July.

2014/7431 EAST BOLDRE PARKING AREA DISCHARGE

Miss Jones advised the Court that East Boldre Parish Council no longer wishes to maintain the long standing, but informal parking area opposite the shop and garage.

The Court welcomed the suggestion that the area currently used for parking should be returned to grazing. It was suggested that the whole road should be looked at as illegal parking takes place in various other places too.

The Deputy Surveyor and Miss Jones left the meeting

The Court adjourned for lunch

MATTERS ARISING

The Head Agister joined the meeting for the following item only.

2014/7432 BOVINE TB CONTROL PLAN FOR THE NEW FOREST RESUME

The plan, together with a covering letter, will shortly be sent to all cattle commoners in the Forest. As announced by the Official Verderer, a meeting for cattle commoners has been arranged which will take place on Monday 18th August. Interested Verderers will attend together with all the Agisters.

Action
Clerk

ENCROACHMENTS NOT INVOLVING THE FORESTRY COMMISSION

2014/7433 ENCROACHMENT AT HUCKLESBROOK FARM RESUME

The Environment Agency's letter to the occupier has been ignored. Natural England will now have to enforce the legislation which is designed to prevent damaging encroachments on common land.

Action
DW

OTHER MATTERS ARISING

2014/7434 HOT BRANDING RESUME

Mr Readhead confirmed he now has most of the information he needs to write up a specification for the design and manufacturer of branding irons.

Action
DR

The Court agreed that in future, new commoners will be instructed that they may only brand ponies and donkeys in the saddle.

2014/7435 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH THE BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER 2014 DISCHARGE

The Official Verderer reported that he had attended the National Park meeting in June and was pleased to report that the Court received unanimous support from the NPA members in respect of its decision to refuse to cancel the Balmer Lawn Drift.

2014/7436 TRANQUILITY MAPPING DISCHARGE

Mrs Westerhoff and Mr Dowsett have completed their ground truthing of the tranquillity map. Mr Pasmore produced some comments based on the map but did not undertake any ground truthing.

2014/7437 CYCLE EVENT ORGANISERS CHARTER DISCHARGE

The Official Verderer reported that the decision by UK Cycle Events and British Cycling not to sign up to the Charter may encourage the NPA to push for legislation in order to provide a means of controlling large cycling events.

The local MPs' feel strongly that large scale cycling events do require some control and they will be going back to the Minister to express their concerns that attempt at voluntary regulation has failed.

The Court has received a copy of the final Charter and members confirmed their support for it.

2014/7438 BT OPEN REACH ADDITIONAL FIBRE OPTIC CABINET AT BROOK RESUME

The Court was very pleased to hear that planning permission has not been granted by the Planning Authority in respect of the proposed new cabinet. It was agreed it would be helpful if the Official Verderer rang Mr Steve Avery who is head of Planning at the NFNPA.

Action
OV

The lack of agreement between the Forestry Commission and BT Open Reach as respects Heads of Terms, and a method statement which should set out a modus operandi for BT when it wishes to undertake work in the Forest has resulted in the Mr Mel Kendal of Hampshire County Council also becoming involved.

Mr Dave Readhead gave his apologies and left the meeting.

2014/7439 PICKET POST DRIFT FENCING DISCHARGE

The Agisters are looking at the best way of strengthening the fence.

Action RD

OTHER AGENDA ITEMS

2014/7440 FEEDING AREAS DISCHARGE

It was agreed the present system for agreeing winter feeding areas will continue. Any member of the Court who has concerns about a feeding area, or the access to it, is requested to speak to the Head Agister, the Clerk or the VGS Administrator. Enquiries from members of the public or other persons involving feeding areas on the Crown Lands should also be directed to those personnel. Queries concerning feeding areas on the Commons must be addressed to the owner of the land. The Clerk/VGS Administrator will provide contact details upon request.

It was confirmed that the National Trust is responsible for agreeing feeding areas on its commons.

2014/7441 REINFORCEMENT OF ACCESS TRACK TO FOXBURY PLANTATION, DISCHARGE
HALF MOON COMMON (NATIONAL TRUST)

Several members of the Court said they have made a site visit.

The National Trust's proposal to upgrade the access track to Foxbury Plantation was agreed providing the grass reinforcement protection mesh from the barrier, up the hill and across to the Plantation fence is no more than 3 metres wide and with one passing place.

In addition a new more secure barrier will be constructed on the edge of the car park.

Subject to the approval of Natural England, the fence line of the Plantation will be moved back several feet which will provide some mitigation for any loss of grazing resulting from the upgrading of the track and the construction of the passing place.

2014/7442 OUR PAST, OUR FUTURE – LANDSCAPE PARTNERHIP SCHEME FOR THE NEW FOREST SUPPORTED BY THE HERITAGE LOTTERY FUND DISCHARGE

This is a £4.5m scheme, led by the New Forest National Park Authority. Mr Dowsett reported on his attendance at a recent meeting of the partnership, which is developing detailed plans and costs for each of the 21 projects in order to submit the stage 2 application to the Heritage Lottery Fund in May 2015. If successful, partners will deliver the projects from 2016-2020. Details of the project are on the New Forest National Park Authority's website.

HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2014/7443 BOARD MEETING MINUTES DISCHARGE

The Official Verderer said that the 30th June HLS Board Meeting minutes will be circulated to Verderers as soon as possible.

Action
LS

VERDERERS GRAZING SCHEME (VGS)

2014/7444 ACCOUNTING YEAR END DISCHARGE

Natural England has been obliged by the EU to change the year end date of HLS schemes. The year end will now be the end of December rather than the end of February as currently. It follows therefore that the VGS year will also change, and it is now the intention to make the grazing payments to commoners before the end of December.

Consideration will be given to what checks the VGS Administrator will need to undertake prior to VGS payments being made.

Action
OV

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2014/7445 SPEED CAMERA INITIATIVE RESUME
October

Mr Deakin provided more details following his recent meeting with the Police and CDA representatives.

The Court agreed that as the initiative is being funded by the Court, the agreement will be between the Police and the Verderers, with the CDA being included as a partner. The agreement will, however, be signed by the Official Verderer. It is intended the initiative will commence on 1st October with a formal launch around that date.

FINANCIAL MATTERS

2014/7446 FINANCIAL STATEMENT FOR JUNE 2014 RESUME

The financial statement was noted.

MINUTES of the Court of Verderers held on Wednesday 16th July 2014 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

HEALTH & SAFETY & TRAINING

2014/7447 DRIFTS

DISCHARGE

The Police have been contacted re assistance at the drifts and have confirmed that they will be available.

ANY OTHE BUSINESS

2014/7448 NEW FOREST SHOW - ROSTA

DISCHARGE

A rota for Verderers' attendance on the stand was drawn up. The Clerk thanked those members of the Court who indicated they will be available to help.

There was no further business and the meeting closed at 15:48 hrs.

Domini May
Official Verderer
17th September 2014