

**MINUTES of the Court of Verderers held on Wednesday 21<sup>st</sup> June 2006 at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.**

PRESENT: Mr O Crosthwaite Eyre Official Verderer  
Mr J Adams Elected Verderer & Chairman of the Staff Committee  
Mr P Frost Countryside Agency Appointed Verderer  
Cllr Mrs K Heron Hampshire County Council Appointed Verderer  
Mr J F Kitcher Elected Verderer  
Miss D Macnair Forestry Commission Appointed Verderer  
The Hon R Montagu Elected Verderer  
Mr A H Pasmore Elected Verderer  
Mrs P Thorne DEFRA Appointed Verderer

IN ATTENDANCE: Miss S Westwood Clerk to the Verderers  
Mr J R Gerrelli Head Agister (first four items only)

APOLOGIES: Mr A Gerrelli Elected Verderer

**IN COMMITTEE**

The Head Agister was present for the first two items.

2006/2341 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 17<sup>th</sup> May 2006 were approved.

The Minutes of the Court held on Monday 5<sup>th</sup> June

2006/2342 CONDITION OF STOCK RESUME

Report by Head Agister

The Head Agister said he felt there is a definite improvement in the condition of stock. Now the grass is beginning to come through ponies are altering quite rapidly and look a lot better than a few weeks ago although one or two have not picked up as well as would be hoped. Vegetation was slow to come through this year with the cold dry spring. The cattle are also looking quite well again.

The drifts are not far off and the Head Agister said any ponies which are not good at that time will be removed.

It was noted that there are a lot of ticks, particularly the very small ones which tend to attach themselves to the animals' muzzles.

Mr Kitcher remarked that there remain a lot of ponies which should look better and some foals do not look particularly good. This may be due to the mares losing condition in the early spring. The number of foals may have increased, both early and late, although the Head Agister felt there are not many more than previous years in his area.

The late spring has definitely had an effect on the animals but there is little cause for concern now.

The Head Agister left the Meeting.

Report by Mr J Adams, Chairman of the Staff Committee

Mr Adams agreed with the Head Agister's report. He added that a few ponies are still being removed from the Forest and reiterated that more will be removed on the drifts if their condition has not improved.

Mr Adams added that in his opinion there are more foals and it may be necessary to look again at the Stallion Scheme and the length of time the stallions run out. Originally it was intended stallions would go out for 6 weeks but they are now allowed to remain on the Forest for 4 months.

2006/2343 WELFARE OF STOCK – STRANGLES OUTBREAK DISCHARG

There are still a few ponies coughing but the infection does appear to be on the wane and so far it has not spread. It is hoped it is now on the way out. Ponies which have had strangles are recovering.

The Staff Committee discussed possibly publicising future outbreaks on the Forest. This was considered to be a good idea but only locally because of the risk of creating hysteria amongst the public. During this latest outbreak one or two people in the Woodgreen area went to the press and created quite a fuss and the issue was rather blown out of proportion.

It would be helpful if private yards would advise the Verderers' Office if they have an outbreak because communication works both ways.

One of the problems is that many private horse owners feel ponies with strangles should be removed from the Forest for treatment whilst veterinary advice is to leave semi-feral animals alone unless their condition deteriorates.

A public announcement if there is strangles on the Forest could create more problems and it was agreed that next time it may be prudent just to contact yards local to the outbreak.

2006/2344 ANNOUNCEMENTS AND DECISIONS RESUME

The Court approved the Announcements and Decisions.

2006/2345 DECLARATIONS OF INTEREST RESUME

The Elected Verderers and Mrs Thorne declared an interest in the Countryside Stewardship Scheme.

Mr Gerrelli declared an interest in any items concerning Campsites.

The Official Verderer declared an interest in matters concerning Forest golf courses.

Cllr Mrs Heron, National Park Member and representative on the Court of Verderers, together with Mr Frost asked for the following statement, which applies to both of them, to be recorded in the Minutes:-

"I am able to participate in the debate on this matter, and vote, but I

make it clear that the views I am expressing are in my capacity as a member of the Court of Verderers and are based on the information before me at this time. My views may change in the light of further information and/or debate at the PDDC meeting. I would like this statement recorded in the Minutes of this meeting".

2006/2346 FINANCIAL STATEMENT RESUME

The Financial Statement for May was explained by the Official Verderer and approved. Copies will be provided to all Verderers.

2006/2347 REPORT ON MARKING FEES RECEIVED RESUME

The following Marking Fees have been received:

Ponies	4134
Cattle	2268
Donkeys	109
Pigs	6
Total	6517

2006/2348 ANIMALS REMOVED FROM THE FOREST IN MAY RESUME

The Agisters removed, or requested the removal of 97 animals from the Forest in May due to a deterioration in their condition:

47 mares + 39 foals  
8 fillies  
2 colts  
2 donkeys

2006/2349 BYELAW ENFORCEMENT RESUME

The Official Verderer reported that the Agisters are currently chasing up outstanding marking fees. It was agreed commoners should be given every opportunity to pay with prosecution being the last resort. Unfortunately, however, it was thought it may be necessary to summons three or four commoners. The Official Verderer asked the Court for approval to proceed once the Court's Solicitor is happy with the evidence that has been collected. This was agreed unanimously.

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

IN ATTENDANCE: Mr Mike Seddon Deputy Surveyor of the New Forest  
Mr Will Park Area Land Agent (New Forest)

#### **ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER**

2006/2350 DAVID STAGG MBE

We were very saddened to learn of the recent death of David Stagg. Mr Stagg served on this Court for many years as both an appointed and elected Verderer. He was also an avid local historian, and he was well known as possessing a wide knowledge of the New Forest's complex past. He cared deeply about the future of commoning and he was never afraid to express his own opinion if he felt that the Forest's interests were at stake, however controversial. His contribution to Forest life will be greatly missed,

and on behalf of all the Verderers I would like to extend our sincerest condolences to his family.

2006/2351 EU REGULATIONS ON THE IDENTIFICATION OF HORSES

As part of an extensive consultation exercise currently underway throughout the EU member states, DEFRA is considering the EU Commission's draft regulations on the identification of horses.

As part of an initiative between ourselves, the NF Commoners Defence Association, the NF Pony Breeding and Cattle Society and the NF Livestock Society, a detailed response has been sent to DEFRA seeking a derogation from the proposed requirement that all foals must be microchipped as from 1<sup>st</sup> January 2007.

Our principal requests are for our existing derogation in relation to horse passports to be retained, and for an identification system based on hot branding rather than microchipping to be accepted as a means of identifying the New Forest's semi-feral herd of ponies.

It is our understanding that virtually all the associations and societies representing semi-feral pony herds in England are seeking to use a similar system for identifying their ponies.

We hope that, armed with the information and arguments that we have supplied, DEFRA will be successful at lobbying the European Commission at the highest level in order to secure these essential amendments to the proposed Regulations.

2006/2352 RAGWORT

We have been informed by the Forestry Commission that they will commence operations to pull ragwort on the Crown lands of the New Forest from Monday 3rd July. We would like to encourage all landowners in the area, including commoners, to remove ragwort from their land before it seeds.

**ANIMAL ACCIDENT REPORT**

2006/2353 ACCIDENT REPORTS FOR MAY 2006

The Agisters attended 9 accidents in may which compares with 6 for the same period last year.

2 ponies and 1 donkey were killed and 2 ponies and 1 donkey were injured.

3 accidents occurred during the hours of darkness and 5 involved private cars or light commercials.

4 accidents were not reported and 6 involved local motorists.

The total killed and injured for the year to date is 37 compared with 35 for the same period last year.

**PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST**

None

## PRESENTMENTS

### 2006/2354 LYNDHURST GOLF COURSE – REVISED FOUR-YEAR IMPROVEMENT PROGRAMME

Having studied the original programme of improvements, and later the revised one, our committee would seek to have the following comments taken into consideration when this court makes its decision.

1. Those areas requiring re-generation and re-establishment of gorse and heather should not be subject to enclosure by fencing. To do so would create numerous hazards to our depastured stock.
2. At the 10<sup>th</sup> Hole reference is made to the planting of trees. It was felt that further tree planting in this area should not be encouraged.
3. Several references are made to infilling of bunkers. We are strongly against the use of any soil or turf being used from the adjacent Forest floor, and would ask that you bring pressure to bear should this have been their intention. Turf removed last year by the golf club resulted in a presentment by this association, and the subsequent repair by the groundsman has left the area sparsely covered and full of Dock weed. (Photographs are available if required).

### 2006/2355 CONTROL OF THE CAMPSITES ON CROWN LANDS OF THE NEW FOREST

In the light of recent publicity concerning the running of the campsites on Crown Land, our association would like it clarified for future reference as to who will be in overall charge of the running of the campsites – The Forestry Commission or the Camping and Caravan Club. As you are aware, from time to time there is conflict between commoners stock and the campers, and we would appreciate a statement in due course once details have been finalised, explaining the position.

### 2006/2356 UNDERPASS ADJACENT TO DUNCES ARCH, A35, LYNDHURST

May we bring to your attention and that of the Deputy Surveyor that the drainage system at the aforementioned underpass appears to be blocked once again. Even after the long dry spell it is extremely muddy, and as this is used as part of the collecting area on the Racecourse drift in the autumn, we foresee complications at that time. We would be most grateful if these blockages could be cleared.

### 2006/2357 SALE OF FORESTRY COMMISSION PROPERTIES – HOLMSLEY LODGE & SHRIKE COTTAGE

Presentment by Mrs Sylvia Barton, 87 High Street, Lyndhurst

Mrs Barton said she is unhappy that the properties at Holmsley are let under a business tenancy. She was most concerned that the occupiers are allowed to run a business. Mrs Barton asked the Verderers to do something about Holmsley Lodge and asked how it had got this far. She agreed with the eviction of the current tenants and supports the Forestry Commission.

2006/2358 SALE OF FORESTRY COMMISSION PROPERTIES – HOLMSLEY LODGE & SHRIKE COTTAGE

Presentment by Mr Michael Chilcott on behalf of the New Forest Association

Mr Chilcott said the New Forest Association is opposed to the sale of the freehold of the properties at Holmsley. It disagrees with the Forestry Commission that the properties are not suitable for occupation by Commission staff or commoners and believes diversity of holdings gives interest and it is important that they should be of varying sizes as requirements may change in the future. There is also concern that if the properties are lost to Forest management their character could change.

The NFA is also worried that the proposed new property is on unspecified land, without planning permission and there is no date for completion. It felt it was a poor exchange for two existing properties.

The NFA remains strongly opposed to selling off parts of the New Forest especially if only for immediate money raising purposes. Court was asked to remind the FC of the importance of maintaining the Forest's cultural heritage as stated in the Ministers' Mandate and asked for the proposal to sell the properties to be withdrawn.

The NFA asked the Verderers to use their influence to persuade the Forestry Commission to drop their proposal.

2006/2359 SALE OF FORESTRY COMMISSION PROPERTIES – HOLMSLEY LODGE & SHRIKE COTTAGE

Presentment by Mrs Wendy Lander – tenant of Holmsley Lodge

Mrs Lander explained that she has lived at Holmsley Lodge for 39 years and went onto explain the history of her family's occupation of the property.

The Landers have carried out extensive renovations during their time at the property, occupying it under a fully maintaining lease. Mrs Lander went on to describe all the work they have done on the land including fencing and the creation of ponds.

Mr Peter Mays joined them shortly after they took on the tenancy and brought with him a selection of ornamental waterfowl, pheasants and mallard. They set up a small business selling waterfowl which was supported by the Arthur Cadland, the then Deputy Surveyor. He encouraged them with their venture which proved very successful. The original 21 year lease expired in 1991 and a new 15 year lease was agreed to include the fact that a business was being run from the property. At all times the conditions of the lease were adhered to.

In March of this year the Landers and Mr & Mrs Mays were advised by Mr Parke of the Forestry Commission that the lease would not be renewed and that the properties were to be sold. The Forestry Commission requires vacant possession by the end of February in order to be able to sell the property in the financial year beginning April 2007.

The Landers have contacted Desmond Swayne MP who has now made representations to the Minister and also recommended this presentment be made.

The Landers have until February to dispose of their entire waterfowl collection and find themselves accommodation. They feel this is quite unreasonable and wish to draw their plight to the attention of the Verderers.

2006/2360 SALE OF FORESTRY COMMISSION PROPERTIES – HOLMSLEY LODGE & SHRIKE COTTAGE  
Presentment by Mr Peter Mays

Mr Mays is the tenant of Shrike Cottage. He told the Court that when he moved in nearly 40 years ago the cottage was virtually uninhabitable. He estimates he spent approximately £50,000 on repairs to the cottage (including building a kitchen), outbuildings and land. Over the years Mr & Mrs Mays has built up a business breeding and selling waterfowl and now have approximately 1000 birds. On the 11<sup>th</sup> May 2006 a letter was sent by the Forestry Commission giving until 23<sup>rd</sup> June 2006 to vacate the premises and the Mays wondered why they could not have been told 2 to 5 years ago that this was likely to happen. 15 years ago when the lease was renewed it was altered from a tenancy lease to a business lease, taking away our tenancy rights.

If the eviction proceeds the Mays will have to apply to the local authority to provide suitable accommodation for themselves and their two dogs. They will have to dispose of their entire collection of waterfowl incurring serious financial losses and in the event of the birds not being sold they will have to be destroyed, ending a business which has taken a lifetime to establish.

Mr Mays asked the court to recommend the lease be renewed for a few more years to enable the business to be wound down in a dignified manner.

The Official Verderer advised Mr Mays and Mrs Lander that the Forestry Commission has asked the Verderers for their advice. The Verderers have no powers to prevent the sale of the properties.

2006/2361 SALE OF FORESTRY COMMISSION PROPERTIES – HOLMSLEY LODGE & SHRIKE COTTAGE  
Presentment by Mr Bob Cooper, Minstead Manor Commoner

Mr Cooper said he knows of a case currently in progress which has taken approximately 5 to 6 years to go from the County Court to Brussels in connection with the human rights of a business tenant. He advised Mrs Lander and the Mays to sit tight and he said he hopes they succeed.

2006/2362 KINGSTON GREAT COMMON  
Presentment by Mr Bob Cooper, Minstead Manor Commoner

Mr Cooper referred to the prosecution by English Nature of the owner of Kingston Great Common. As the matter has still not been resolved, Mr Cooper offered his services as "honest broker" as the owner of Kingston Great Common has indicated he would be happy to meet members of the Court and invite them onto his land to discuss any and all problems of fencing and problems created he believes, by English Nature's failure to honour its own obligations under the terms of the lease they hold from him.

2006/2363 DEAD COW AT SANDHOLE BRIDGE  
Presentment by Mr Len Mansbridge

Mr Mansbridge drew the Court's attention to the recent loss of one of his cattle in a deep hole close to Sandhole Bridge. Mr Mansbridge said this is the 4<sup>th</sup> animal to become trapped in the hole. He said he had a cow in it a few years ago and when he reported it to the Forestry Commission they were going to fill in the hole. Unfortunately nothing has been done except to scrape some earth back to let the water run. Years ago the ditch adjacent to the line was maintained by the Railway company.

Mr Mansbridge expressed concern that a child could disappear out of sight in what is now a quagmire. He said it is a danger for people and children. The Charolais cow he has lost won 2<sup>nd</sup> prize for the cattle on the Forest and was a valuable animal. He blamed the animal's death on lack of maintenance by the Forestry Commission and went on to say that the hole needs filling in and the ditch which has a clay bottom and banks of 3' to 4' high needs some levelling out so that animals can climb out. At the moment it is a death trap. Mr Mansbridge said he intends to seek compensation from the Forestry Commission as he believes the problem is man-made. He said he is very sure about it.

The Official Verderer said the Court would discuss the matter with the Deputy Surveyor later in the morning.

### **IN COMMITTEE in The Library**

#### **CONSIDERATION OF PRESENTMENTS**

2006/2364 DEAD COW AT SANDHOLE BRIDGE

RESUME

Agister Mike Lovell attended the meeting to report on this matter.

Agister Lovell said he had received a call about a dead cow in a ditch on the Matley side of Sandhole Bridge. It was some 200 yards from Sandhole Bridge in the direction of Beaulieu Road Station. A ditch goes under the railway and is deep. The cow must have been stuck for several days. An accident report form has been completed because Mr Mansbridge wishes to make a claim. Agister Lovell said to the best of his knowledge no other animals have been trapped in the ditch during his time as an Agister but he has not had an opportunity to ask the other Agisters. He went on to say that there is a hole at the top of the ditch which is quite narrow where it comes under the railway but it then widens and eventually runs into the river. There is what looks like a "swallow hole", it is very high sided and is a dead-end corner. No-one would generally go near it. Agister Lovell said it is a death trap but is one of many on the Forest. The Mansbridges have lost several cows over the years but this hole is definitely man-made and is particularly bad.

Agister Lovell then left the meeting.

It was agreed Mr Mansbridge's claim for compensation is not a matter for the Court. The Deputy Surveyor and Mr Parke said they have no knowledge of the ditch and will get a member of Forestry Commission staff to inspect it. As Mr Mansbridge wishes to seek compensation the Deputy Surveyor declined to discuss the matter further.

Mr Kitcher remarked that the ditch cannot be filled in because of the bog on the other side. Mr Pasmore commented that it would depend upon levels and Miss Macnair suggested it might be possible to improve the bottom of the ditch and slope the sides. Mr Frost said he will have a look.

The Deputy Surveyor said the matter will be treated the same as any other hazard now that the accident has been brought to the Forestry Commission's attention.



2006/2365 LYNDHURST GOLF COURSE – REVISED FOUR-YEAR DISCHARGE  
IMPROVEMENT PROGRAMME

This matter will be discussed later in the meeting.

2006/2366 CONTROL OF THE CAMPSITES ON CROWN LANDS OF THE NEW DISCHARGE  
FOREST

The Deputy Surveyor explained to the Court that under the new arrangements the Forestry Commission remains the landlord. The Campsites have been leased to Forest Holidays which is a free-standing company, now jointly owned by the Forestry Commission and the Camping and Caravanning Club.

Day to day running of the sites remains the responsibility of Forest Holidays. Any conflicts involving Forest stock will, in the first instance, be dealt with by that Company. The Forestry Commission will become involved only if conflict cannot be resolved. All the usual consents will have to be obtained for changes on the sites and the current controls will remain in place. In practice the Forestry Commission raise matters with the Verderers as "agents" of the Company, for example with respect to the current proposals for Hollands Wood and Roundhill Campsites, the Forestry Commission is acting as agent to Forest Holidays.

A presentation will be made to the Consultative Panel by Forest Holidays explaining all the above on the 6<sup>th</sup> July.

2006/2367 DUNCES ARCH UNDERPASS DISCHARGE

The Forestry Commission agreed to contact the County Council to request the underpass and associated drains be cleared out.

2006/2368 SALE OF FORESTRY COMMISSION PROPERTIES – HOLMSLEY DISCHARGE  
LODGE & SHRIKE COTTAGE

The Official Verderer said the comments made by those making Presentments this morning will be taken into account when the matter is discussed later.

2006/2369 KINGSTON GREAT COMMON DISCHARGE

The Official Verderer said he will respond to Mr Cooper and if he feels it is necessary to meet with the owner of the Common, he may take up Mr Cooper's offer.

#### **SUBMISSIONS BY THE FORESTRY COMMISSION**

None

**MATTERS ARISING FROM THE MINUTES OF PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION AND ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION**

2006/2370    DAMAGED NEW FOREST SSSI    DISCHARGE

The Deputy Surveyor said that the works to which Mrs Collins and Mr Cooper referred were usual Open Forest management practises agreed with the Verderers and English Nature and he does not intend to take any further action as a result of Mrs Collins' presentment.

2006/2371    EAST BOLDRE & SWAY ALLOTMENTS – LEASES    DISCHARGE

This matter is on hold pending further advice from the Forestry Commission's solicitors concerning requested amendments. Mr Parke will bring the matter back to the Court once the amendments have been made.

2006/2372    AVON WATER BLOCKAGE    RESUME  
October

Work along the Avon Water will be completed during dry weather. The horse-logging team is needed to carry out the remaining work. Mr Simon Weymouth will check the dam by the bridge.

2006/2373    LIFE 3 & PATHFINDER    RESUME

Mr Pasmore had prepared reports on the following site visits:

18<sup>th</sup> May 2006

Holmsley Bog between the railway and Grid ref 213017  
Mill Lawn – south side at approximate Grid ref 232037  
Ober Water upstream from Markway Bridge  
Drain parallel to A35 south of Markway  
Drainage system below Creek Bottom  
Drain Below Berry Wood  
Berry Wood west of Old House  
Dames Slough drain 1 Grid Ref 254057 (point of entry to inclosure)  
Dames Slough drain 2 Grid Ref 252057 (point of entry to inclosure)  
Knightwood Barrow Moor drain and passage at Grid Ref 257067

25<sup>th</sup> May 2006

Amberslade Bottom  
Pitts Wood  
Islands Thorns boundary  
Bramshaw Golf Course

26<sup>th</sup> May 2006

Diversion of Lymington River  
Realignment of Fletchers Water

Mr Pasmore recommended that the proposals covered by the first two days of site visits be adopted as there are only minor details to be sorted out.

The third day's site visits, however, are far more contentious. They include altering the course of Fletchers Water creating major interference with existing patterns of drainage. The proposals will completely alter the characteristics of the Forest over the past 150 years. Mr Pasmore recommended this should be dealt with by Presentment as it is very controversial. At present the river looks absolutely natural and even just from an appearance point of view people are likely to be very unhappy.

Fletchers Water is a clear stream which flows well except where there is a debris dam at Queen's Bower which needs clearing. The proposals will return the area to pre-railway days.

Mr Frost commented that the works need a lot of careful consideration. There is a need to understand why the works are being proposed and what the likely results.

Mr Pasmore suggested the Forestry Commission must produce an outline document and plan of what is proposed in order that the public knows what is intended. It was agreed a letter will be sent to Mr Simon Weymouth on that basis.

The Deputy Surveyor said he has no problems with more detailed proposals being presented to members of the Court but he was not necessarily prepared to make a Presentment. He felt the audience in the Verderers' Court is limited and tends to be of one persuasion. The result may be a one-sided argument.

A presentation could be made to the Consultative Panel but it was suggested that many members of the panel would not have the necessary experience or knowledge of the areas to be able to give the matter proper consideration. It was suggested a group similar to the LIFE 3 Water Basin Forum should meet to discuss the proposals in detail.

The Deputy Surveyor will let the Court know whether he intends to make a Presentment or how else the matter will be brought to public attention. It was agreed that if the Forestry Commission declines to make a presentment, the proposals will be announced by the Verderers in Open Court and public comment invited at the next following Court – in accordance with the Verderers' regulations for the consideration of contentious matters.

Mr Montagu left the meeting.

2006/2374 NEW FOREST GOLF CLUB

DISCHARGE

After very careful consideration of the revised plans and comments received by the new Forest Commoners' Defence Association, the following was agreed:-

- Fencing is necessary to ensure satisfactory regeneration, however such fencing must not remain in place for too long. It was agreed that no more than 3 areas may be fenced at any one time for a maximum of 5 years unless otherwise agreed with the Verderers.

- Planting at the 10<sup>th</sup> hole will consist of gorse, heather and holly only.
- As respects infilling of bunkers, the Club will be instructed that they must use turf from around the bunkers for reinstatement and that they must not strip turf from other areas of the course for this purpose.

2006/2375 A337 – BALMER LAWN ROAD JUNCTION – NEW FOOTPATH AND DISCHARGE  
ADDITION OF A HEDGE

It was agreed that natural regeneration is already taking place which should create a satisfactory screen and no further action is necessary at this time.

2006/2376 CYCLE CROSSING AT HOLMSLEY RESUME

A meeting is due to be held on 30<sup>th</sup> June at 10.00 a.m. Mr Pasmore, Mr Frost, and the Head Agister will attend. It was universally agreed that the underpass should not be included in the cycle route.

2006/2377 ENVIRONMENT AGENCY REQUEST FOR ACCESS TO HIGHLAND DISCHARGE  
WATER AND BLACKENSFORD BOTTOM

As Mr Parke remains unaware of this request, the Clerk said she would provide a copy of the e-mail she has received in this connection. If the matter requires the attention of the Court, Mr Parke will raise it at the next meeting.

2006/2378 SALE OF FORESTRY COMMISSION PROPERTIES RESUME

The proposals by the Forestry Commission to sell the freehold of Holmsley Lodge and Shrike Cottage were considered very carefully. It was suggested it is a retrograde step to sell public property in the New Forest and there was concern that the sale could result in detrimental development in the future, particularly as the running of a business from the properties may now be an established use.

The Deputy Surveyor then explained the position in more detail from the Forestry Commission's point of view. He said there is the fundamental issue of whether the Holmsley houses meet policy objectives. He said that currently 66 Forestry Commission properties in the Forest are occupied by employees, retired employees, their successors or commoners, the latter at reduced rents. It is his view that few employees or indeed commoners could afford to rent Holmsley Lodge which has a high rental value and there is a limit to how much that rent can be subsidised.

Concern was expressed by members of the Court that the sale of the Holmsley properties could be the thin end of the wedge and they asked how long before other large Crown Freehold properties were also put on the open market. In reply The Deputy Surveyor said there are two other properties which are of a similar size to Holmsley Lodge. However, both those properties (Ironshill Lodge and Bolderwood Lodge) are positioned in the middle of managed blocks of Forestry land and as such are not suitable for disposal. Holmsley Lodge, on the other hand, bounded by a road and is not landlocked in the same

way as the other two lodges.

The Deputy Surveyor said, in summary, that while the properties at Holmsley could be covenanted, they don't readily meet current policy, and recognising the potential value to commoning of Shrike Cottage, the Forestry Commission is prepared to offer to build one new three bedroom house with land for occupation by a commoner and his family. The Official Verderer thanked the Deputy Surveyor and said the Court will make its decision later in the meeting.

2006/2379 FALLEN DEADWOOD DISCHARGE

The proposed management guidelines for dealing with fallen deadwood were agreed. Individual sites will be given consideration. The Forestry Commission will write to the Commoners' Defence Association.

2006/2380 ENVIRONMENT AGENCY NEW FOREST CATCHMENT FLOOD MANAGEMENT PLAN RESUME

A letter has been received from the Environment Agency advising that a meeting concerning the above will be held on Thursday, 29<sup>th</sup> June 2006 at the New Forest Museum in Lyndhurst. Members of the Court are invited to attend.

2006/2381 DEER REFLECTORS ON THE A35 AT HOLMSLEY RESUME

There is a proposal to site acoustic deer reflectors along the verge of the A35 at Holmsley. Additionally, it is hoped that as a result of works to be carried out to the nearby underpass, deer may be encouraged to use that rather than crossing the road itself.

There was some concern that the acoustic (sonic) reflectors could cause problems for horse-riders and the Clerk was asked to make some further enquiries.

#### **ANY OTHER BUSINESS INVOLVING THE FORESTRY COMMISSION**

2006/2382 KINGS COPSE DISCHARGE

Mr Frost expressed concern at damage that has been caused by work on the tracks in Kings Copse which are being used as a timber extraction routes. Very comprehensive reinstatement has been undertaken but in the process about 95% of the rare plants alongside the track have been all but destroyed. What was a green/grassy track is now clay and it could take 30 years to recover. Mr Frost also expressed concern at the ditches which in some places are 5' deep.

The Deputy Surveyor noted Mr Frost's comments.

2006/2383    POUNDS    RESUME

The Court thanked the Forestry Commission for the new pound that it has built at Sluffers. The Warwickslade Pound has been moved and gates are to be provided for two underpasses.

Mr Parke said he will prepare a grant of licence for the Verderers to sign in respect of maintenance of all the pounds on the Crown Lands.

2006/2384    PROPOSED NEW SEWERAGE DETENTION TANKS, MANHOLE COVERS AND NEW PIPING IN THE WOODLANDS AREA.    DISCHARGE

It was confirmed that these works are not of interest to the Court. They will be carried out on land beyond its jurisdiction.

2006/2385    ASHURST CRICKET PITCH    DISCHARGE

Nothing further has been heard from the Hospital about the fencing. It was queried whether the pavilion has been demolished. Mr Frost said he will check. The matter will be discharge for now and brought back to the Court when there is something to report.

**The Deputy Surveyor and Mr Parke left the meeting.**

**OTHER MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS**

2006/2386    HALF MOON COMMON    DISCHARGE

A further letter from the Rural Development Service dated 19<sup>th</sup> May has been received and copied to all members of the Court. It was agreed unanimously that the information requested by the RDS should be provided.

2006/2387    STATUTORY BODIES LIAISON GROUP (NATIONAL PARK)    DISCHARGE

The Official Verderer reported that the meeting he attended recently went on for three hours. He said that the discussions which took place highlighted the need for the Verderers to provide input more than twice per year when the Group meets.

The management plan for the Forest is being drafted as instructed by the (former) Minister, Alun Michael. Ms Lindsay Cornish (NPA Chief Exec) understands why the Verderers have a special position in the formulation of the plan.

2006/2388    MINERALS AND WASTE – WILTSHIRE    DISCHARGE

The National Park has written to Wiltshire County Council setting out its concerns about possible impacts on the Forest from Wiltshire's Minerals and Waste Management Plan. It was confirmed, however, that except in cases where proposals are within the boundary of the National Park, the Authority will have little influence.

2006/2389 MINERALS AND WASTE PLAN – HAMPSHIRE DISCHARGE

Cllr Mrs Heron will represent the Verderers and Mr Frost will assist by considering the papers. The Court will be advised when a response has been made.

2006/2390 REVISION OF THE HIGHWAY CODE DISCHARGE

The Clerk will find out the closing date for consultation and if not too late, will write a suitable letter.

2006/2391 TRACK AT HONEYSUCKLE COTTAGE, HYDE DISCHARGE

The saga of the track outside Honeysuckle Cottage continues. Cllr Mrs Heron has provided some papers to the Clerk who will write a letter explaining that common rights still exist on the track which must not be closed to Forest stock.

2006/2392 STALLION AT IPLEY DISCHARGE

It is felt that the stallion, which has caused a some problems with horseriders, should be left on the Forest at least for the time being. His behaviour is not thought to be of a sufficient problem to order his removal of the Forest. The stallion will be monitored and the Clerk will write to the owner letting her know the situation.

2006/2393 MICROCHIPPING OF HORSES RESUME

The proposed system of using hot-brands in place of microchipping to identify ponies running on the Forest has been put forward. Miss Macnair suggested that other breeds should be consulted so as to avoid any opportunity for confusion.

2006/2394 POUND MAINTENANCE RESUME

Mr Adams asked for the pound maintenance budget to be looked at as at present he feels it is not high enough to cover the work that will be necessary each year to keep the pounds and necessary lengths of drift fence in good condition.

It was agreed that provision must be made for ongoing maintenance costs and this will be included in the budget which will shortly be prepared. It was also suggested that the Commoners' Defence Association should be asked for a contribution.

2006/2395 HOLLANDS WOOD AND ROUNDHILL CAMPSITES RESUME

The Official Verderer said he is expecting a response from the Forestry Commission to the statement made by the Court on the Appropriate Assessment. If the planning application to the National Park Authority is approved, the Forestry Commission will come back to the Court to ask that its decision on the campsite proposals under the New Forest Acts to be reconsidered.

Now that Crown immunity is no longer applicable, the NPA must decide if a further Appropriate Assessment is necessary.

2006/2396 AGISTERS' LAND ROVERS RESUME

Mr Colin Draper, Stewardship Manager is organising the purchase of the Land Rovers for the Agisters.

#### **COUNTRYSIDE STEWARDSHIP SCHEME**

2006/2397 MEETING OF THE VERDERERS CSS SUB-COMMITTEE RESUME

Mr Draper has asked for a meeting of the sub-committee following the Court committee.

The Clerk reported that Mr Draper is contacting those people who have not yet sent in their applications for this year's scheme and a Newsletter from the Verderers will be sent out at the same time.

#### **NATIONAL PARK**

2006/2398 KINGSTON GREAT COMMON RESUME

The Official Verderer said he has a meeting on Friday with Steve Trotter of the National Park Authority to discuss the fence on Kingston Great Common. The Head of Hampshire County Council's legal department has also been to see the Official Verderer as the Council is now providing the NPA with their legal support.

Kevin Gardener has asked if he can come to a Verderers' committee meeting. The Court agreed.

2006/2399 NATIONAL PARK MANAGEMENT PLAN RESUME

A meeting is due to be held on the 21<sup>st</sup> July 2006 which the Official Verderer will attend.

It was commented that the Management Plan expires this year. The Official Verderer said he will be discussing this with the Forestry Commission. There is concern that some of the protection which the Minister's Mandate has afforded the Forest may disappear.

2006/2400 BI-MONTHLY MEETINGS BETWEEN THE VERDERERS, FORESTRY COMMISSION AND NATIONAL PARK AUTHORITY DISCHARGE

The Official Verderer reported that bi-monthly meetings will be held to discuss matters of concern. It was agreed a meeting will be held in November to look at ways of channelling funding towards commoning.

2006/2401 STATEMENT OF CORPORATE INVOLVEMENT RESUME

A pre-submission draft of the Statement is currently under discussion.

2006/2402 PLANNING APPLICATION – VERGE AT BOLDRE RESUME

A planning application for the enclosure of a verge of a private house in Boldre has apparently been approved. Mr Frost will obtain further information as it is important to make sure that such an encroachment is not permitted on land which is subject to common rights.



## **OTHER AGENDA ITEMS**

2006/2403    FALLEN STOCK    RESUME

A rumour is circulating that the New Forest Hounds may cease collecting fallen stock next year. The Clerk will make further enquiries.

2006/2404    VERDERERS' ELECTION    RESUME

Mr Draper is arranging for a poster to be displayed on Parish Council Notice Boards and other appropriate places.

## **ITEM RESUMED FROM EARLIER IN THE MEETING**

2006/2405    SALE OF FORESTRY COMMISSION PROPERTIES    RESUME

The Official Verderer said that if the Holmsley properties are retained by the Forestry Commission they will almost certainly be leased at full market rate which would mean there would be very little chance of a young or new commoner being able to afford them. He went on to say that the Deputy Surveyor may be persuaded to construct two, rather than one, new commoners' dwellings on suitable sites; the Holmsley properties would be covenanted to ensure only private use and efforts would be made to close the adjacent road to through traffic which would help reduce disturbance in the area.

It was remarked that Crown Freehold has been sold in the past and such sales have not always benefited the Forest. Rhinefield House was cited as an example. Whilst the prospect of two commoners' dwellings is tempting, Holmsley Lodge and Shrike Cottage are situated in the middle of a relatively undisturbed area and it was suggested they should be kept as potential commoners' dwellings. On the other hand two bespoke commoners' dwellings, together with viable land (at least 6 acres per property), strictly covenanted so that they can only ever be occupied by practising commoners, was something that the Verderers would be prepared to accept.

There was clearly concern amongst members of the Court in respect of the sale of further Crown Freehold properties in the New Forest but after long and careful consideration it was agreed the Court will advise the Deputy Surveyor that it would support the proposals to sell the Holmsley properties, but only if certain conditions were met as follows:-

1. Strict covenants are applied when the properties are sold which will ensure they are for residential use only and to prevent any sort of business or commercial use.
2. Two rather than just one, three bedroom dwellings are constructed at a location suitable and viable for commoning; each property to have a minimum of 6 acres of grazing land; each property to be subject to restrictive covenants and planning consents permitting them to be occupied by recognised practising commoners only.

3. The Verderers would like to be consulted upon the proposed sites for the two cottages and grazing land.
4. The two dwellings should be let at an affordable rent.
5. A reasonable timeframe for the provision of the cottages is agreed, subject to the successful sale of Holmsley Lodge.
6. Every effort is made to close the adjacent road to through traffic.

### **MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS**

2006/2406 THE PROGRESS PROJECT DISCHARGE

Mr Pasmore said he wishes to resign from the Progress Group. This will be communicated to the relevant Forestry Commission staff.

Mr Frost will be remaining on the Group.

### **STAFF MATTERS (including the Staff Committee)**

2006/2407 CHAINSAWS FOR THE AGISTERS RESUME

After careful consideration it was agreed to obtain prices for 2 suitable chainsaws to be used by the Agisters whilst carrying out their duties. It was felt for health and safety reasons it would be better for saws to be provided as there is then more control over servicing etc.

Consideration is being given as to whether Leader + or the Sustainable Development Fund may be able to assist with the purchase of the saws.

2006/2408 MEETING WITH THE FIRE BRIGADE RESUME

The Agisters are meeting with the Fire Brigade on the 12<sup>th</sup> July to discuss and share views and experiences in connection with rescuing livestock.

### **TRAINING**

2006/2409 AGISTERS' TRAINING DAY – WORKING ON OR NEAR THE HIGHWAY RESUME

The training day will take place on 29<sup>th</sup> June.

### **HEALTH AND SAFETY AT WORK**

There were no health and safety matters to discuss.

**ANY OTHER BUSINESS**

2006/2410 OFFICE WORKLOAD DISCHARGE

The office is currently experiencing a particularly heavy workload some of which has resulted from the Brand Review. The Court agreed that the Stewardship Scheme Manager should help as much as possible and it was agreed he should assist with loading brand information onto the computer system as this is now becoming very urgent.

2006/2411 BEQUEST DISCHARGE

Ms Lindsay Cornish, NPA Chief Executive has received a bequest on behalf of the Authority of £150 and she has asked the Court if there is a project or worthwhile cause on which the money can be spent. This was much appreciated and careful consideration will be given as to how the money can best be used.

2006/2412 MR DAVID STAGG DISCHARGE

A request has been received for a stock pound in the north of the Forest to be built and dedicated to Mr David Stagg. Consideration will also be given to this.

2006/2413 PONY PUBLICITY GROUP EXHIBITION DISCHARGE

Miss Macnair said that the PPG has arranged an exhibition at the New Forest Museum from the 25<sup>th</sup> June for 5 days. It will include pictures and carving by local artists.

2006/2414 POUND BOTTOM TIP RESUME

Cllr Mrs Heron said that SCG lorries accessing the tip are being directed to use the A36 to Landford then through Nomansland or Wellow and Cadnam and through Bramshaw. The contact details of the Waste Company Site Manager have been provided to the National Park. It is hoped an urgent response will be forthcoming.

There being no further business, the meeting closed at 1.34 p.m.