

**MINUTES of the Court of Verderers held on Wednesday 19<sup>th</sup> June 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  
Mr A Gerrelli Elected Verderer  
Miss D Macnair MBE Senior Elected Verderer  
Mr C Maton National Park Appointed Verderer  
Mr G M H Mills DEFRA Appointed Verderer  
Mr D Readhead Elected Verderer  
Mr R Stride Co-opted Verderer  
Mrs D Westerhoff Natural England Appointed Verderer

IN ATTENDANCE: Miss S Westwood Clerk to the Verderers  
Mr J R Gerrelli Head Agister

APOLOGIES: None

**IN COMMITTEE in the Library**

2014/7323 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 21<sup>st</sup> May 2014 were approved subject to some amendments. It was agreed these should be made and the Official Verderer will then sign them.

2014/7324 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.

Mr Maton reminded the Court that he is a Forestry Commission contractor.

As owner of a small campsite, Mr Gerrelli declared an interest in matters concerning Forest campsites.

2014/7325	CONDITION OF STOCK	RESUME
	<p>The Head Agister reported that stock continues to look very good. There is a huge amount of food on the Forest. The weather has been kind and the grass is growing extremely well.</p> <p>The foals are now on the ground and the Agisters are undertaking the annual foal count. There is a good crop of foals and the mares have plenty of milk. The only problem being that there have been several cases of empty mares trying to steal foals. The Agisters have dealt with them and so far all have been resolved. This is a direct consequence of the Stallion Scheme which has reduced the number of mares getting in foal.</p>	
2014/7326	STALLIONS & STRANGLES	DISCHARGE
	<p>All stallions have now been caught and removed from the Forest except one which has strangles. Based on current veterinary advice which suggests the best course of action is to leave ponies with strangles on the Forest unless they become very sick or poor, the colt has been left out. He does look better than he did a week ago and it is proposed to leave him another week and see how he is then. It takes at least 4-6 weeks before an animal is no longer infectious but further veterinary advice will be taken prior to a decision being made as to whether to ask the owner of the colt to take him home, or to put him in the grazing with the other colts.</p>	Action Clerk
2014/7327	STRANGLES	RESUME
	<p>Strangles is now affecting ponies at Wilverley, Longslade and on Whitefield Moor.</p>	
2014/7328	RAGWORT	DISCHARGE
	<p>It could be a bad year for ragwort. Ideally pulling needs to be undertaken before the plant flowers and seeds.</p>	Action DS
2014/7329	HOT BRANDING	RESUME
	<p>A list of commoners deemed competent to brand ponies has been drawn up. Mr Readhead said he is producing a brand specification. To ensure that new brands are made properly, commoners will be required to send a piece of wood branded with their new brand to the office for formal approval.</p> <p>Final confirmation is awaited that Defra Minister Lord de Mauley will be coming to the Forest.</p> <p>It was agreed the Minister should be shown ponies being driven in to a pound well as the branding process. This is to assist him in understanding that they are semi-feral animals which cannot be caught in the same way as domesticated ponies.</p>	Action DR  Action Clerk
2014/7330	STOCK LOSING CONDITION AND REMOVED FROM THE FOREST	RESUME
	<p>Mares with foals – 2 Mares - 4 Fillies – 1 Geldings – 1</p>	

The total removed last month was 8 which is the same as last year.

The year to date figure is 56. In 2013 it was 334.

2014/7331 MARKING FEES RECEIVED TO DATE IN 2014 RESUME

	Forest	Common	Total
Ponies	4299	722	5021
Cattle	2441	1098	3539
Donkeys	96	59	155
Pigs	0	23	23
Sheep	0	142	142
Total	6836	2044	8880

Ponies, cattle and donkeys on the Forest – 6836  
Ponies, cattle and donkeys on the Common – 1879  
Total Ponies, Cattle and Donkeys – 8715

MARKING FEES RECEIVED TO THE SAME DATE IN THE PREVIOUS YEAR

	Forest	Common	Total
Ponies	4300	771	5071
Cattle	2141	880	3021
Donkeys	93	68	161
Pigs	0	35	35
Sheep	0	108	108
Total	6534	1862	8396

Ponies, cattle and donkeys on the Forest – 6534  
Ponies, cattle and donkeys on the Common – 1719  
Total Ponies, Cattle and Donkeys – 8253

2014/7332 BYELAW ENFORCEMENT DISCHARGE

Currently there are no known byelaw infringements.

**Head Agister Jonathan Gerrelli left the meeting**

**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**

2014/7333 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH OUR BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER 2014

In January this year, as we do every year, the Verderers' office sent a copy of this year's drift list to all Forest bodies, and also to known recreational events' organisers. Included in the circulation was UK Cycle Events, organiser of the 2 day Wiggle in October.

In April this year the National Park Authority's Cycle Liaison Group, which consists of Forest bodies and cycle event organisers, including Martin Barden of UK Cycle Events, published its draft New Forest Cycle Events Organisers Charter. In the charter, it states the following:

"The New Forest is a working forest, with forestry, farming and equestrian activity on its narrow roads and tracks. Ponies, cattle and other animals are free to roam the Forest and many of its roads, and cycle events are sometimes incompatible with Forest activities, such as pony round ups (drifts)."

The Charter goes on to say:

"Between August and early November, about 40 pony round ups (drifts) take place, each involving dozens of galloping ponies. Drifts take precedence over other activities. It is therefore essential that event organisers considering using the same date as a drift liaise directly with the Verderers' Office (023 8028 2052) to avoid any potential clash."

In May we became aware from the UK Cycle Events web site that the October Wiggle clashes with the Balmer Lawn drift on Sunday 12th October. We therefore wrote to Martin Barden of UK Cycle Events on 28th May as follows:

"We see that you have advertised your Wiggle New Forest 100 event on Sunday 12th October. You will be aware that the cycle events Charter states that drifts take priority over cycle events.

We are therefore writing to formally notify you that Sunday 12th October is the day of the Balmer Lawn drift. At present you are showing the route to include the B3055 from the Balmer Lawn junction to Hatchett Pond. We will be using that road for driving ponies.

Please confirm to us in writing within 14 days that your event will not use the B3055 from the Balmer Lawn junction to Hatchett Pond, and please will you modify the route shown on your website to exclude the B3055 from the Balmer Lawn junction to Hatchett Pond."

In response, Martin Barden telephoned to request a meeting to discuss this further. The Clerk and I met with him last Thursday 12th June. Mr Barden acknowledged that he had received our list of drift dates in January. He also confirmed that he will sign up to the New Forest Cycle Events Organisers Charter as it is currently worded, including the statement that "drifts take precedence over other activities".

We emphasised that drifts are necessary for animal welfare before the winter sets in, and for bringing in foals for the Beaulieu Road sales. Indeed, drifts form an integral part of the Verderers' management of the New Forest stock. I explained that under the New Forest Act of 1877, "the Verderers shall have the power to make drifts of the Forest at such a time and in such a manner as they think expedient". For all these reasons, I made it clear that the Verderers will not be cancelling our Balmer Lawn drift, which is one of our biggest and most important of the drift season. We again requested that either he change the route, or he consider changing the date of his event to after the drift season.

Unfortunately Mr Barden would not confirm during our discussion that he will change the route, or change the date, of the October Wiggle New Forest 100, but I have asked him for a decision within four weeks, that is before 10th July. So I hope to have further news for you at our July Court.

## PRESENTMENTS

2014/7334 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH THE BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER 2014  
Presentment by Dr Graham Ferris, Chairman, New Forest Commoners' Defence Association

"Last year when the Ober Drift was cancelled by the Verderers on Health and Safety grounds, due to a clash with a Wiggle Cycle Event organised by UK Cycle Events who were intransigent, CDA members were appalled that a cycle event had taken precedence over a drift and feared it was the thin end of a potentially very large wedge.

Today's announcement by the OV is an even more blatant example of UK Cycle Events being unable or unwilling to recognise the importance of drifts.

Drifts are essential for livestock management and the livestock are vital for the maintenance of the unique Forest habitats. They are not optional, recreational activities, organised for commercial gain.

The Cycle Event Organisers' Draft Charter, to which the OV has referred, says that organisers should "prepare to be flexible with regard to date, timing and routes" and the "Drifts take precedence over other activities".

Mr Barden, the Managing Director of UK Cycle Events said the Charter was nothing that they are not already doing. And an online cycling press dismissed it as "teaching grandmother how to suck eggs".

Now we know the truth, which is that these commercially organised mass cycle events pose a major threat to traditional Forest activities, including Drifts.

The CDA wholeheartedly supports the Verderers in whatever action they think is appropriate to ensure that Drifts take precedence and we call on the New Forest Safety advisory Group to take steps to see that it happens."

2014/7335 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH THE BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER 2014  
Presentment by Mr Brian Ingram, Commoner and former Chairman of the NFCDA

Mr Ingram said that he has ponies which he hopes to catch at the Balmer Lawn Drift, and he therefore supported the Verderers in their decision not to cancel it. He said that the drifts are very important to the commoners and ensure the welfare of the ponies. The drifts provide an opportunity for commoners to worm their animals and remove any that they wish to take home.

Mr Ingram went on to say that the cycle events are no more than races where cyclists seek to get from A to B as fast as they can. He added that it would be better if they went to Silverstone or Thruxton where they could race and the commoners could carry out the drifts in a properly controlled way.

2014/7336 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH THE BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER 2014  
Presentment by Mr Peter Whapham, Commoner

"I am here to remind the Verderers of their position and responsibilities enshrined in the Environment Act 1995.

Chapter 25, Section 62, of this legislation emphasises that the Sandford Principle not only

applies to all National Park Authorities but also to the institutions within our National Parks, including within the New Forest, the Verderers.

Conserving and enhancing the cultural heritage as well as the landscape, fauna and flora is emphasised in the Act. Consequently, maintaining and conserving the traditional practice of commoning is paramount for the Verderers.

This is quite clear, but last October the Verderers gave way to pressure from a commercial recreational organisation, cancelling a drift in favour of the Wiggle Cycle Event. This shocked and angered the commoning community and others who value conservation - and was illegal.

A case was made by UK Cycling Events Ltd that it was so committed to the dates for one of its events that these could not be changed. But this was quite untrue. In April 2013, it had quite calmly and swiftly cancelled the second day of its spring event without notice because of adverse weather!

It would be useful if the Verderers insist that the National Park Authority gives greater prominence to upholding the Sandford Principle, especially in regard to any planned recreational activities within its area.

It follows that the Verderers must never ever act illegally again and must make quite clear that the cultural heritage of the New Forest is not negotiable."

2014/7337 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH THE BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER 2014  
Presentment by Mr Peter Roberts, former New Forest Association Chairman

Mr Roberts applauded the stand made by the Verderers' Court in refusing to cancel the Balmer Lawn Drift in order to allow the Wiggle event to take place. Mr Roberts said that last year he made his views on the clash between commercial events and commoning very clear and he expressed amazement that UK Cycle Events has continued to expect its events to take precedence. Mr Roberts felt that it was not a sign of weakness that the Court abandoned the drift last year but a case of common sense.

Mr Roberts said he knows the NFA's policy has not changed and that he and the NFA wholeheartedly support the Verderers against UK Cycle Events. Mr Barden is clearly prepared to sign up to anything, but will then clearly do what he wants. For that reason, Mr Roberts felt the Cycle Events Organisers Charter should be abandoned.

## **ANIMAL ACCIDENT REPORT**

2014/7338 THE ANIMAL ACCIDENT REPORT FOR MAY 2014

The Agisters attended 6 accidents in May compared with 11 in May last year.

3 ponies, 1 cow and a donkey died and 1 pony was injured.

4 accidents occurred in daylight, 1 in the dark and in the third case the animal was found dead in the morning. The accident wasn't reported and therefore we don't have a time for it.

A total of 3 of the accidents were not reported. The accidents which were reported all involved cars or light commercials. One motorist was local. The other two drivers came from Christchurch, and Eastbourne.

Details of May's accidents are as follows:

On the morning of Saturday 3rd May, a donkey was found dead in Penn Common Road. The driver responsible did not report the accident.

On Tuesday 6th May a bay filly was injured and had to be destroyed following an accident at mid-day close to Culverley Bridge on the B3056, just outside Beaulieu. This accident also wasn't reported.

In Pages Lane, East Boldre, on the 15th May, a bay mare was injured and destroyed. The accident happened at 11.15 in the morning.

On Godshill Ridge on the B3078 on Saturday 17th May at ten minutes past midnight, a grey filly was injured and had to be destroyed.

On Monday 19th May at 4.25 in the afternoon in Grigg Lane, Brockenhurst, a vehicle collided with a pony that was in a group which had been spooked. The pony was injured.

Finally, on Friday, 30th May a shorthorn heifer was killed in a collision at 3pm close to Hawk Hill Car Park which is between Brockenhurst and Beaulieu on the B3055. This was the third unreported accident in May.

The total number of animals killed and injured in road traffic accidents at the end of May 2014 was 26, compared with 37 to the same date last year.

#### ACCIDENTS SO FAR IN JUNE

So far in June there have been 5 accidents in which 1 pony and 1 donkey were killed. In the other three accidents the animals were either uninjured or not found.

All the motorists involved reported the accidents, three of which occurred in daylight, including the two where the animals died – the pony at Turf Hill and the donkey at Long Cross.

### IN COMMITTEE in the Library

#### CONSIDERATION OF PRESENTMENTS

2014/7339 CLASH OF THE WIGGLE NEW FOREST 100 CYCLE EVENT WITH THE BALMER LAWN DRIFT ON SUNDAY 12TH OCTOBER 2014 RESUME

The Deputy Surveyor said he supports the principle that significant clashes between recreational activities and the drifts should be avoided and he hopes Mr Martin Barden will amend his plans for the Balmer Lawn Drift. He confirmed that the Forestry Commission has signed up to the Charter, and therefore supports the principle that drifts take precedence.

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

2014/7340 SSE PROPOSED UNDERGROUND CABLE – OGDENS FARM RESUME

The Court is concerned that in some places the track is on a very steep gradient prone to 'washing out' during periods of heavy rainfall. Concern was also expressed at the proposal to lay the cable under Latchmoor Brook at the ford.

The Court requested further information including the route of the proposed cable at the Abbotswell end. Action DS/MJ

MINUTES of the Court of Verderers held on Wednesday 19<sup>th</sup> June 2014 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2014/7341 SGN PROPOSED UNDERGROUND GAS SUPPLY TO BENCH HOUSE, DISCHARGE  
BEAULIEU ROAD, LYNDHURST

This proposal was approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing. In addition the Court stipulated that the gas meter and connection must be inside the property.

2014/7342 REPLACEMENT SEPTIC TANK WITH NEW TREATMENT PLANT AT DISCHARGE  
ROE COTTAGE, LINFORD

The proposal was approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc. In addition, the Court stipulated that the old tank must be removed.

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

2014/7343 ELECTROCUTED PIG RESUME

Mr Deakin advised that the meeting with SSE has not yet taken place. He undertook to discuss suitable dates with the Clerk. Action RD

2014/7344 CROSS COMPLIANCE RESUME

The appeal to the RPA against the fine has been rejected. However, the appeal process has four stages. Stage two of the appeal is now being drawn up.

The Golf Club has confirmed to the Forestry Commission that it has disposed of chemicals and improved its records to address the RPAs findings.

The Land Advice Service (LAS) is to visit the Club to support it in ensuring its record keeping and procedures are cross-compliant.

The Deputy Surveyor said he has commissioned the LAS to work with the FC regarding the various sports clubs and allotments in order to review how cross compliance may affect them. Advice on how to revise the licences to ensure cross compliance is also being obtained. Parts of the Forest are in Nitrate Vulnerable Zones (NVZs) and this also has to be taken into account. Action DS

2014/7345 ORDNANCE AT MATLEY RESUME

The Deputy Surveyor remains in contact with the MOD. Action DS

2014/7346 RECEPTION AREA AT SETTHORNS CAMPSITE DISCHARGE

The works about which Mr Readhead expressed concern at the last Court involve refurbishment of a toilet which is used by site management staff without units on site. There is no change to the footprint of the building and the works are covered by the lease.

2014/7347	LOSS OF PASTURE WOODLAND	RESUME September
	<p>There continues to be significant differences of opinion regarding the management of the Open Forest and Ancient and Ornamental Woodlands with some members of the Court expressing the opinion that over the years there has been a huge accumulation of fallen wood and that drastic urgent work is required to reduce it. However, Natural England regards the Pasture Woodlands to be in favourable or unfavourable recovering condition and therefore disagrees that significant work is required.</p> <p>The Deputy Surveyor agreed that in some areas, such as Ladycross, an excessive amount of timber came down during the winter storms, some of which does need to be removed. Indeed the whole group that attended the site visit on 16th June agreed that the piled-up wood in this location is excessive and should be reduced.</p> <p>The Forestry Commission and Natural England will consider a modification to the current operational guidelines in order to facilitate some clearance of more accessible wood from alongside tracks. A trial is due to take place at Ladycross this Autumn.</p> <p>Concern was expressed about the loss of grazing where fallen wood has covered the grass. Under HLS there is a project for restoring lost lawns. Where the A&amp;Os are moving outwards some work will be undertaken to prevent the loss of grazing.</p> <p>Mr Mills asked for a copy of the SAC Plan. Mrs Westerhoff said she has an electronic copy which she can forward to him.</p>	Action DS
		Action DW
<b>SSSI RESTORATION WORKS</b>		
2014/7348	REPAIR AND MAINTENANCE LIST (FORMERLY THE SNAGGING LIST)	RESUME
	<p>The Deputy Surveyor said he will produce a new list and forward it to the Clerk for circulation.</p>	Action DS
2014/7349	FLOODED LAWN AT QUEEN'S MEADOW	RESUME June 2015
	<p>After the recent site visit, it is apparent that the problem is that the drainage in the adjacent inclosure needs to be made to work. Remedial works were agreed on site and these will be undertaken this summer, and the site reviewed in June 2015.</p> <p>A flood model study is to be undertaken for the washed out road to decide what is likely to work.</p>	Action DS
2014/7350	NORTH SLUFTERS INCLOSURE	DISCHARGE
	<p>The Court gave its formal, and unanimous approval to the proposed works in North Slufters Inclosure shown on the Restoration Proposal Map October 2013 and set out in the report of the site meetings which took place on 23<sup>rd</sup> September 2013 and 10<sup>th</sup> February 2014.</p> <p>The National Park Authority sent a copy of the planning application to the Clerk. A letter of support has been sent.</p>	

## ENCROACHMENTS

2014/7351	ENCROACHMENT LIST	RESUME
	An updated list was circulated and Miss Jones advised the Court of the latest position on the various issues.	
2014/7352	KINGS COPSE DITCH / STAGGS BARN, BLACKFIELD	DISCHARGE
	The reinstatement of the ditch by the FC is considered to be excellent. The track is on the list for re-grading.	
2014/7353	PONDHEAD	RESUME
	It was suggested that some of the dragon's teeth should be retained in order to prevent vehicles over-running the track and damaging the grazing. However, the dragon's teeth that were put in illegally need tidying up. Members of the Court will inspect the site prior to the next Court when a decision will be made as to whether the dragon's teeth should remain.	Action All
2014/7354	FENCE AND DITCH OUTSIDE PROPERTY IN EAST END	DISCHARGE
	The Official Verderer declared an interest as the occupiers are personal friends.	
	Natural England has approved the work to realign the fence immediately, with the proviso that the hedge is checked for nesting birds.	
2014/7355	FOREST ROAD, BURLEY	RESUME
	This issue remains unresolved. The Forestry Commission is to contact Natural England regarding the damage to the SSSI.	Action MS/MJ

## ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2014/7356	DRIFT FENCING	RESUME
	The Agisters are concerned at the Forestry Commission's objection to a request for additional drift fencing at North Sluffers. It seems the objection is due to the additional length requested not being on the previously agreed 2007 map of drift fencing. The Deputy Surveyor will discuss the matter with Lisa Macher who raised the objection and he will also provide the Clerk with a copy of the 2007 map.	Action DS
2014/7357	DISUSED RAILWAY LINE AT HOLMSLEY	DISCHARGE
	It was reported that there is a great deal of ragwort which is just about to flower on the disused railway line. The Deputy Surveyor said it will be included in this year's ragwort pulling programme.	Action DS
2014/7358	SIGNS AND MIRRORS	DISCHARGE
	Mr Dowsett reported that the Ogdens car park sign is all but gone and needs replacing.	
	Between the Fighting Cocks and Drybrook Ford, two parabolic mirrors have appeared for which it is assumed consent has not been obtained.	

They are however attached to existing street furniture. One is on a telegraph pole and the other on a highway sign which warns motorists that they are approaching a ford.

The Deputy Surveyor said he will arrange for the Estates Keeper to visit the properties concerned. If he is unable to secure removal of the mirrors, the matter will be referred to BT Open Reach and Hampshire County Council Highways.

Action  
DS/Estates  
Keeper

2014/7359 FORESTRY COMMISSION CONTRACTS

DISCHARGE

Mr Mills expressed concern that contracts for work in the Forest are frequently let to contractors from outside the area. He asked what efforts are made to ensure that local contractors have an opportunity to submit successful tenders.

In response the Deputy Surveyor explained that the Forestry Commission in the New Forest is obliged to follow national procurement procedures but efforts are made to let contracts to local people and a tendering process applies. He added that the Forestry Commission will provide advice to potential contractors if they are unfamiliar with the processes or nature of information required to be submitted.

Mr Deakin had previously asked whether the procurement system is compliant with the Minister's Mandate and the Deputy Surveyor had provided details to the Court that demonstrated many works were completed by reasonably local contractors (Court minutes 2012/6413 & 2013/6455 refer).

2014/7360 THE FUTURE OF THE FORESTRY COMMISSION

DISCHARGE

In response to a request for information on the future of the Forestry Commission, the Deputy Surveyor advised that Government has not set a timetable for the new legislation and it is not expected to do so this side of the next General Election.

The Deputy Surveyor explained that the Government will expect the new body to be increasingly self-financing over time, but that public money will be available for Eco-systems Service Delivery, such as Open Forest management and management of the SSSI.

2014/7361 HIGHWAY REPAIRS – PITMORE LANE TO SHIRLEY HOLMES

DISCHARGE

Mr Gerrelli commented that the haunches have been repaired with hoggin and suggested that as a result the road may have been widened.

The Official Verderer replied saying that the Head Agister inspected and photographed the road prior to the work being undertaken and he will be asked to go back and inspect it again. If any issues are identified they will be referred to Hampshire County Council Highways.

Action  
Clerk/HA

**The Deputy Surveyor and Miss Jones left the meeting**

## ENCROACHMENTS NOT INVOLVING THE FORESTRY COMMISSION

2014/7362 ENCROACHMENT AT HUCKLESBROOK FARM RESUME

The dumped material has not been removed. Natural England has been in contact with the Environment Agency which it is believed has more power in these situations. The dumping of material such as has occurred at this location is an offence under the Environment Act and a request has been made for the material to be removed. The EA is to be approached to ascertain what powers of enforcement it has.

Action  
DW(NE)

Meanwhile the Official Verderer suggested that arrangements should be made for a representative from the Environment Agency, together with Mrs Westerhoff and the Head Agister to go and speak to the resident who dumped the spoil.

Action  
DW

## OTHER MATTERS ARISING

2014/7363 JACK DONKEYS DISCHARGE

The paper produced by Mr Deakin, setting out a proposal for managing jack donkeys had been circulated prior to the meeting. It was adopted unanimously. Details will be announced shortly.

Action  
RD

2014/7364 HAMPSHIRE MINERALS & WASTE – OIL AND GAS DEVELOPMENT – REPORT ON MEETING ON 5<sup>TH</sup> JUNE 2014 DISCHARGE

Mrs Westerhoff attended the meeting on behalf of the Court. The discussion centred around fracking. Two areas have been identified as potential sites, one being The Weald (as far west as Winchester) and the other is in Dorset reaching east to Thorney Hill adjacent to the New Forest. Whilst the New Forest could be fracked in the future, Mrs Westerhoff understood it would only happen under exceptional circumstances and would be subject to the European legislation protecting the SAC.

2014/7365 BOVINE TB CONTROL PLAN RESUME

A thirteen page document was received from Mr Andy Patterson of the AHVLA. This is now being studied and a response will be sent as soon as possible.

Action  
HM/Clerk/HA

2014/7366 CATTLE IDENTIFICATION DISCHARGE

Miss Macnair stressed that it is important that pedigree cattle passports include a named sire in order to maximise the prices achievable for fully traceable animals.

2014/7367 TRANQUILITY MAPPING RESUME

Mrs Westerhoff and Mr Dowsett are to attend a training course on ground truthing. The ground truthing should be completed by the end of July.

Action  
DW/BD

Mr Dowsett took the draft map to Mr Pasmore and invited him to take part in the ground truthing.

2014/7368 CYCLE EVENT ORGANISERS CHARTER RESUME

The charter may have been overtaken by events. Mr Tony Hockley of the New Forest Equestrian Association has written a very strongly worded letter expressing concern about how the Cycle Liaison Group has been conducted. At the last Liaison Group meeting a significant number of attendees left before the end of the meeting and as a result the Charter will almost inevitably be subject to further amendment.

Action  
BD

The Court agreed that a copy of the Official Verderer's announcement should be sent to the New Forest's MPs with a request that it be brought to the attention of the relevant Minister.

Action  
OV/Clerk

#### **OTHER AGENDA ITEMS**

2014/7369 BT OPEN REACH ADDITIONAL FIBRE OPTIC CABINET AT BROOK RESUME

The Court considered the proposals. It is felt the existing cabinet is in too prominent a position and BT Open Reach will be asked to move the existing cabinet to Rooks Farm – preferably within the curtilage of that property – and site the new cabinet at the same location.

Action  
Clerk

Mrs Westerhoff will enquire whether Natural England has been consulted.

Action  
DW

#### **HIGHER LEVEL STEWARDSHIP SCHEME (HLS)**

2014/7370 A Board Meeting is scheduled for Monday 30<sup>th</sup> June 2014. RESUME

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

2014/7371 NEW FOREST EQUINE FORUM DISCHARGE

Miss Macnair reported on the latest meeting of the Equine Forum at which a proposal by the New Forest Pony Breeding and Cattle Society to seek funding for a study into strangles carriers in the New Forest Pony herd was discussed. It has been suggested that strangles is a disincentive to people buying New Forest Ponies.

#### **FINANCIAL MATTERS**

2014/7372 FINANCIAL STATEMENT FOR MAY 2014 RESUME

The financial statement was noted.

2014/7373 AUDITED ACCOUNTS FOR THE YEAR ENDED 2013/2014 DISCHARGE

The audited accounts had been circulated prior to the meeting for consideration by members of the Court.

Mr Deakin proposed the accounts be approved. Mr Gerrelli seconded the proposal. With the exception of Mr Mills, who had not had an opportunity to study the accounts in detail, the remaining members of the Court voted to approve the accounts. They will now be signed by the Official Verderer.

**STAFF MATTERS INCLUDING MATTERS ARISING FROM THE STAFF COMMITTEE MINUTES**

2014/7374 THE VERDERERS OFFICE STAFF DISCHARGE

Mr Deakin praised the Clerk and her team which he felt are performing very well. He felt the recently engaged personnel have been well chosen. The Clerk thanked Mr Deakin.

2014/7375 A31 FENCE INSPECTIONS DISCHARGE

The Staff Committee has expressed concern at the Official Verderer's offer for Agisters to assist with the inspection of the A31 fencing. After much discussion, a vote was taken and it was agreed by 6 votes to 4 that the offer for the Agisters to act as facilitators by providing transport to assist EM Highways staff with their duty to inspect the fence from the Forest side will stand. The Clerk will send a letter to EM Highways to stress that this in no way implies any acceptance of responsibility by the Verderers or Agisters for the condition of the fence.

Since the fatal accident on the A31, the Agisters have assisted EM Highways staff by transporting them along the fence line on the Forest side on one occasion only.

2014/7376 PICKET POST POUND – DRIFT FENCING RESUME

The drift fence which follows the line of the A31 fence requires urgent work to increase its height.

Action  
RD/Agisters

**HEALTH & SAFETY & TRAINING**

2014/7377 DRIFTS RESUME

Mr Deakin reported that he has completed the Risk Assessment in respect of car park and cycle track closures for the forthcoming drift season and the details have been forwarded to the Forestry Commission.

The Official Verderer asked that the Police be requested to attend the Balmer Lawn Drift to ensure the safety of the public.

Action  
RD

**ANY OTHE BUSINESS**

2014/7378 A35 FENCE DISCHARGE

The fence adjacent to the gate leading into Burley Old Inclosure on the eastbound carriageway at the bottom of Markway Hill requires repair. Hampshire County Council Highways will also be asked to clear out the drains. On the opposite side of the road, the stile is broken. This will be reported at the same time.

Action  
Clerk

2014/7379 YOUNG COMMONERS AWARDS AT THE NEW FOREST SHOW DISCHARGE

The awards scheme rewards those making an exceptional contribution to maintaining the unique landscape and way of life of the New Forest. The maximum age has now been reduced from 40 years to 35 years.

Mr Mills said that he found the work of the applicants very inspirational.

MINUTES of the Court of Verderers held on Wednesday 19<sup>th</sup> June 2014 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

The Land Advice Service may provide more training courses for young commoners.

2014/7380 AGISTERS LAND ROVERS

RESUME

The Land Rover Defender is shortly to go out of production. Mr Readhead suggested consideration be given to hiring the next fleet of Agisters' vehicles. It may be too early to replace the Land Rovers, which are only four years old. The Court agreed that options should be identified and considered in January 2015.

January  
2015  
Action  
DR

There was no further business and the meeting closed at 13.34 hrs.