

**Minutes of the COURT OF VERDERERS held on Wednesday, 19<sup>th</sup> March 2003 at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.**

PRESENT:	Mr O Crosthwaite Eyre	Official Verderer
	Mr N D Anderson TD	Appointed Forestry Commission Verderer
	Mr P Frost	Appointed Countryside Agency Verderer
	Mr A Gerrelli	Elected Verderer
	Mrs K Heron	Appointed Hampshire County Council Planning Verderer
	Mr J F Kitcher MBE	Elected Verderer
	Miss D Macnair	Elected Verderer
	Mr A H Pasmore	Elected Verderer
	Mr J Perry	Appointed DEFRA Verderer
IN ATTENDANCE:	Mrs S R Cardwell	Assistant to the Clerk
APOLOGIES:	Mr J Adams	Elected Verderer & Chairman of the Staff Committee
	Miss S Westwood	Clerk

**IN COMMITTEE**

Mr Brian Ingram, the Head Agister and Mr Ralph Ellis MCRVS, Verderers' Veterinary Surgeon, were present for the first item.

2003/92      MINUTES OF THE LAST MEETING      DISCHARGE

The Minutes of the Court held on Wednesday, 19<sup>th</sup> February 2003 were approved and signed.

2003/93      CONDITION OF STOCK      RESUME

Strangles

The Official Verderer thanked Mr Ellis for attending the meeting and asked if he could give the Court any advice on the strangles outbreak in the New Forest.

Mr Ellis stated that the New Forest is like a large farm and as such, strangles could spread easily across the Forest, as well as to adjacent private property. He confirmed that the advice the Court intended to relay to the public by way of the Announcements and Decisions is correct. Ponies should only be removed from Forest if they are really sick as chasing the animals around can spread the infection even further. Mr Ellis confirmed that strangles is highly contagious and advised that private riders should keep away from infected areas. The Agisters need to monitor the spread of the disease carefully. It was confirmed to Mr Ellis that this is already being done.

Mr Ellis confirmed that there is also another contagious infection in the New Forest which gives rise to respiratory problems.

The Head Agister confirmed that the areas affected by strangles in the New Forest are Withybeds, Acres Down, Pikes Hill, Lyndhurst Racecourse, Boltons Bench and Pondhead. As far as he is aware, the infection has subsided in all these areas. He confirmed that a suspected case reported at Longdown was a false alarm.

The Official Verderer asked Mr Ellis if the advice we are giving is sound advice and Mr Ellis confirmed that it is. Mr Ellis stated that strangles is a bacterial infection which if treated with antibiotics at an early stage can be effectively treated. However, it can prove fatal if a pony has bastard strangles which means that abscess can form inside the body of the animal and may cause pneumonia.

Mr Ellis confirmed that even when a pony has recovered from strangles it can

carry the infection for a long time. Strangles usually infects young or old equines, or ponies which are stressed. It is also possible for a pony to catch strangles more than once and ponies in poor condition are more likely to become infected.

The Head Agister confirmed that the hunting season is now over which should help the situation.

The Official Verderer thanked Mr Ellis for his advice and assistance.

#### Biosecurity

Miss Macnair raised the subject of DEFRA's proposal to introduce various biosecurity measures in the livestock industry. Mr Ellis advised that he has not yet read the proposals thoroughly yet and is unsure of DEFRA's definition of "livestock".

Miss Macnair commented that she considers such measures should only be introduced if an area is infected. She also stressed that the Verderers need to respond to this proposal urgently.

The Official Verderer said that this document will need to be more fully discussed before a response can be made.

Mr Ralph Ellis left the Meeting.

#### Condition of Stock

The Head Agister confirmed that mares with yearlings are still losing condition but overall the situation is not too bad. The drier, sunnier weather will help if it continues.

The Official Verderer said that Mr Adams has offered to arrange some Verderers' stock inspections if these are considered desirable. This was agreed.

#### Spring Welfare Tour

The Official Verderer suggested the date of Wednesday 14<sup>th</sup> May 2003. Mr Anderson stated that the Consultative Panel is holding a Forest tour on the same day. The Official Verderer agreed to speak to the Panel to see if their tour could be changed to another date as it is deemed undesirable to have the two tours being conducted on the same day. Mr Perry stated that he is unable to attend the Welfare Tour on the 14<sup>th</sup> May.

The Head Agister left the meeting.

***NOTE: Since the Court Committee meeting, the Welfare Tour date has been changed to Wednesday 7<sup>th</sup> May 2003.***

2003/94	DECLARATIONS OF INTEREST	DISCHARGE
	Mr Crosthwaite Eyre and Mr Anderson again declared an interest in the Lyndhurst Golf Club.	
2003/95	FINANCIAL STATEMENT	DISCHARGE
	The Financial Statement was well received particularly with regard to the projected end of year balance.	
2003/96	BYELAW ENFORCEMENT	DISCHARGE

All matters have been resolved to date.

2003/97 ANNOUNCEMENTS & DECISIONS

DISCHARGE

The Announcements and Decisions were circulated and one amendment was suggested and made concerning the National Park.

A request was made that the Announcements & Decisions be circulated earlier in future to give all Verderers more time to examine the document prior to the Court date.

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

IN ATTENDANCE: Mr Donald Thompson Deputy Surveyor of the New Forest  
Mr Will Parke Area Land Agent (New Forest)

**ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER**

2003/98 CAR PARKING AT WATER'S GREEN, BROCKENHURST

In February, Col Sweet brought the Court's attention to the problem of verge parking in the vicinity of Water's Green. As requested the Court has asked the Forestry Commission to take action to alleviate the problem.

2003/99 ENCROACHMENT AT FOREST BROOK LODGE, BEECHWOOD ROAD, BARTLEY

The Commoners' Defence Association reported this illegal encroachment. We understand that originally a pile of wood was left on the Forest outside this property but the new owner decided to enclose it with a wooden structure. The Forestry Commission is taking action to ensure it is removed.

2003/100 RAGWORT

The Court agreed to join with the CDA in supporting the Private Member's Bill aimed at controlling the spread of ragwort.

2003/101 DISUSED RUBBISH DUMP AT LONGDOWN

The Forestry Commission is currently trying to ascertain who is responsible for the problems at the old tip. It is the second hole that has appeared in the last 5 years. Mr Parke, with the Keeper for the area and a specialist in the management of disused refuse tips have visited the site to look at the problem. It is important to find out if it is likely that similar voids will form leading to further collapses. Investigations will be undertaken but resolving the problem is likely to prove time consuming and very expensive. Mr Parke has promised to keep us informed of progress.

2003/102 NATIONAL PARK INQUIRY

In October 2002, the Verderers requested a formal hearing before the inspector at the New Forest National Park Inquiry, and proofs of evidence were lodged by the deadline of mid October. Whilst the Verderers are not objecting to the principle of extra protection for the New Forest, concerns will be expressed about the proposed administrative arrangements, and we will be making specific recommendations to the inspector as to how current legislation could be changed to best suit the unique requirements of the New Forest.

The Verderers will be represented by counsel and evidence in person will be given by Anthony Pasmore and myself with supporting evidence from Mr Richard Manley on behalf of the Commoners' Defence Association. The hearing will take place at the Lyndhurst Park Hotel on Wednesday 27<sup>th</sup> March at 10.00 a.m.

2003/103 NEW FOREST GOLF CLUB

As announced at the November 2002 Court, the Forestry Commission has asked the Verderers to consider approving the grant of a twenty-five year lease to the New Forest Golf Club at Lyndhurst. No Presentments were made at the subsequent January 2003 Court and the matter was discussed later on that day in committee. Mr Macdonald accepted an invitation to attend that meeting in order to put his case personally to the Verderers.

Having heard what Mr Macdonald had to say, and considering the matter carefully, the Verderers informed the Deputy Surveyor that because of the way the course is currently managed it felt that a ten year renewal would be more appropriate.

It is hoped that the Forestry Commission will come back with further information on the management issues.

The Verderers conclusions are related to the special circumstances that surround the New Forest Golf Club, and should not necessarily be taken as a precedent for other formal recreational facilities in the New Forest.

2003/104 STRANGLES

Unfortunately, an outbreak of strangles has been reported in a relatively small number of ponies running on the Forest. To date it has been found in an area including Minstead, Bolderwood and Millyford. It is also suspected on the Lyndhurst Racecourse and Bolton's Bench. To date we do not believe it has spread further.

Veterinary advice is that afflicted ponies should be left on the Forest. Chasing and catching ponies places the animals under additional stress which will exacerbate their condition. By returning sick ponies to their holdings, which may be away from the area of the Forest in which they normally run, risks spreading the illness further a-field. In cases, where the condition of a pony causes particular concern, however, there is an obligation on the owner of the animal to remove it from the Forest in order to prevent unnecessary suffering. Our Agisters are keeping a close watch on the situation.

We advise private horse riders to avoid the area if at all possible and anyone who finds their animals showing signs of sickness is recommended to seek the advice of a veterinary surgeon.

2003/105 HIT AND RUN REWARD SCHEME – PRESENTATION OF REWARD

(Mr Bergreen-Jenkins was asked to step forward)

The Verderers have a hit and run reward scheme, which is sponsored by Commoners' Defence Association, the New Forest Pony Breeding and Cattle Society and the International League for the Protection of Horses. It is designed to encourage members of the public to report accidents and give information that leads to a successful prosecution when drivers have made off after incidents involving commoners' animals.

Thanks to information provided by Mr Bergreen-Jenkins, a local motorist was successfully prosecuted for failing to report such an accident. I very much hope that members of the public will follow Mr Bergreen-Jenkins' example and I am delighted to present him with a cheque for £300.00 as a reward for his trouble.

2003/106 THE DEPUTY SURVEYOR

Finally, after a long and distinguished career in the Forestry Commission culminating here in the New Forest, this is the last Court that the current Deputy Surveyor will be attending, and on behalf of the Verderers I would like to extend every best wish to Donald Thompson for the future, and we hope that he has a long, happy and well deserved retirement.

**ANIMAL ACCIDENT REPORT**

2003/107 ANIMAL ACCIDENT REPORT FOR FEBRUARY 2003

Total Accidents for the Period: 6 (6)

	Killed		Collar		Injured		Collar		Uninjured		Collar		Not Found	
Ponies	3	(4)	0	(0)	0	(0)	0	(0)	2	(0)	0	(0)	1	(1)
Cattle	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(1)
Donkeys	0	(0)	0	(0)	0	(0)	0	(0)	0	(0)	0	(0)	0	(0)
Pigs	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)
Sheep	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)	N/a	N/a	0	(0)
Totals	3	(4)	0	(0)	0	(0)	0	(0)	2	(0)	0	(0)	1	(2)

TOTAL KILLED & INJURED	3	(4)	
Accidents During the Hours of Darkness	5	(6)	
Vehicles Involved	6	(7)	(2 cars in one RTA)
Private Cars / Light Commercial			
Motor Cycles	0	(0)	
Heavy Vehicles	0	(0)	
Number of Local Motorists	3	(5)	
Number of Accidents Not Reported	0	(0)	
Total Killed and Injured for the Year to date	9	(12)	
Number of Deer Killed	0	(8)	

Figures in brackets ( ) show previous year's totals.

## PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

### 2003/108 CHANGE IN DEPUTY SURVEYOR

"I thank the Court for its kind words and best wishes. This is my last Court as Deputy Surveyor and I wanted to express my thanks to everyone in the Forest who made my task a little easier over the last five years or more.

The Deputy Surveyor has the job of looking after the Rights of the Owner in the New Forest. The State is the owner of the New Forest Crown lands and like all estate owners it demands that its asset is protected for the next generation, that it doesn't cost anything to run, and that they can enjoy the property from time to time.

One major complication for the Deputy Surveyor is that the New Forest is part owned by millions of people and when they come to enjoy it in millions they can destroy their asset. Clearly it is not possible to simply say to the owners they cannot enjoy their asset. Persuading them to care for it is made difficult when they have such a wide range of aspirations about how to enjoy it. As any estate manager will confirm, it is not easy to tell owners what should not be done on their land. Gentle persuasion can work; blunt instruction will rarely be accepted; this is particularly true when there is only a casual interest in the estate.

Another major complication for the Deputy Surveyor is that the owners of the New Forest Crown lands have legislated to give Rights and Responsibilities to a great number of special interests. The list is growing. The relative importance of these interests changes over time. For the moment nature conservation tends to dominate. However, all special interests are minorities and in a democracy minorities need to accept that majorities may not always be benign or apathetic toward them.

The New Forest's owners were persuaded, forcefully persuaded, to give the Court of Verderers the important job of protecting the Rights of the Commoners. Here we have a unique institution reinvented from one devised to prosecute peasants for stealing from the owners, at that time one person, the Monarch. I see it having a vital, important, continuing place in the future but only if it remains focused, relevant and adaptable when under pressure from other interests. I wish all the very best for all those who work with and for the Court in the future".

## PRESENTMENTS

### 2003/109 VERDERERS' EXPENDITURE Presentment by Mr Jack Weaving

"The 1877 New Forest Act is quite explicit as to what moneys may be paid into the General Fund and how expenditure from it should be used and accounted for.

The Act makes no provision for the setting up of separate accounts. Neither does it enable Verderers' expenditure other than on "expenses incurred under this Act". Those separate financial transactions, which have been made, are not readily discernable in the Annual Report and Accounts.

The Special Reserve Fund notes in the CDA's 2002 Report would appear to be one such transfer from the General Fund. This has been used in defraying the legal charges of this court's representation by a barrister at the Public Enquiry into the New Forest National Park. An expenditure, which cannot be justified under section 38 of the 1877 New Forest Act.

This outlay arises from a proposed change, which has not been demonstrated as in any way threatening to the Verderers, commoning, or the greater good of the New Forest. Indeed the *last* Official Verderer agreed that "there are strong defences and guarantees and the Verderers' powers will be unaffected by even a Standard National Park". It would seem to be a "culturally perceived" reason for expenses, incurred by the present Court and is outside the finite prescription "In defraying other expenses under this Act.

The powers of the Court in these matters are clearly defined in the 1877 New Forest Act. Will the Official Verderer therefore say now, from which fund and for what reason, has been taken, the cost of legal representation at the current public enquiry into the New Forest National Park?"

*Official Verderer:*

*"We, as a statutory body, are satisfied that we may use our funds under the provisions of the 1877 New Forest Act for legal representation and advice with regard to the National Park Inquiry. This precedent has been set over many years where Verderers' funds have been used for legal purposes. We are perfectly satisfied that it is proper expenditure".*

2003/110 CHANGE IN DEPUTY SURVEYOR  
Presentment by Mr Bob Cooper

Mr Cooper said that he is sad to see the Deputy Surveyor go as the problem with his sprouting broccoli and the over population of deer has not yet been resolved. The Deputy Surveyor had promised to do a risk assessment last year – could he let him know the result.

*Deputy Surveyor:*

*"An assessment of the deer population has been done and we do cull them, however, people complain about this. If the deer are on your land, they are your deer not mine, and I understand that venison and broccoli go well together!"*

2003/111 VERDERERS' EXPENDITURE  
Presentment by Mr Bob Cooper

"Concerning Mr Weaving's presentment, it is difficult to understand what is being said. The appropriate course of action would be for him to take this matter up with the auditors, or perhaps the Audit Commission, rather than air such matters before this Court".

2003/112 NATIONAL PARK  
Presentment by Mr Bob Cooper

Mr Cooper said that in the late 1980's, it was suggested that a National Park might bring the Minstead Manor and northern commoners to heel. He then went on to say that the National Park ideology may sit well with some commoners but the Countryside Agency had lied when they stated that it would not be possible to extinguish the rights of commoners. If the National Park has national powers they are able to extinguish rights, free of any encumbrance, unless the owners of the land have objected. He then stated that it was important for the commoners to turn up at the Inquiry to object.

Mr Cooper also stated that tomorrow the County Council will give evidence at the Inquiry to the effect that a seat on the National Park Authority should be reserved for the Southampton City Council. Mr Cooper said that he failed to see what interest the SCC had in the New Forest and that he had spoken to Ken Thornber and informed him that this is not acceptable to New Forest

residents.

Mr Cooper requested the Verderers to do something before it is too late. He then said that we do not want a National Park at all – even a tailor made one would not be good enough.

2003/113 CAR PARKING AT WATERS GREEN, BROCKENHURST  
Presentment by Col Peter Sweet

“Despite the welcome news with regard to Waters Green, nothing has changed and the grazing is deteriorating further. Much of the damage is caused by Brockenhurst College students parking their cars there. The Green is a conservation area and someone must be responsible for conserving it. There were many people at the Brockenhurst Parish Council meeting last night and they were all complaining about the village Green. Local residents are fed up with the situation and we ask that our grazing be better protected”.

2003/114 CYCLING  
Presentment by Sarah Newman

Sarah Newman actively supports cycling in the New Forest and stressed the benefits to health, traffic levels and the environment. She asked that the Verderers to use their influence to support more cycling in the Forest by supporting the National Cycle Network from Hythe to Christchurch so that people can access the Forest without the use of cars; 20 mph speed limits on Forest roads; and an improved network to aid cyclists by joining up or extending Forestry Commission routes, linking settlements and making it easier to reach the Forest from the surrounding areas.

2003/115 NEW FOREST GOLF CLUB, LYNDHURST  
Presentment by Mr Peter Roberts, Vice-Chairman of the New Forest Association

“It is a matter of record that over the last dozen or so years there have been regular complaints, in this Court, about the condition of the land around the golf course and the buildings. Despite members of the Court examining the situation for themselves, it would appear that these matters have never been satisfactorily been attended to. It was therefore inevitable that when the question of a new lease was raised, the Verderers should take the opportunity to remind the Golf Club that they hold a privileged position, with almost exclusive recreational use of a portion of the New Forest. It is important for all users of the New Forest, whether recreational or otherwise, that this position should not be abused.

That the Club has been offered a ten year lease seems, in the circumstances, generous. It affords the Golf Club ample opportunity to care for the land in an appropriate manner. The New Forest Association therefore commends the Verderers in their decision to take action which will protect the fragile environment which is the New Forest”.

2003/116 ELECTORAL REGISTER  
Presentment by Mr Peter Roberts

“This year is election year. The Verderers elections are held in accordance with the New Forest Acts, principally that of 1949 and the various Representation of the Peoples Acts. The former dictates that a register should be prepared of those qualifying by dint of occupying 1 acre of land to which attaches right of common over the Forest. The second requires that the names of those so eligible should be made available for anyone to consult complete with a *note of that qualification*.

In the case of the New Forest Act this means that the tithe number of lands to which those rights attach should be alongside every qualifying name on the register. This process was carried out for every election under the 1949 New Forest Act from 1955 to 1970 inclusive. Since that date the land qualification has been omitted.

I ask that the Court ensures that for this and future years the electoral register is lawfully compiled”.

2003/117 LITTER  
Presentment by Jill Livett (local resident)

Jill Livett expressed concern about the amount of litter in the New Forest which could be a danger to the animals as well as looking unsightly. She said although the litter picking week was to be held in April, if everyone looked after their own patch it would help enormously. The litter particularly shows up where the verges have been cut.

## IN COMMITTEE

### CONSIDERATION OF PRESENTMENTS

2003/118 VERDERERS' EXPENDITURE DISCHARGE

The Court is absolutely content that the New Forest Acts give the Verderers permission to use their funds for legal expenses and the general opinion is that Mr Weaving is misleading the public.

The Official Verderer's response to Mr Weaving in the Open Court was considered to be clear and concise and it is hoped that this will be an end to the matter.

2003/119 DEER DISCHARGE

The issue raised by Mr Cooper concerning the population of Forest deer was adequately dealt with by the Deputy Surveyor during the Open Court.



2003/120 NATIONAL PARK DISCHARGE

Mr Cooper's comments are noted but the Verderers feel that the issue of Hampshire County Council requesting a seat to be reserved for Southampton City Council on any National Park Authority does not concern this Court.

2003/121 CAR PARKING AT WATERS GREEN, BROCKENHURST RESUME

The Deputy Surveyor reported that public consultation is required before double yellow lines can be introduced around Waters Green. Once this has been done, the Forestry Commission will reinstate the grass areas. It is thought that the problem has arisen because students cannot afford the £12 per year car parking charges at Brockenhurst College.

2003/122 CYCLING DISCHARGE

The Court agreed that cycling is a healthy mode of transport which if used instead of vehicles should be encouraged. Additional links from conurbations with Forest roads could reduce traffic but any linkage or extensions to gravel tracks is a matter for the Forestry Commission and the Verderers.

2003/123 NEW FOREST GOLF CLUB DISCHARGE

The Court noted the presentment from the New Forest Association commending their decision to offer the Club a ten year lease.

2003/124 ELECTORAL REGISTER RESUME

The comments made in this presentment were noted but it is considered that there is no requirement under the 1949 New Forest Act for tithe numbers to be included on the Electoral Register forms. The Court is unsure of the wording of the Representation of the Peoples Act and will seek to obtain a copy for examination.

2003/125 LITTER DISCHARGE

The Court agreed that there is a lot of litter in the Forest this year and suspected that a lot originates from fast food outlets.

2003/126 NEW FOREST GOLF CLUB DISCHARGE

A written presentment which has been received from the Council for the Protection of Rural England supporting the Verderers, was distributed.

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

2003/127 NEW FOREST CAMPSITE REFURBISHMENT

This matter to be discussed under item 16.

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

2003/128 A31 PICKET POST FENCING RESUME  
May 2003

Mr Parke reported that there has been no progress on this matter and it was

decided to resume this item in May 2003.

The office is to provide Mrs Heron with details of other trunk road fencing problems so that she may progress these with Hampshire Highways.

DISCHARGE

2003/129 A31 PICKET POST JUNCTION

RESUME

A site meeting was recently held which unfortunately the Official Verderer and Mr Pasmore could not attend. Mr Will Parke provided a draft map which indicated the area of the proposed ornamental inclosure and confirmed that the Drawing Office is in the process of producing an official plan which will then be put forward by presentment. Mr Parke asked if the Court could indicate approval of the proposed plan or raise any objections.

It was confirmed that the maintenance of the two cattle grids at the cottage entrances is the responsibility of the householders. The Court then agreed that this plan can be officially put forward by way of presentment.

### **OTHER MATTERS OF CONCERN TO THE FORESTRY COMMISSION**

2003/130 NEW FOREST CAMPSITE REFURBISHMENT

RESUME

The Deputy Surveyor referred to the paper issued in January 2003, Development Brief, which was the commencement of this process.

He stated that the Forestry Commission has to yield 6% on any investment and unless this is assured, money cannot be spent on any project. Therefore, the FC needs to increase income and provide the services the campers expect.

The Hollands Wood campsite needs refurbishing and hook-ups need to be installed. If campsites are not refurbished they will have to close due to deterioration which would be contrary to the FC's mandate, and would take £2m out of the rural economy. It would also mean a reduction of approximately £300k per annum of visitor income which in turn could affect jobs.

It is proposed that the Hollands Wood site would be reduced in size by 300 pitches but improved facilities would be provided. To offset this loss of pitches, it is proposed that the number of pitches at the Roundhill site would be increased by 100 with improved facilities.

Along with the proposed sites in New Park, the FC wishes to provide an all year show ground which would be used for the New Forest Show. It is also proposed to provide a base for the New Forest Trust at New Park. All of this will require planning permission.

The Official Verderer stated that the proposals need careful examination before any general approval or otherwise can be given.

The Deputy Surveyor said that the FC want discussions with the Commoners' Defence Association with regard to the installation of any hook-ups. It was suggested that such discussions could be held with elected Verderers.

2003/131 NEW FOREST GOLF CLUB

RESUME

The Deputy Surveyor said that the Forestry Commission's proposals for the licence will be circulated prior to the next Court.

2003/132 BEECHWOOD ROAD LOG STORE

RESUME

It was reported that the log store has been removed but Mr Parke promised

to check.

2003/133 LONGDOWN RUBBISH TIP RESUME

Mr Parke & Mr Anderson both visited the site. Mr Parke stated that the delay in dealing with this hole, and other potential holes, is one of determining who does the work and who pays for it. Technical advice will be required as to how the refill should be handled. It has been suggested that it would need to be dug out to a bowl shape, re-filled, capped and the top sealed.

The legal issue also needs to be resolved as it would appear that the tip was not filled and compacted properly in the first place.

Mr Frost questioned whether the general public should be warned about the possibility of other holes appearing.

2003/134 COSTICLES POND (BUSKETTS INCLOSURE) RESUME

Mr Frost reported that the lawn area around Costicles Pond is choked up and something needs to be done. The Deputy Surveyor agreed that the area does need to be grazed but if animals are allowed into the Inclosure they may have to receive additional feed.

2003/135 FENCE ON OLD RAILWAY EMBANKMENT DISCHARGE

Miss Macnair reported that further landslips have created a large and dangerous hole on the embankment of the old railway line west of the Railway Bridge at Burbush and that the fence has fallen down with it. She asked if the fence could be pulled up again and replaced, as she felt it is a danger, particularly to children.

2003/136 HEATHER BALES DISCHARGE

Mr Gerrelli reported that a number of heather bales at the main drain from East Boldre green patch, where valley mire work was carried out about a year ago, still have strings on them which could be a danger to stock.

2003/137 SUCCESSOR TO THE DEPUTY SURVEYOR DISCHARGE

Mr Kitcher remarked that he thought it would have been a good idea if the Deputy Surveyor's successor had attended this meeting.

2003/138 BORDER COTTAGE, TELEGRAPH, REDLYNCH DISCHARGE

Mr Pasmore commented that only half of the external fence has been taken down and that the other half is still there. A new fence has been erected 2 feet further back. The owner was originally given two weeks to remove the external fence and that was four months ago. This situation needs to be resolved.

Mr Thompson and Mr Parke left the meeting.

#### **OTHER MATTERS ARISING**

2003/139 PONY PASSPORTS RESUME

The Official Verderer reported that the Minister is still considering special rules for the New Forest's ponies. It is expected that he may make an announcement next week. Miss Macnair requested a copy of his report when available.

2003/140 PIGS DISCHARGE

The pigs at Linwood have not been seen on the open Forest recently. The Agisters are keeping a close watch and will report immediately if the pigs are seen out again.

2003/141 NON PAYMENT OF MARKING FEES RESUME

The Official Verderer reported that the prosecutions are proceeding but that it is difficult keeping everyone up to date with the process. He suggested that if anyone wants an up-date of the proceedings, they should telephone him. A pre-trial preview is to take place this morning with the first trial scheduled for this afternoon.

2003/142 GOATS RESUME

The Official Verderer has requested a view from the National Trust with regard to goats and a reply is awaited.

2003/143 AGRI-ENVIRONMENT SCHEME RESUME

Letters have been sent to several organisations requesting their approval and support for the scheme in principle. Positive replies have been received so far from the Commoners' Defence Association, English Nature and the Forestry Commission. It is not clear yet how the Scheme will be administered nor how much finance will be involved. The Verderers need to be satisfied as to how the Scheme will work before setting up a special meeting to discuss the matter more fully.

#### **OTHER AGENDA ITEMS**

2003/144 FILMING THE RELEASE OF STALLIONS DISCHARGE

A request has been received from a Scandinavian television production company to film several of the stallions being released onto the Forest.

The Verderers gave their approval.

#### **REPORTS FROM OUTSIDE BODIES**

2003/145 CONSULTATIVE PANEL RESUME

It has been suggested that the chairmanship of the Consultative Panel should be the same as the New Forest Committee.

At the last meeting it was put forward and passed that the current Chairman should remain until 2006 or until a National Park Authority has been set up. It was agreed that this subject should be discussed fully at the next Court.

2003/146 NEW FOREST PLEDGE RESUME

The Official Verderer handed out several copies of the Strategy document produced by the New Forest Committee, together with a draft of the New Forest Pledge sheet for approval by the Verderers.

It was decided to resume this item at the next Court.

2003/147 NEW FOREST CAMPSITE REFURBISHMENT RESUME

Reference was again made to the Forestry Commission proposal for the future of the New Forest campsites. The Verderers have been asked to support the direction that the FC is going which is basically in three parts:

- not increasing number of pitches
- reducing the area of the camp sites
- upgrading of facilities including hook-ups

However, the FC has not provided enough information on its actual intentions or the benefits of such alterations, although support for the principle of reducing the size of campsites would probably be forthcoming from the Verderers.

In the Minutes of the Meeting of the Consultative Panel dated 4<sup>th</sup> February, 2003 it was resolved that a review of campsite provision should take place so that changes to campsites may be assessed. The Verderers agreed that such a review should take place.

A resolution was passed as follows:-

*We are encouraged that the Forestry Commission may be wishing to pursue a recreation policy which reduces Crown Land usage for campsites and which will not increase the number of camper nights per annum. We reserve our position entirely with regard to any development or improvement of Forest campsites. We would also support a thorough review of camp site provisions in the New Forest and when necessary we will seek the opinion of commoners and local residents through our presentment procedure.*

The Verderers need to have more information about the proposals for New Park and it is hoped that the new Deputy Surveyor, Mr Mike Seddon will provide detailed proposals for the Verderers' consideration at the next Court.

The Official Verderer left the meeting to attend Southampton Magistrate Court.

#### **STAFF COMMITTEE MATTERS**

2003/148 FEEDING ON THE FOREST

DISCHARGE

Mr Gerrelli said he has spoken to the commoner who has been feeding his stock close to the Brockenhurst village green. The commoner concerned has agreed to apply for a feeding area next year, probably for a site at the back of Hinchleslea.

#### **HEALTH & SAFETY AT WORK**

Nothing to report.

#### **ANY OTHER BUSINESS**

2003/149 NEW FOREST GOLF CLUB

RESUME

It was commented that the buildings on this golf course are probably the largest in the New Forest, and that the amount of income received by the Forestry Commission per annum from this club appears to be considerable.

A written presentment from the Council for the Protection of Rural England supporting the Verderers stance concerning their decision with regard to the new 10 year lease was distributed.

It was commented that the Verderers might have expected the Commoners' Defence Association to support them on this occasion.

Minutes of the Court of Verderers held on Wednesday, 19<sup>th</sup> March 2003

There being no further business, the meeting closed at 12.55 p.m.