

MINUTES of the Court of Verderers held on Wednesday, 16th March 2005 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 A Gerrelli Elected Verderer
Mr P Frost Countryside Agency Appointed Verderer
Mrs K Heron Appointed Hampshire County Council Verderer
Mr J F Kitcher Elected Verderer
Miss D Macnair Elected Verderer
The Hon R Montagu Appointed Forestry Commission Verderer
Mr A H Pasmore Elected Verderer
Mrs P Thorne Appointed DEFRA Verderer

IN ATTENDANCE: Miss S Westwood Clerk
Mr J R Gerrelli Head Agister (first three items only)

APOLOGIES: None

IN COMMITTEE

The Head Agister was present for the first three items.

2005/1468 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 16th February were approved and signed.

2005/1469 ANNOUNCEMENTS & DECISIONS DISCHARGE

Subject to some amendment of the draft prepared by the Official Verderer, the Announcements and Decisions were approved.

2005/1470 CONDITION OF STOCK RESUME

Report by the Head Agister

The Head Agister felt the condition of stock to be quite good. The Commoners and Agisters are removing any animals if they go back in condition but by no means are as many animals being removed as in past years. The next 6 weeks is the critical period when stock loses most condition but so far the weather has been kind. A few of the mares may not look so good once they have foaled and these will be carefully monitored. There appear to be a lot of lice at the moment.

The Head Agister left the meeting.

Report by Mr John Adams – Chairman of the Staff Committee

Mr Adams re-iterated what was said by the Head Agister. He said he has only seen 4 ponies on the Forest in the last month that were losing condition. Anything else that was going back had been removed. Mr Adams reported that in January 2004, 95 ponies were removed because they were losing condition against this year when only 33 were taken off. This represents quite a dramatic improvement. Those that are being removed are generally mares with foals from last year, old ponies and a few younger ones which are changing their teeth.

Mr Adams went on to say that the attitude of the commoners has clearly improved. They are more willing to remove ponies before they become poor and there have been no arguments when the Agisters have taken animals home. Added to this, the animals are generally improving. He commented though that April is usually the worst month.

2005/1471 DECLARATIONS OF INTEREST

RESUME

The Official Verderer confirmed he had no interest to declare in today's Agenda.

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

Mr A Gerrelli again declared an interest as someone with a small campsite (licensed for 5 touring caravans) just outside the Forest as the Forestry Commission's proposals for Hollands Wood and Roundhill Campsites appear on the Agenda.

Mr Kitcher felt he should declare an interest in the LIFE Project because since the recent partial destruction of Giddings Timber Mill he has been employed on LIFE Project works rather than timber production and he is also a member of the Water Basin Forum. Mr Kitcher asked the Court if it would prefer to appoint someone else as its representative on the Forum. Mr Frost however said that he felt members of the Forum consider Mr Kitcher's knowledge to be very valuable and Mr Frost felt sure the Forum members would not want him to stand down. The Court concurred with Mr Frost's comments.

2005/1472 FINANCIAL STATEMENT

RESUME

The Financial Statement for February was accepted.

2005/1473 MARKING FEES

RESUME

The Clerk reported that so far this year marking fees have been received for 592 animals. It is thought this is fewer than previous years at this time. Commoners have until the end of March if they wish to pay for their continuously depastured ponies and donkeys at the discounted rate. From 1st April fees will be due at the full rate.

2005/1474 BYELAW ENFORCEMENT

RESUME

No new breaches requiring enforcement action have been reported by the Agisters although a number of unbranded ponies have recently been caught. They are being branded before they are returned to the Forest. The Agisters are being diligent and are providing written information to the office of any possible byelaw infringements. At the moment the Court is not considering further prosecutions but the Clerk will be writing to the commoners whose animals were technically in breach of the byelaws asking them to ensure that it doesn't happen in the future.

Mr Adams expressed concern about prosecuting commoners for having unbranded ponies on the Forest and he was also worried that writing to the commoners may alienate them. He said there have always been a small number of ponies which evade capture on the drift and are therefore not branded. He felt that animals up to 2 years of age are not

a great problem as they are usually eventually caught. The Official Verderer commented that branding is required by the byelaws and suggested that a reminder be included in the Newsletter and Countryside Stewardship rules. He felt letters should be sent to commoners but they will not be worded too strongly. He said the Court should not be heavy handed in this but it is important to reinforce to the Agisters that they must report the facts so that the Verderers can decide what course of action is appropriate.

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

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

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

2005/1475 NATIONAL PARK

As we all know, the National Park is now a formal and legal entity, and the full membership of the Park Authority has been announced, including the six members who have been appointed directly by the Secretary of State. We are delighted that two of our fellow Verderers have been chosen to serve on the Authority, and we would like to offer our congratulations to Mrs Heron and Mr Frost on their appointments.

Although we fully appreciate that members of the Authority are expected to take a broad and largely national approach to their decision making, we are nevertheless confident that the considerable Forest knowledge and expertise that Kathy Heron and Peter Frost jointly have will be of great assistance to their fellow members in these crucial early years of the Park's existence. Bearing in mind there would only appear to be two practising commoners on the Authority, the added special experience and knowledge that any Verderer who serves on the Authority brings will undoubtedly be of value.

As one of the key organisations in the Forest we are committed to forging a close and fruitful working relationship with the Authority in the years ahead. We are also acutely aware of our statutory duty to have regard to National Park purposes when exercising our function as Verderers, whilst continuing in our role as guardians of the open Forest and the ancient rights that are practised upon it, without which this precious and vulnerable forest landscape would not have existed.

2005/1476 POLICIES

Our policies have been fully reviewed and we hope to formally agree and adopt the new policies in committee this morning. As soon as they have been adopted they will be available for viewing on our website, and copies will as always be available in the office on request.

2005/1477 DOG ATTACK

On Saturday a Shetland Pony belonging to Agister Andrew Naphine was discovered with very unpleasant injuries that are consistent with an attack by a dog. The Veterinary Surgeon who treated her has confirmed that all the injuries were very probably caused by a dog, and she is still under treatment in the animal hospital. If anyone witnessed this most unpleasant event then we would urge them to contact the office and Agister Naphine, who is understandably very upset, is offering a £100 reward to anyone who provides information that leads to the identification of the dog or its owner. Obviously, if the evidence is sufficient, any offences of this sort can be prosecuted under the Forest's byelaws.

2005/1478 LAWN MOWINGS AND HEDGE CUTTINGS

We are including this in the announcements in the hope that it will be given wide coverage in the local press. We hope the press will remind people not to put grass cuttings on the Open Forest – they are lethal.

2005/1479 OFFICIAL VERDERER

Almost three years ago I was invited to accept the appointment of Official Verderer on the undertaking that I should place the office at Her Majesty's disposal on 1st May 2005 and I accepted the office on that basis.

In order to honour that undertaking I wrote to No. 10 Downing Street some weeks ago, and I am pleased to announce that I have been informed that The Queen is content for me to remain in office for a further three year term until 1st May 2008, and I have accepted Her Majesty's invitation to do so.

ANIMAL ACCIDENT REPORT

2005/1480 ACCIDENT REPORT FOR FEBRUARY 2005

THE AGISTERS ATTENDED 16 ACCIDENTS IN FEBRUARY WHICH COMPARES WITH 8 FOR THE SAME PERIOD LAST YEAR.

7 ponies were killed, and two ponies, one cow and 1 donkey were injured.

13 accidents occurred during the hours of darkness, and 13 involved private cars and light commercials.

3 accidents were not reported.

11 accidents involved local motorists.

the total killed and injured for the year to date is 20 compared with 17 for the same period last year.

ANNOUNCEMENT BY THE VERDERERS' STEWARDSHIP SCHEME MANAGER

2005/1481 APPLICATIONS FOR 2004/2005

Invitations to apply for this year's Scheme were sent out at the end of January. The response has been very good, but there are still a number of application forms which are outstanding. I will shortly be writing to any commoners who haven't let me have their forms back yet, reminding them that their applications are overdue. We will be setting a final deadline and commoners are urged to send in their applications without delay.

Should anyone need advice or assistance in completing their form, I can be contacted through the Verderers' Office and I will be pleased to offer advice on the phone or to call round and help with its completion.

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

There were no presentments by the Deputy Surveyor

PRESENTMENTS

2005/1482 STALLIONS & STOCK NUMBERS
Presentment by Mr Jack Weaving

Mr Weaving complained that in a recent communication the Official Verderer would not agree with him that the stallion scheme has collapsed. He said he also did not agree that the Court has the power to control the number of animals depastured. Mr Weaving was concerned at the increase in stock numbers last year and expressed the view that if numbers continue to rise it will be to the serious detriment of both the Forest's ecology and the welfare of stock. He asked the Court to assume proper control of depastured commoning animals in the manner provided for by the 1949 New Forest Act, Section 9(1). Mr Weaving provided what he described as a Judgement from Lord Denning when Master of the Rolls.

The Official Verderer thanked Mr Weaving for coming to the Court and said that he was correct in saying that the Verderers do not agree with him. He added that if the Verderers have the powers as suggested by Mr Weaving, they have chosen not to use them.

2005/1483 VERDERERS REPRESENTATION ON THE NATIONAL PARK AUTHORITY
Presentment by Mr Bob Cooper, Minstead Manor Commoners

Mr Cooper asked how the Court proposed to maintain its jurisdiction when it does not have a representative on the Park Authority. He also asked the Court to ensure that grants of permission for works on the Forest, regardless of the body undertaking the works, are only given if indemnity for restoration or compensation for Commoners are in place without proviso for arbitration.

Mr Cooper was particularly concerned because the Environment Agency Solicitor has recently stated that the EA does not accept that LIFE 3 works require the Verderers' consent.

2005/1484 MARKWAY LAWN
Presentment by Mr Bob Cooper, Minstead Manor Commoners

Mr Cooper referred to a recent glossy brochure produced by the LIFE 3 partnership in which a photograph of Markway Lawn carries the caption "Markway Lawn September 2004 after restoration". Mr Cooper strongly disagreed that the lawn has in any way been restored and he regarded it as nothing but a bog. He asked what the Court is doing to ensure Markway Lawn is properly restored.

2005/1485 DEBRIS DAMS
Presentment by Mr Bob Cooper, Minstead Manor Commoners

On the same document referred to in the above minute, reference is made to "the introduction of in-stream woody debris structures which can hold back water", i.e. debris dams. Mr Cooper was concerned because he had received assurances in the past that debris dams had not deliberately been placed in Forest streams and rather that those that are there occurred naturally.

The Official Verderer responded to Mr Cooper, saying the Verderers will consider the matters he has raised in Committee and that Markway Lawn is on the Agenda for discussion later today.

The Official Verderer then reminded Mr Cooper that Presentments should last no more than 5 minutes. Mr Cooper argued that he had made 3 separate presentments for which he should be allowed 5 minutes for each. He said the Verderers' Clerk had confirmed this.

2005/1486 DONATION FROM THE ROAD SAFETY COMMITTEE/HAMPSHIRE POLICE AUTHORITY
Presentation by Mr Michael Cooper

Mr Michael Cooper presented a cheque in the sum of £500 to the Court on behalf of the Road Safety Committee to be used for the purchase of reflective collars for ponies.

The Official Verderer thanked Mr Cooper and the Committee for their kind donation.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2005/1487 STALLIONS & STOCK NUMBERS DISCHARGE

The Court did not agree with Mr Weaving that the Forest is, or is likely to become, overgrazed. The Court's position has not changed as regards managing stock numbers. The Judgement produced by Mr Weaving is a private letter written after Lord Denning had retired. As such it is the opinion of a retired Judge rather than a Court judgement and is not binding.

2005/1488 VERDERERS REPRESENTATION ON THE NATIONAL PARK AUTHORITY DISCHARGE

There are two Verderers on the National Park albeit that they have not been appointed as representatives of the Court.

2005/1489 MARKWAY LAWN DISCHARGE

The February Minutes set out in detail the situation concerning this lawn.

2005/1490 DEBRIS DAMS DISCHARGE

The Deputy Surveyor reported that debris dams had been deliberately placed as part of the Environment Agency's work to put meanders back in the streams. The dams consist of deliberately placed logs.

At the sites mentioned by Mr Cooper no dams have been deliberately put in place. At other areas trees have been placed across streams which overtime will collect debris and create dams. It is not intended that such obstructions will be included in every stretch of restoration.

Mr Kitcher felt that the picture contained in the leaflet does not show the place at Markway that is the subject of all the complaint. Mrs Heron argued that the leaflet doesn't refer to Markway as a "lawn" rather to wet grassland. However, Mrs Heron felt strongly that it is a "lawn". Mr Frost felt it is necessary to be on the Water Basin Forum to appreciate the totality of what is happening.

The Official Verderer said he will write to Mr Cooper. The Deputy Surveyor will provide a list of sites where dams are in place.

2005/1491 DONATION FROM THE ROAD SAFETY COMMITTEE / HAMPSHIRE POLICE AUTHORITY DISCHARGE

The Court was most grateful for the £500.00 donation. A formal letter of thanks will be sent.

SUBMISSIONS BY THE FORESTRY COMMISSION

2005/1492 PIGNAL HILL SCOUT SITE DISCHARGE

The Court approved the request for a 10 year permission to be granted to what is now known as the 1st Lymington & Pennington Scout Group for the use of the Scout site near Victoria Tilery.

The Court was grateful that compensation that should have been paid in past years but due to administrative error has not been received will now be paid. The past compensation including interest now totals £650 and this will be paid immediately. Thereafter the annual sum for the site will be added to the normal annual calculation of compensation.

The Court commented that in the attachment to the letter received by the Court from Mr Parke on this subject, reference is made to the area being reclassified as a "Recreation Inclosure".

2005/1493 HOLMSLEY PIT COMPENSATION DISCHARGE

The Forestry Commission produced a schedule of compensation that it was agreed will be payable in respect of Holmsley Pit over the next 4 years. Physical restoration work is complete and as the grazing in the pit gradually returns, so the compensation will reduce until after 3 or 4 years there will be sufficient grazing available for no more compensation to be payable. The Court approved the schedule.

2005/1494 ASHURST CRICKET CLUB'S PROPOSED MOVE TO BOLTONS' BENCH DISCHARGE

The Ashurst Cricket Club has asked to relocate to Boltons Bench now that the Lyndhurst Club has unfortunately folded. A new licence will be drawn up and copies of the proposed Heads of Terms were provided for comment by the Court. The Heads of Terms are in the same format and substance as used with the other Clubs that have now got new licences, the last of which is Brockenhurst.

The Court approved the proposals subject to the inclusion of some additional wording in Paragraph 23 as follows:- "To observe and respect the rights of commoners and their stock at all times".

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

2005/1495 NEW FOREST VEHICLE (LAND ROVER) TOURS DISCHARGE

The Forestry Commission has been approached by an individual wishing to operate a vehicle tour of the New Forest, primarily on the public highways, but also using some linked routes through Inclosures on the existing gravel road network. The primary aim is to provide an opportunity for members of the public to learn more about the Forest in

the company of an informed guide. The operator will actively target less able groups locally who currently find it difficult to access the Forest. The vehicle (a Land Rover) will be adapted to accommodate the physically less able. A daily tour of 2 – 3 hours from the central car park in Lyndhurst will incorporate one of two proposed sections through inclosures.

The Forestry Commission is minded to grant an annual approval and the Verderers were asked for their views. The Deputy Surveyor said he regards the activity as coming under No. 3a in the schedule attached to the Memorandum of Agreement between the Forestry Commission and the Verderers. No. 3a includes activities which the agreement states the Verderers should not unreasonably withhold approval.

The Forestry Commission do not want to see vast numbers of tours but feel the service is a way of educating the public and enable the disabled to get into the Forest. It will also contribute to the rural economy and provide limited employment.

Some members of the Court were concerned that the tours may escalate and it was remarked that on Exmoor there are a quite a large number of vehicles operated by one company.

The proposed routes skirt the remote/tranquil areas and are on the cycle network which may create problems for health and safety. One of the proposed routes can also be used by the Burley Wagon Rides.

The Court decided it wished to discuss the matter further when the Forestry Commission had left the meeting.

2005/1496 CODES OF CONDUCT

RESUME

The Progress stakeholder forum has produced codes of conduct for walkers, horse riders, cyclists and dog walkers. The Verderers were asked to read the codes and let the Clerk know in the next two weeks if they are prepared to support the codes. The cycle code will include a map and so the layout will change. Mr Frost and Mr Pasmore were witness to the many hours that it has taken to produce the codes.

2005/1497 PROPOSED ARCHWAY AT BLACKWATER CAR PARK

DISCHARGE

The Forestry Commission sought the view of the Court on the construction of an oak archway at the Blackwater car park, designed to direct visitors to the Tall Trees Walk and Arboretum. It seems that some people are confused as to where the walk starts.

The oak used will be from the Forest and local craftsman Billy Howells will craft the arch.

Some members of the Court were concerned that the archway represents a "modification" of the Forest environment and another example of the natural Forest being nibbled away. However, other members felt that there is a need to manage people and that the archway would be better than more signs.

The Official Verderer proposed that the archway be allowed and a vote was taken where the proposal was approved by 6 to 4.

2005/1498 A31 DRAINAGE – SHOBLEY

RESUME

A letter has been received from Mott Macdonald, with proposals for resolving drainage problems from the A31 at Shobley. Mr Parke said he is not happy with the proposals, a copy of which he has only just received. It seems no proper consultation has taken place and the Mr Parke will write to Mott MacDonald saying that work cannot commence until the scheme has been properly investigated and approved. Mr Adams took the Verderers' copy of the proposals and he will report back to the Clerk.

2005/1499 FALLEN STOCK

RESUME
June

The Official Verderer reported that at a recent informal gathering of interested parties it was concluded that regrettably there is little option but to let market forces prevail. There appears to be little chance of a bespoke local service being created.

The New Forest Hounds have stated they will maintain a service for the Forest until the end of the year and in the meantime, the Verderers will try to identify the best fallen stock collection companies in terms of service, cost, reliability etc.

The Forestry Commission is exploring options for the deer offal but it is felt they may also use a commercial company.

2005/1500 BRAMSHAW TO WINDYEATS ROAD RUBBISH

RESUME

Mr Pasmore reported that conifer branches have been added to the variety of detritus emanating from the vehicles travelling in and out of the Pound Bottom site. The dump is causing an enormous nuisance in that part of the Forest.

Cllr Mrs Heron explained that one of the problems is that the tip is working under a permission granted by Wiltshire County Council, over which she has no influence.

It was suggested that the best course of action is to tackle the Waste Control Authority in Wiltshire and perhaps the Deputy Surveyor and Official Verderer could seek a meeting with them. In the first instance a joint letter will be sent from the Court and Forestry Commission to the Executive Member and Chief Officer of the Environment Department at Wiltshire County Council reminding them of their obligation to have regard to National Park Purposes, which does not include allowing rubbish to be deposited all over the Forest's verges.

2005/1501 ROE INCLOSURE HORSE BRIDGE

DISCHARGE

It was reported that there is a nice new horse bridge but unfortunately the nice new gate won't open! It has been reported to the Forestry Commission.

2005/1502 BROOMY LODGE FENCE

DISCHARGE

The fence has now been completed.

2005/1503 TRAIL HUNTING

RESUME

The Deputy Surveyor advised the Court that he has been approached about the possibility of trail hunting being permitted in the Forest. He wished to hear the views of the Verderers as to whether they may be minded to approve the activity.

This is a sensitive issue which needs handling with careful consideration and the Deputy Surveyor said he is seeking comments, preferably by the April Court.

The Official Verderer said the Verderers would consider the matter later in the meeting.

2005/1504 POT BELLIED PIG

RESUME

The Deputy Surveyor was advised that there is a pot bellied pig at large on the Forest between Emery Down and Stoney Cross. As yet the Agisters have been unable to identify its owner as it is not ear tagged.

2005/1505 ELLINGHAM RUGBY PITCH

RESUME

It was reported that there are a number of logs strewn about the pitch which are being used as seating etc. Mr Parke said he will investigate.

2005/1506 RUBBISH

DISCHARGE

Mr Anthony Gerrelli reported that a quantity of rubbish has been dumped on the Open Forest in Norley Wood Road, including lawn mowings and cinders. The location was described as in the copse opposite the council homes. The Forestry Commission was asked if it could arrange for the rubbish to be removed.

2005/1507 RUBBISH AT COTTAGES AT SHOBLEY

RESUME

It was reported that there is a large quantity of litter including polythene as well as a number of tree stumps on the Forest in the vicinity of these cottages. The Forestry Commission was asked if there is anything that can be done to get the occupiers to clear up the area. Mr Parke said that the occupiers of one of the cottages is responsible for the problem and that he will visit to see what can be done.

2005/1508 HEARING LOOP IN THE VERDERERS' HALL

RESUME

It was confirmed that the hearing loop which has been installed in the Verderers' Hall to comply with disability legislation cannot be disconnected. There are occasions when the hall is used for meetings which are of a confidential nature and it is understood people in the vicinity of the hall who wear hearing aids may be able to hear what is being said even if they are outside the hall itself. Additionally, any private remarks that the Verderers may wish to make to each other whilst seated on the bench can also be heard. The Official Verderer said that enquiries have revealed that some loop systems allow for certain areas of a room to be cut off so that private conversations may be held. He suggested such a system should be installed in the Verderers' Hall. Mr Parke said he will investigate.

2005/1509 CHRISTMAS TREE SALES AT ASHURST CAMPSITE DISCHARGE

The Forestry Commission sought the approval of the Court for a repeat of the Christmas Tree sales outlet at Ashurst Campsite.

The Verderers approved the sales for Christmas 2005.

The Deputy Surveyor and Mr Parke left the meeting.

LIFE 3

2005/1510 PROPOSED RESTORATION PLANS AT ALLUM GREEN, WITHYBED BOTTOM AND WILVERLEY BOG RESUME

Mr Pasmore reported that as yet site meetings have not taken place. From the papers so far provided Mr Pasmore felt the proposals should not present any problems but he is waiting for Mr Simon Weymouth (Forestry Commission) to arrange site meetings.

2005/1511 DAMES SLOUGH AND NEWLANDS INCLOSURE RESUME

It was reported that work appears to be going on that the Court does not know about and has not approved. 20/30 lorry loads of clay have been imported. Simon Weymouth will be contacted and will be told that the two sites appear to have been overlooked in the consultation process.

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

2005/1512 IBSLEY VERGE RESUME

Correspondence with Hampshire Highway Authority, the Parish Council and English Nature is continuing. The Clerk will contact Amanda Craig at English Nature to find out what they are doing about ensuring the restoration is completed and satisfactory.

2005/1513 CATTLE GRIDS AT IBSLEY RESUME

Mrs Heron said her list of problems with various cattle grids in Ibsley is not yet complete. As soon as it is, a copy will be handed to the Clerk.

2005/1514 SCHEME FOR NEW FOREST COLTS RESUME

A letter has been written to the New Forest Show Society asking whether winter grazing for the colts will be available. A response is awaited.

2005/1515 POLICY REVIEW RESUME

All Verderers have been given copies of the draft policies which were drawn up by the Sub Committee. The Sub Committee recommended that the policies be formally approved and adopted by the Court. The policies are the result of a considerable amount of thought and work.

The Official Verderer said that whilst the Court has no legal requirement to consult with outside bodies on the drawing up of its policies, he felt it is appropriate that the key Forest management bodies

should be given the opportunity to read them.

After some discussion the Official Verderer proposed that the Court should adopt the policies as a consultation draft and send them to the Forestry Commission, English Nature, the National Park Authority, the New Forest District Council, the Commoners' Defence Association and the New Forest Association, inviting comments. A deadline of 3 weeks for comments will be set. The aim is for the Court to formally adopt the policies at the April Court. Mr Ralph Montagu seconded this proposal which was carried by 9 votes and 1 abstention.

2005/1516 COUNTRYSIDE AGENCY GRANT RESUME

The Countryside Agency has been approached for some assistance towards the costs of training the new Park Authority members.

2005/1517 SINGLE PAYMENT SCHEME (Single Farm Payments) RESUME

It is assumed that news of the new scheme is imminent as application forms from DEFRA are already beginning to arrive.

2005/1518 FREEDOM OF INFORMATION ACT RESUME

No information has been received yet from the Solicitors but it has been confirmed by DEFRA's legal department that the Verderers are definitely excluded from the Act.

2005/1519 VERDERERS' ELECTION RESUME
May

Mr Draper has been asked to take on the task of seeking to increase the number of voters at the elections. A meeting will be held in April to be attended by the Official Verderer, the Clerk and Mr Draper at which a plan of campaign will be agreed.

2005/1520 ASHURST TO LYNDHURST CYCLEWAY DISCHARGE

Mr Montagu will speak again with John Sorrell, The New Forest Transport Strategy Officer at Hampshire County Council to confirm that the signing of the cycleway will be as agreed. If there are any problems, he will come back to the Court. Mr Frost said he will keep an eye on the works to ensure that they are carried out in accordance with the agreed proposals.

2005/1521 MOCK DRIFT AT THE NEW FOREST SHOW DISCHARGE

The Show Society has taken on-board the concerns raised including those of the Agisters and as a result the Society has decided not to pursue the idea. It has, however, said it may try again in about 5 years!

VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME

2005/1522 APPLICATIONS RESUME

210 applications have been received to date. A large amount of these applications are from commoners who did not enter last year. It is expected, therefore, that the uptake will be well in excess of the first year. A final deadline for receipt of applications is likely to be the end of April. The Official Verderer said he will remind commoners at the

forthcoming Commoners' Defence Association AGM and a further announcement will be made at April's Open Court.

NATIONAL PARK

2005/1523 MINISTERS' ADVICE – VERDERERS' POWERS RESUME

Mr Pasmore expressed concern that the Minister's Advice is terribly inadequate. It does not make any reference of the Verderers' powers under the 1970 Act. He suggested the Court produce its own schedule which should be appended to the Policies. The paper will then also be provided to the National Park Authority members and staff. Mr Pasmore agreed to draft the paper which will form part of the "training" pack for new park members.

2005/1524 FIRST MEETING OF THE NATIONAL PARK AUTHORITY RESUME

The first meeting is scheduled for 11th April. It is open to the public. At the meeting a Chairman and Deputy Chairman will be chosen.

OTHER AGENDA ITEMS

2005/1525 HOLLANDS WOOD & ROUNDHILL CAMPSITES PROPOSALS DISCHARGE

The Deputy Surveyor's reply to the Verderers' response to the development proposals was circulated to all members of the Court and it was agreed that the Official Verderer's response will be circulated.

2005/1526 NEW FOREST VEHICLE (LAND ROVER) TOURS RESUME

It was agreed that time is needed to consider the proposals. The item will, therefore, be resumed for the next Court.

2005/1527 MEMORANDUM OF UNDERSTANDING WITH THE FORESTRY COMMISSION RESUME
May

It was agreed the Memorandum should be reviewed.

2005/1528 TRAIL HUNTING RESUME

This matter also requires some thought and so it will be resumed in April.

REPORTS FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2005/1529 NEW FOREST COMMITTEE DISCHARGE

The last meeting was attended by the Official Verderer and Miss Macnair.

At the meeting it was decided that the Committee should be wound up this month. The Court was pleased to hear that the majority of the staff have been taken on by the National Park Authority.

2005/1530 LIFE 3 AND BEYOND RESUME

A meeting to discuss possible future projects after the end of LIFE 3 is to be held on the 6th April at 9.30 a.m. in Queen's House. The

Verderers have been asked to send a representative. Members of the Water Basin Forum – Mr Kitcher and Mr Frost – will attend.

2005/1531 CONSULTATIVE PANEL DISCHARGE

The Minister attended the Panel meeting.

STAFF MATTERS (including the Staff Committee)

2005/1532 PIGS DISCHARGE

The owner of four pigs currently at large in Red Shoot Wood will receive a letter from the office advising him that they should not be there. They are reportedly common pigs but if so they are a long way from home.

2005/1533 TWO YEAR OLD COLT IN RUSHPOLE WOOD RESUME

The owner of a two year old colt which is currently at large in Rushpole Wood will receive a letter advising him that he is in breach of the byelaws by allowing the colt to be on the Forest after the 1st February.

2005/1534 AGISTERS' CLOTHING DISCHARGE

The Court agreed the expenditure for Agisters clothing which amounts to approximately £1,300.00. In addition, it was agreed the Clerk and her assistant should be supplied with fleeces which can be worn when out on official business. The Agisters will be expected to wear their new clothing whilst on duty. It is anticipated that replacement of clothing will be discussed approximately every 2 years.

During the discussion, Mr Montagu gave his apologies and left the meeting.

Members of the Court were keen to make it clear that the provision of the clothing will not become part of the terms and conditions of employment.

HEALTH AND SAFETY AT WORK

2005/1535 There were no health and safety matters to report at this meeting. RESUME

TRAINING

2005/1536 No training is currently taking place or required at the present time RESUME

ANY OTHER BUSINESS

2005/1537 LEAFLETS DISCHARGE

The Court approved expenditure up to £2,000 for re-writing and producing the information leaflets.

2005/1538 "ANIMALS AND FOREST ROADS" LEAFLETS DISCHARGE

It was agreed the Court will contribute £120.00 towards the production of a leaflet to educate the public about the risks of accidents with commoners' stock on the Forest's roads. The New Forest Trust is

organising the leaflets which will be distributed to hotels, visitor centres and the rangers. Hampshire County Council is also helping to produce the leaflet.

2005/1539 THE NEW FOREST TRUST DISCHARGE

The official launch of the New Forest Trust takes place on 25th April 2005.

2005/1540 HIT & RUN REWARD SIGNS RESUME

It was suggested that a sign seeking information should be put on the road following hit and run accidents. The sign could also include reference to the £1,000 reward scheme. The Clerk was asked to investigate the cost, legalities etc.

2005/1541 ARBORETUM ARCHWAY RESUME

It would seem that the Court has never given permission for the archway that is already in-situ. The Clerk will write to the Deputy Surveyor for clarification.

2005/1542 CODES OF CONDUCT DISCHARGE

It was suggested that the code of conduct for dog walkers should include a comment that poo bags should not be discarded in the nearest bush!

2005/1543 INSPECTION OF COLTS – 9TH APRIL 2005 RESUME

Two and three year old colts which pass the Pony Breeders inspection will be vetted on the day. The colts will be inspected by the Verderers and a number selected to run the Forest this season.

2005/1544 HEAVY TIPPER LORRY ON BROOMY TO MOYLES COURT ROAD RESUME

It was reported that a large Raymond Brown lorry was seen on the Broomy to Moyles Court Road. The road is subject to a width restriction and it is likely the lorry should not have been using it. Mrs Heron said she will look into it as it is thought it may have been going to or from the Pound Bottom Landfill site.

2005/1545 KINGSTON GREAT COMMON RESUME

English Nature is taking legal action against the erection of the fence across the common. However, it seems a second fence, consisting of wire and electric, has been erected which fences off some 50 or 60 acres. Unfortunately this area is not covered by the action being brought by English Nature because it is outside the Nature Reserve.

A way forward would be for the Commoners' Defence to take a case, supported by the Verderers and New Forest Association. In principle the Court agreed it would provide some financial support for such a case. In the first instance the CDA and NFA need to prepare a case which must include an estimate of costs.

2005/1546 NEW FOREST NOTES DISCHARGE

MINUTES of the Court of Verderers held on Wednesday, 16th March 2005 at 9.30 a.m. in the Library, the Queen's House, Lyndhurst

Mr Gerrelli remarked that he felt that Mr Pasmore's comments about stallions in his recent column in the New Milton Advertiser & Lymington Times are not helpful! Miss Macnair, however, disagreed.

There being no further business, the meeting closed at 1.30 p.m.