

MINUTES of the Court of Verderers held on Wednesday 21st November 2007 at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.

PRESENT: Mr O Crosthwaite Eyre Official Verderer
Mr J Adams Elected Verderer & Chairman of the Staff Committee
Mr P Frost Natural England Appointed Verderer
Mr A Gerrelli Elected Verderer
Mrs D Halford National Park Authority Appointed Verderer
Miss D Macnair Elected Verderer
The Hon R Montagu Forestry Commission Appointed Verderer
Mr A H Pasmore Elected Verderer
Mrs P Thorne DEFRA Appointed Verderer

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

APOLOGIES: Mr J F Kitcher Elected Verderer

IN COMMITTEE

The Head Agister attended the meeting for the first four items.

2007/3407 MINUTES OF THE LAST MEETING

DISCHARGE

The Minutes of the Courts held on Wednesday, 17th October 2007 were approved.

2007/3408 CONDITION OF STOCK

RESUME

The Head Agister reported that stock is in good condition. The drifts went well and the animals are going into winter looking well. Trade for foals has been good although quite a number have been left on their dams on the Forest. It is hoped this will not cause problems later if the weather turns wet as stock deteriorates rapidly in such conditions.

Cattle look well and some are now returning to the holdings for feed.

2007/3409 COMMONERS LIVING AWAY FROM THE FOREST

RESUME

Concern was expressed that with current restrictions on the movement of cattle due to Foot and Mouth Disease and Blue Tongue, the two commoners who live away from the Forest may have difficulties managing their stock. One lives in Somerset and the other in Bridport, Dorset. The two commoners have local agents but it was agreed the Clerk should write to both commoners asking for confirmation in writing (in accordance with the Byelaws) of their agents. Information will also be sought about how they intend to manage their cattle during the forthcoming winter and if deemed necessary, the Agents will be contacted direct. It was agreed that Agisters must not act as Agents.

2007/3410 STRANGLES

RESUME

There are a few cases of strangles in Bolderwood and Burley Lodge. The situation will be monitored carefully.

The Head Agister left the meeting. Mr Adams had nothing to add to his report save to confirm he is happy with the situation at present.

2007/3411 ANNOUNCEMENTS AND DECISIONS RESUME

The announcements and decisions were approved. It was agreed commoners should be reminded that the discount period for marking fees is January only.

2007/3412 DECLARATIONS OF INTEREST RESUME

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

Mr Gerrelli declared an interest in any items concerning Campsites and the Official Verderer declared an interest in any matters concerning golf clubs.

Mrs Halford declared an interest in encroachments regarding properties in Burley in her capacity as a Burley Parish Councillor.

2007/3413 FINANCIAL STATEMENT RESUME

The Financial Statement for October was distributed.

2007/3414 REPORT ON MARKING FEES RECEIVED AS AT END OF OCTOBER 2007 RESUME

Ponies	4475	Pigs	176
Cattle	2528	Sheep	55
Donkeys	118		
Total	7121	Total all animals	7352

2007/3415 MARKING FEES FOR 2008 DISCHARGE

It was unanimously agreed that there will be no change to the level of marking fees in 2008.

2007/3416 ANIMALS REMOVED FROM THE FOREST OCTOBER 2007

OCTOBER	POOR	SICK OR INJURED	WANTED BY OWNER	OTHER	TOTALS
MARES WITH FOALS		2	13		15
MARES WITH YEARLINGS					0
MARES	1				1
FILLIES		3	3		6
COLTS			2		2
GELDINGS					0
STALLIONS					0
CATTLE					0
CALVES					0
DONKEY WITH FOALS					0
DONKEYS		2			2
PIGS					0
PIGLETS					0
SHEEP					0
TOTAL	1	7	18	0	26
2 Y.O. COLTS	0				

**SUMMARY BY
SPECIES**

PONIES	24
CATTLE	0
DONKEYS	2
PIGS	0
SHEEP	0
TOTAL	26

2007/3417 BYELAW ENFORCEMENT

RESUME

A summons in respect of unbranded cattle will be issued very shortly.

A further hearing in respect of Mr Cooper's appeal has been set for 5th January 2008.

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

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

ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER

2007/3418 BYELAWS

This morning we will be considering some further minor amendments to the byelaws passed on August 8th 2007, and we may therefore formally pass a new set of byelaws later on today. If that is the case we shall delay asking the Minister for his confirmation in order to place an advertisement in the local newspapers as required by the New Forest Acts. In practical terms this means that we may not be approaching the Minister for confirmation of our amended byelaws until mid December at the earliest.

2007/3419 REFLECTIVE COLLARS

I am very pleased to announce that it has been decided to issue reflective collars for ponies free of charge in the hope that as many owners as possible will fit them to their animals. There is no doubt that these collars make ponies more visible at night to motorists, and in the interest of safety and animal welfare we would encourage all commoners to take advantage of this offer and either contact their local Agister or collect collars from the office.

2007/3420 MARKING FEES FOR 2008

After careful consideration, the Court has decided that marking fees for next year should remain unchanged. Marking fees for 2008 will therefore be payable as follows:-

Ponies & Donkeys on the Forest £20.00 or £18.00 if paid before they are turned out, or before 1st February for continuously depastured stock.

Ponies & Donkeys on the Commons £10.00 or £9.00 if paid before they are turned out, or before 1st February for continuously depastured stock.

Cattle on the Forest £20.00 Cattle on the Commons £2.50

Sheep on the Forest £5.00 Sheep on the Commons £2.50

Pigs on the Forest £2.00 Pigs on the Commons £1.00

2007/3421 COUNTRYSIDE STEWARDSHIP SCHEME

Defra has informed us that they intend to send us our annual funds for the scheme early next month, and if that is the case we should be able to send cheques to all participants before Christmas. Payments will be made at the same rate as last year, namely £56 per animal.

We have decided to enhance the scheme for next year and we will be introducing a premium payment for all cattle and for ponies that are registered as pure bred New Forest Ponies with the New Forest Pony Breeding and Cattle Society. We hope that this premium will encourage the continued improvement in the standard and quality of the ponies depastured, and sustain the numbers of cattle on the Forest.

All cattle and ponies that are eligible for the premium payment will receive an extra £15 per animal which will be paid this year. Application forms for next year will not be posted until early 2008.

2007/3422 GRITTING

Now that we are getting some frosty nights the roads will no doubt be gritted by the local authority. I would like to warn all motorists that the salt in the grit encourages animals to stand in the middle of the road to lick the tarmac. This is yet another hazard to be wary of at this time of year, and we ask all motorists to take extra care when driving through the Forest, particularly after dark.

ANIMAL ACCIDENT REPORT

2007/3423 ACCIDENT REPORT FOR OCTOBER 2007

The agisters attended 22 accidents, compared with 13 for the same period last year.

7 ponies were killed and 3 were injured, 3 cattle were killed and 2 were injured, 2 pigs were killed and 3 donkeys were injured.

18 accidents occurred during the hours of darkness.

15 involved private cars or light commercials, 1 involved a motorcycle and 6 were not reported.

12 accidents involved local motorists.

The total killed and injured for the year to date is 93 compared with 107 for the same period last year (i.e. 14 less).

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

None

PRESENTMENTS

2007/3424 FORESTRY COMMISSION CAMPSITES

Presentment by Mr Michael Cooper on behalf of the New Forest Commoners' Defence Association

Our association made a presentment to this court in February of this year concerning refuse bins being left on the campsites out of season. As a result of that presentment we were given assurances that they would be removed at the end of the 2007

season. To date, this does not appear to have been the case, and Ashurst, Hollands Wood, Roundhills and Holmsley still have the large bins on site. Ashurst also has a steel barbecue ash bin left in the toilet block compound. Hollands Wood has three caravans and awnings adjacent to the warden's office, all of which appear to be occupied. Roundhills also has a caravan and awning adjacent to the warden's office, and is clearly being used for residential purposes. A number of bright red gas bottle boxes have also been left in the compound. We are concerned that time limits for the vacation and clearance of these sites are not being adhered to, and would ask the court to investigate.

2007/3425 ORIENTEERING

Presentment by Mr Michael Cooper on behalf of the New Forest Commoners' Defence Association

On Sunday 4th November, a small group of our members had cause to enter Highland Water Inclosure to look for ponies not found on the previous Friday. As they arrived adjacent to Bolderwood car park, they were confronted with dozens of vehicles parked on the grass verges and adjacent gravel track. This extended as far as the Canadian War Memorial. They found signs displayed, indicating that an orienteering event was in progress. Upon entering the Inclosure, numerous people were seen running through the trees, stepping through mires, and generally disturbing the wildlife. A number of deer were seen running in all directions not knowing which route to take. One of the officials of the group attempted to question our members as to why they were there, but our members did not stay, nor get involved in what could have been a heated exchange. Had signs pre-warning of this event been in place on the Friday, our members advised us that they would not have entertained this course of action on the Sunday.

Our association is still concerned as to why such events are being held in these highly sensitive areas, and cannot understand the reasoning behind it. We consider it to be an inappropriate form of recreation in the Forest, and ask that you consider our request to stop approval of all such future activities until proper consultation and impact evaluation has been taken into account.

2007/3426 CYCLING ON THE FOREST

Presentment by Peter Sweet

Peter Sweet felt this is not the time to approve the Forestry Commission's request for a five year consent to the cycle route network. He added that he believes the Forestry Commission and Sustrans, together with the County and District Councils are discussing proposals to increase the network and he considered one year would give everyone time to propose any increases.

2007/3427 ROAD TRAFFIC ACCIDENTS INVOLVING COMMONERS' STOCK

Presentment by Mr Chris Aldhous on behalf of the New Forest Equestrian Association

Mr Aldhous expressed the view that the biggest risk to both depastured ponies and ridden horses comes from the complete lack of awareness (ignorance) of drivers living in and around the Forest. He provided a sheet of notes which he asked the Court to please bear in mind when considering the education of drivers in the Forest.

2007/3428 THE STALLION SCHEME AND THE GENE POOL

Presentment by Ms Pippa Rivers

Ms Rivers introduced herself as a Life Member of the New Forest Pony Breeding and Cattle Society with a particular interest in genetics. Ms Rivers expressed concern that the present system of selecting stallions may adversely affect the gene pool in the

Forest pony herd. In particular Ms Rivers noted the reduction in the number of true dun ponies to be found on the Forest. This, she suggested, whilst not necessarily of vital importance, may act as a warning flag for the loss of other genes whose effects cannot be so easily seen. Ms Rivers went on to say that loss of genes may result in the pony herd losing its ability to adapt to changing climate and associated effects which may in the long term endanger the breed and the animals' ability to live on the Forest.

Ms Rivers suggested two solutions as follows. The NFPB&CS should approve more stallions than it currently does – and to do this by choosing from the ranks of the "second-best" those animals which show good cold-weather survival properties – i.e. deep bodied, short-legged animals with heavier manes and tails and which grow a thick winter coat. Secondly the Verderers should ensure that the same stallions do not run the Forest year after year and of those that do run the Forest, that they are not closely related to each other.

The Official Verderer said the Verderers do take the gene pool seriously and that is why there is a Stallion Scheme. He then went on to thank everyone for their regular attendance at Court and their support and interest in the Verderers' work and he wished everyone a Happy Christmas.

IN COMMITTEE IN THE LIBRARY

CONSIDERATION OF PRESENTMENTS

2007/3429 FORESTRY COMMISSION CAMPSITES RESUME

The Clerk was requested to type up the notes from the meeting held recently with Mr Andrew Macleod from Forest Holidays as a number of actions were agreed in that meeting.

The Deputy Surveyor said he will take up the issues raised by the CDA with Forest Holidays. He added that unfortunately Mr Macleod has resigned and Mr Richard Palmer is temporarily in charge of site management.

The Official Verderer said he has already written to the Chief Executive of Forest Holidays about various issues that it was agreed would be resolved as well as the level of compensation in respect of the loss or interference with grazing which is currently being paid.

2007/3430 ORIENTEERING DISCHARGE

The Deputy Surveyor explained that the 4th November event was the single large event which is permitted in the New Forest and has been run over many years. It is known as the November Classic. This year it was held at and around Bolderwood and the Deputy Surveyor said he attended and so is familiar with what happened.

The Deputy Surveyor said he will find out what notification or signage was employed but added that he was not aware the event had had a significant impact on the conservation interest of the Forest at this time of the year. All such events are considered and approved in consultation with the FC Ecologist.

The Verderers' Office and the Agisters should be aware of all such

events but it was felt it may be helpful to inform the CDA of such events in future.

The event infrastructure was sited within the picnic area and car park but parking did extend along the roadside verges and a track.

2007/3431 CYCLING ON THE FOREST DISCHARGE

After a short discussion, The Official Verderer proposed consent should be given for the cycle network for a period of one year only. Mr Pasmore seconded the proposal which was approved unanimously.

2007/3432 ROAD TRAFFIC ACCIDENTS INVOLVING COMMONERS' STOCK DISCHARGE

The Clerk will write to Mr Aldhous thanking him for his presentment and explaining that a number of his suggestions are already under active consideration.

2007/3433 THE STALLION SCHEME AND THE GENE POOL DISCHARGE

Mr Adams said he has a meeting on Friday with Theresa Turnbull who is responsible for the NFPB&CS's database. He hoped to follow that up with a meeting of the Stallion Sub-Committee very shortly. Mr Adams commented that there isn't a dun stallion at the moment but there are a number of mares which carry the dun gene. Whilst stallions are not selected on the basis of colour, Ms Rivers' comments are considered very valid and a quotation was recently received from a University with expertise in genetics for a study of the Forest ponies gene pool. Unfortunately the quote was £70,000 hence the search for a local, more affordable solution.

SUBMISSIONS BY THE FORESTRY COMMISSION

2007/3434 STOCKS COTTAGE, TYRELLS LANE, BURLEY STREET DISCHARGE
ELECTRICITY SUPPLY

The request to put underground, the existing overhead service to the above property was approved subject to the usual conditions regarding reinstatement, safe working conditions and compensation for loss of grazing.

2007/3435 NATIONAL GRID PYLONS AT APPLEMORE ROUNDABOUT RESUME
May 2008

The Court was advised that extensive damage has been caused to the fabric of the Forest by scaffolding contractors working on this site. It has been concluded that ground conditions are now too wet to repair the damage which will have to be left until next spring. In the interests of animal and public safety the two sites where damage has occurred have been fenced. All costs of reinstatement, fencing etc., are to be reimbursed by the National Grid but the Forestry Commission will undertake the work. The fenced area will be added to the compensation payable to the Verderers at the end of the financial year.

2007/3436 OBER FARM COTTAGE GAS SUPPLY DISCHARGE

A request to lay a gas pipe from Rhinefield Road, under the verge to the Cottage was approved subject to the usual conditions regarding reinstatement, safe working conditions and compensation for loss of grazing.

2007/3437 HOLLANDS WOOD CAMPSITE FOUL DRAINAGE RESUME

Forest Holidays wish to replace the foul drainage system serving the campsite. This will entail replacing lengths of pipe and repairing manholes, their covers and frames. The pipe that leads from the site across the cricket pitch to Balmer Lawn Road is also in need of replacement as it is in a badly deteriorated state for the whole of its length.

The Forestry Commission confirmed there is to be a site meeting with English Nature to discuss the works and it was agreed representatives of the Court should attend the meeting prior to consent being given for the works. The matter will be resumed in December.

2007/3438 ROUNDHILL AND SETTHORN CAMPSITES RESUME

Roundhill – Replacement of three Mobile Units (toilets/showers/wash-up)

The request by Forest Holidays to upgrade the current three groups of facilities blocks and move the disabled facility unit to the motorcycle area was given careful consideration. However, the Verderers were concerned that the proposals will result in four facilities enclosures containing fourteen structures on the site, where currently there are three enclosures containing ten structures. There will therefore be more "buildings" than at present, even though the enclosed area will be marginally reduced. The Verderers also felt the plans and proposals lacked clarity and asked for further information to be supplied prior to a decision being made.

Setthorns – Electric Hook-ups

Forest Holidays requested approval to carry out works to upgrade and increase (by 7) the number of hook-ups in the enclosed area of the site. Following a detailed discussion, the Court gave approval for 10 new hook-ups in the enclosed part of the site provided that a corresponding number are removed from the Open Forest part of the site. The Forestry Commission will put this proposal to Forest Holidays.

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

2007/3439 FOOT AND MOUTH DISEASE & BLUE TONGUE RESUME

FMD surveillance zones have been removed but movement controls remain in place. Animals may be moved freely within what were surveillance zones but a licence is needed in order to move cattle to other areas. Blue Tongue restrictions remain in place.

- 2007/3440 A31 FENCE DISCHARGE
- The fence has now been repaired.
- 2007/3441 COSTICLES POND RESUME
- Discussions continue regarding the proposals although in principle they are agreed. There remain issues regarding the fenceline and finance. The project may be included in the HLF bid.
- 2007/3442 MISSING DRAGONS TEETH RESUME
February
2008
- The Deputy Surveyor said the request for missing dragons teeth at Bull Hill, Crockford and Beaulieu Aerodrome to be replaced has been passed to the appropriate staff.
- 2007/3443 CAR FREE DEFENCES DISCHARGE
- Concern was expressed that there appears to be no regular maintenance of the car free defences resulting in damage to grazing in various parts of the Forest. Mr Parke felt this was unfair criticism as in this respect the Forestry Commission is under extreme pressure all over the Forest. Maintenance work is carried out in two Keepers beats each year and other work is carried out as soon as possible.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

- 2007/3444 MARKWAY LAWN DISCHARGE
- Mr Pasmore reported that he has advised Mr Simon Weymouth (FC) that the new channel is getting badly blocked by a combination of weed and sawn logs. Already (at a time of low flow) the water is beginning to saturate the adjoining lawn. There are other smaller weed blockages upstream. The whole problem could be dealt with at this stage by a man doing a couple of days work with a weed rake. If not, the lawn will be damaged and the costs will rise.
- In response Mr Weymouth said he and Mr Stride had visited the area and reviewed the condition of the work which has now had 2 years to settle. They consider things look good. It can clearly be seen that the level of grazing has increased and that the water table has dropped. As predicted, the stream is pulling gravel downstream and this material is now covering much of the bed. Where gravel is limited or has not yet arrived from upstream, weed beds locally dominate the channel – holding up water and catching sediment. Assuming another wet winter, Mr Weymouth expects to see further movement of gravel along the bed and he flushing out of the weed and associated trapped sediment. At this stage this is not affecting grazing quality of the adjacent lawn but the FC will take action in the spring if the weed beds start to cause a problem to the adjacent lawn. For now the situation will be monitored and should it not remedy itself this winter, action will be taken next spring. Mr Weymouth had agreed such issues should be caught early so they can be sorted out without significant resource.
- The Court was content with this situation and the matter was discharged.

- 2007/3445 MARKWAY INCLOSURE RESTORATION DISCHARGE
- The Court felt the Forestry Commission's proposals for the restoration of Markway Inclosure, following timber extraction, to be inadequate. Leaving stumps will be a serious problem in the future, particularly in respect of stock management.
- The Forestry Commission, however, are not minded to do any more restoration than that already planned, which consists of some levelling of the highest corrugations and the grinding of some stumps. The reasons given were lack of money and the view that because of the soil type and wetness of the area, nature will eventually do the job. Mr Pasmore remarked that the Commission is not under a legal obligation to restore the damage.
- The Court felt this situation to be a great shame and commented that restoration work carried out on Dur Hill is excellent.
- 2007/3446 RHODODENDRON IN PRIVATE HEDGE LINES DISCHARGE
- Miss Macnair asked if anything can be done about rhododendron hedges which abut the Forest and encroach onto Forest tracks. In particular, Miss Macnair mentioned the track off Pound Lane which runs between Sandford Way and Long Pond House and she added that the ditch is also in need of maintenance. Mr Parke said he will write to the occupier.
- 2007/3447 BOUNDARY MARKER SIGNS DISCHARGE
- Mrs Thorne was concerned at the siting of some of the new boundary markers as she felt they could hide motorists' view of stock. The problem will be raised with the appropriate person.
- 2007/3448 NEW FIVE BAR GATE AT PILLEY DISCHARGE
- Mr Gerrelli commented that a new gate at Pilley could result in damage to a verge. Mr Parke will obtain a plan and liaise with Mr Gerrelli to find out the precise location of the gate and whether it is on Crown Land. If it is, consideration will be given to what action can be taken.
- 2007/3449 NIGHT TIME RECREATIONAL ACTIVITIES ON THE FOREST DISCHARGE
- The Court was not happy at the apparent increase in recreational activities taking place after dark. Recently there have been several map reading exercises and trekking events. The Deputy Surveyor said he did not think these events are damaging to the Forest but that he will look at the Events Diary to see that permissions granted are appropriate.

The Deputy Surveyor left the meeting.

OTHER AGENDA ITEMS

2007/3450

HIGHWAY MATTERS

DISCHARGE

Discussion with Mr Kevin Fuller, Area Director, Hampshire Highways

Mr Kevin Fuller Joined the meeting and was welcomed by the Official Verderer.

A long and detailed discussion took place about the various highway issues affecting the Forest. Unfortunately, Mr Fuller did not have prior notice of the list of specific issues that it was hoped could be raised nevertheless it was possible for a number of things to be discussed. These were as follows:-

General maintenance – The Forest is divided into five areas and each has a local Highway Engineer. Each area also has a maintenance crew which carries out routine operations and deals with emergencies such as pot holes. There is 24 hour response subject to priority assessment.

Planned maintenance, such as resurfacing is done in liaison with the County Engineers in Winchester and funding may be limited.

Edge treatments where vehicles over-run verges - Mr Fuller explained that the Authority has a duty to ensure the roads are safe for all users and to this end it is important to maintain the road edges to a reasonable standard. The challenge is to ensure that the maintenance does not result in inadvertent road widening. A number of treatments are being tried including grass-cell blocks, concrete/locally sourced gravel mix and even kerbing. In Woodgreen, pilot treatments are being undertaken to see how they perform and look. Over-running is a safety issue and a significant problem. The road edge needs to be safe but provide an uncomfortable surface to drive over if it is to be effective.

Bull Hill Road Safety Improvement Proposals – The Court expressed concern at the proposals and requested that further consideration be given to realigning the junction rather than adding to the extensive signage which is already there. Mr Fuller explained that funding is an issue and the Highway Authority was hoping for a cheaper solution. The Court pointed out that the consultation document does not make it clear that the Verderers' consent is required for the road signs.

Mrs Thorne left the meeting.

Mr Parke remarked that the Forestry Commission is suggesting that less vegetation should be cut in order to *reduce* visibility and that signage should only be used whilst a scheme for a staggered junction is worked up. Mr Fuller said he would take back these comments for further consideration.

Pinch Points on the C10 – The present pinch-points are considered to be useless. It was felt they need to be a lot larger and closer together in order to force drivers to slow down. Three additional pinch-points, to a design similar to those used on the road from Thorney Hill to Burbush (Burley), were requested across the Forest on the way to

Picket Post. They should be sited at the three crucial points where most of the accidents involving Forest stock occur. Mr Fuller confirmed Cllr Mrs Kathy Heron has raised this matter and added that speed checks are to be undertaken on this road.

Carriageway Markings and Surfacing – White lines appear to help slow down traffic and also make animals standing close to the verge easier to see. Light road surfaces mean animals show up better. Mr Fuller said the road surface colour has become darker over the years because surfaces which are more skid resistant are being used. The colour varies according to the type of stone which is used. He added that there are differing views on this.

Fencing – Mr Fuller reported that funding has now been secured for the replacement of the all the fences on the fenced roads within the Forest. The A35 is being done this year and work is underway. He added that all the fencing is now stock-proof. The Clerk commented that she was not sure this is the case and believed there are still a few areas where the fences are not in good condition. Mr Fuller said he would check again on his return to his office and his colleague Mr Lawton would telephone the Clerk to discuss any outstanding issues.

Mr Montagu left the meeting.

Screening – The Court felt screening is extremely important in order to reduce the impact of the fast roads on the adjacent Forest. Mr Fuller pointed out that whilst he agreed with that statement, the Authority must ensure the safety of road users and do what it can to prevent falling trees and branches. He also pointed out that too much scrub makes maintaining the fences difficult.

In conclusion, Mr Fuller said he understands the concerns of the Court and is anxious to ensure a balance is maintained. The Official Verderer asked Mr Fuller if he would be prepared to come back on a regular basis and in future a list of any specific issues or areas of concern would be provided in advance. Mr Fuller agreed to do this and the Official Verderer then thanked him very much for coming along to the meeting.

Mr Fuller and Mr Parke left the meeting.

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

2007/3451 MARKING FEES FOR CALVES DISCHARGE

The issue of when marking fees are due in respect of calves is complicated and what happens in practice does not always conform to the byelaws. The Court felt that commoners should pay for any calves born before the 1st January in any year. Mr Adams said he would discuss the matter further with the Head Agister.

2007/3452 CYCLING ON THE FOREST RESUME

Due to other commitments, it was regretted that no progress has been made by the sub-committee.

2007/3453 REVISION OF THE BYELAWS RESUME

The Court's Counsel very kindly offered to cast an eye over the draft revised byelaws and a meeting will take place in the next few days. The Official Verderer said any member of the Court who wishes to attend is welcome. The Court agreed to further amend the byelaws if deemed necessary, in which case the process for obtaining the Minister's approval will re-commence with a new public notice being placed in the press and a further month allowed for comment.

2007/3454 HERITAGE LOTTERY FUND/LIFE IN COMMON RESUME

A meeting is due to be held in December when the final projects will be discussed.

2007/3455 IDENTIFICATION OF PONIES (MICROCHIPPING) RESUME

A few amendments to the notes made following the meeting with DEFRA are awaited. The paper will then be circulated for final approval, following which a formal proposal will be submitted.

COUNTRYSIDE STEWARDSHIP SCHEME

2007/3456 COUNTRYSIDE STEWARDSHIP SCHEME RESUME

The sum of £56.00 will be paid per animal in respect of the year 2006/2007. An additional £15.00 will be paid in respect of registered pure bred New Forest Ponies and cattle. The scheme will provide funding of £7,000 for reflective pony collars which will be provided without charge as an incentive to commoners to fit them to their animals. Additional payments will be received from DEFRA this year and next year in respect of the additional 2,200 ha of land gained by inclosures being thrown open. This will result in a balance of approximately £30,000 being available by mid next year which will be used to support other incentives including the stallion scheme.

2007/3457 BRAMSHAW MEETING OF THE COMMONERS DEFENCE ASSOCIATION DISCHARGE

Mr Ian Stone has been providing support and advice to commoners and farmers under the Leader + Project. However, when that project comes to an end in the near future, Mr Stone's contract will expire. The Commoners' Defence Association may suggest that the CSS should support Mr Stone financially until he is able to secure funding from elsewhere to continue his work. The CSS advisory group has confirmed its support in principle, providing the Court also agrees. A meeting of the CSS sub-committee will be called if necessary.

Some attendees at the CDA meeting were against the payment of an additional premium for registered ponies but Mr Draper fielded questions and comments very well.

Mr Gerrelli left the meeting.

NATIONAL PARK

2007/3458 RECREATION MANAGEMENT STRATEGY CONSULTATION RESUME

Unfortunately the last meeting appeared to include a large number of people who have little understanding of the Forest. Concern was expressed that people who are new to the Forest may be able to exert too great an influence.

2007/3459 STAKEHOLDERS ADVISORY GROUP (statutory bodies forum) RESUME

The Stakeholders Advisory Group meeting is due to be held on the 5th December therefore this item will be resumed at the December Court.

OTHER AGENDA ITEMS

2007/3460 NEW FOREST DISTRICT COUNCIL – CORE STRATEGY DEVELOPMENT PLAN (DPD) – PREFERRED OPTIONS FOR THE NEW FOREST DISTRICT OUTSIDE THE NATIONAL PARK RESUME

This paper was passed to Mr Peter Frost to consider.

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

None

STAFF MATTERS (including the Staff Committee)

2007/3461 AGISTERS' PRIVATE MILEAGE RESUME

After much discussion it was agreed that a cap of 12,000 miles should be placed on private mileage for each Agister in respect of the Land Rover provided by the Court. Mileage incurred above that level will attract a charge per mile which will be calculated in accordance with the Inland Revenue recommended scale. The contractual implications of this decision will be considered prior to its implementation.

Mr Frost left the meeting.

2007/3462 ALLOCATION OF BRANDS DISCHARGE

The office has been inundated with requests for brands, mostly from non-commoning applicants. Concern was expressed at the increase in the number of animals currently being turned out, particularly in view of the maximum stock numbers imposed by the Stewardship Scheme. In order to discourage applicants who may not be serious about commoning, it was agreed that the fee for allocating a brand to applicants who are not members of existing commoning families should be increased from the present £85.00 to £250.00.

TRAINING

2007/3463 CERTIFICATE OF COMPETENCE IN ANIMAL TRANSPORT RESUME

Consideration is still being given to the needs of the Agisters as respects the new animal transport legislation. If training is necessary, it will be arranged.

HEALTH AND SAFETY AT WORK

2007/3464 AGISTER ANDREW NAPHTHINE RESUME
FEBRUARY
2008

The Official Verderer said he much regretted having to report that Agister Naphthine has had another serious accident. He is likely to be off work for at least three months. The Court wished him a speedy recovery.

ANY OTHER BUSINESS

2007/3465 NOTIFICATION OF AGENTS BY COMMONERS RESIDING MORE THAN 15 MILES FROM THE FOREST RESUME

The Clerk was asked to draw up a form for commoners and their agents to sign, which will formally notify the Court of the management arrangements for animals belonging to commoners who live out of the area.

2007/3466 HOLMSLEY LODGE & SHRIKE COTTAGE DISCHARGE

It was reported that the sale of the above properties has fallen through, it is thought because of the restrictive covenant which prevents the properties being put to commercial use.

2007/3467 LYNDHURST BYPASS DISCHARGE

It was reported that a number of completely new routes are being proposed.

2007/3468 SINGLE FARM PAYMENTS DISCHARGE

The CDA is grateful to the Court and Emma Rigglesworth for all the work which has been done to secure the increases for commoners in Single Farm Payments.

2007/3469 COURT DATES 2008 DISCHARGE

The following dates were agreed for 2008. All are on a Wednesday.

16th January, 20th February, 19th March, 16th April, 21st May, 18th June, 16th July, 17th September, 15th October, 19th November, 17th December (Committee only).

There being no further business, the meeting closed at 3.45 p.m.