

MINUTES of the Court of Verderers held on Wednesday 15th October 2008 at 9.30 a.m. in the Verderers' Hall & 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 J F Kitcher	Elected Verderer
	Miss D Macnair	Elected Verderer
	Mr A H Pasmore	Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister
APOLOGIES:	Mr A Gerrelli	Elected Verderer
	The Hon R Montagu	Forestry Commission Appointed Verderer

IN COMMITTEE in the Library

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

2008/3950 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 17th September 2008 were approved.

2008/3951 CONDITION OF STOCK & THE WELFARE TOUR RESUME

The Head Agister said he is happy with the condition of stock at present. One or two drifts have not been particularly successful but most have been fairly well attended and commoners have taken any animals that needed to be removed without any problems. Mares without foals are looking exceptionally good.

Cattle look extremely well.

The acorn crop is patchy. One or two animals have died, possibly as a result of acorn poisoning but there are also a tremendous amount of crab apples this year and one foal definitely died as a result of eating too many.

There are still one or two cases of strangles on the Forest. One commoner had a couple of ponies tested for strangles but although they tested positive their symptoms were mild. It is thought the Forest ponies may be building some immunity to the illness.

Two yearling colts caught on the Penn Common drift and left in the pound had been let out by the time the owner got there to collect them a short while later. It may be necessary to lock the pounds in such circumstances but as some have three gates that may not always be possible.

2008/3952 DOG ATTACK RESUME

A piglet was attacked by a lurcher dog on Hale Purlieu and due to its injuries the piglet was put down. The owner of the pig spoke to the dog's owner and received compensation. The dog has apparently

been a nuisance before and the Police have been asked to speak to the dog's owner. The Clerk was asked to obtain information from the police regarding their powers in such cases.

The Head Agister left the meeting

2008/3953 NEW FOREST DOG GROUP – QUOTE FROM THE HEAD AGISTER DISCHARGE

A comment allegedly made by the Head Agister and quoted on the NFDog website stated that dogs are not considered a problem was incorrect. The quote has been amended at the Clerk's request, and now correctly states that the Head Agister said that "*given the number of dogs on the Forest, attacks on stock by dogs are not a significant problem.*"

2008/3954 ANNOUNCEMENTS AND DECISIONS RESUME

The announcements and decisions were approved.

2008/3955 DECLARATIONS OF INTEREST RESUME

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

The Official Verderer declared an interest in any matters concerning golf clubs and Mr Kitcher declared an interest in the item on the agenda concerning tree cutting by Network Rail.

2008/3956 FINANCIAL STATEMENT RESUME

The Financial Statement for September was approved.

2008/3957 REPORT ON MARKING FEES RECEIVED AS AT END OF SEPTEMBER 2008 RESUME

Ponies	4456	Pigs	227
Cattle	2566	Sheep	62
Donkeys	127		
SUB TOTAL	7149	TOTAL ALL ANIMALS	7149

2008/3958 ANIMALS REMOVED IN SEPTEMBER 2008 RESUME

Mares with foals – 1 poor, 1 sick or injured, 5 wanted by owner(s).
Mares with yearlings – 1 sick or injured.
Fillies – 2 sick or injured.
Cattle – 2 sick or injured, 25 wanted by owner(s), 1 for other reasons.
Calves – 1 for other reasons.
Donkeys with foals/yearlings – 1 sick or injured.
Donkeys – 1 sick or injured.

Summary: 10 ponies, 29 cattle, 2 donkeys. TOTAL 41

2008/3959 BYELAW ENFORCEMENT

RESUME

Mr Barnes Appeal – A hearing is scheduled for 7th November when a date for trial will be set. The Official Verderer reported that he is confident the Mr Barnes' appeal arguments can be successfully defended.

One notice has been served requiring a commoner to remove an over-age boar pig. It is understood the commoner complied within the timescale allowed.

2008/3960 REVISION OF THE VERDERERS' BYELAWS

RESUME

The Official Verderer has left countless messages with the Civil Servant dealing with the byelaws but nothing further has been heard. It was agreed that the delay cannot continue and the Official Verderer will, failing progress in the very near future, have to write to the relevant Minister(s).

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

IN ATTENDANCE: Mr Mark Street, newly appointed Area Land Agent (New Forest)
APOLOGIES: Mr Mike Seddon, Deputy Surveyor of the New Forest

The Official Verderer said he was very sad to announce the death of Mrs Diana Halford, the National Park's Appointed Verderer. He said her son had explained to him how very proud Diana had been to serve as a Verderer. The Official Verderer went on to say that Diana possessed a very good understanding of the Forest's problems and that she had a very clear view of her role as a Verderer for which she was much respected. Her love for the Forest was very plain. Despite suffering a very serious illness, and gruelling treatment, she had managed to carry on as normal. Her strength and courage was an example to all. The Official Verderer wished on behalf of the Verderers, to offer his sincere sympathy and condolences to her family and friends. There followed a minute's silence in Diana's memory.

The Official Verderer then went on to remind all those present that under the New Forest Acts the Verderers' Court has the same rules and status of a Magistrates' Court and therefore no cameras, placards or interruptions to the proceedings are allowed when proceedings are underway.

ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER

2008/3961 NEW FOREST GOLF CLUB

As mentioned at last month's court, the existing 25-year lease for the New Forest Golf Club expires on 31st December 2008, and the Forestry Commission has been approached by the club seeking a new licence. The FC has therefore sought our views before approaching the Court for a formal consent to a new licence under the New Forest Acts.

As is our normal practice, since our opinion and ultimately our formal consent is being sought on a matter that we believe may be controversial, we have delayed our own deliberations until after today's Open Court in order for any presentments on the subject to be made.

2008/3962 MARKING FEES

Despite the fact that marking fees for ponies and cattle have remained at the same level for over fifteen years, we have decided once again to keep them at the same rate as last year for 2009. Indeed it is still our very firm policy to avoid any increase in the level of marking fees for as long as that is possible, and we anticipate that in the medium term that will remain the case.

As from January 1st 2009 the rates will be 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

2008/3963 NATIONAL PARK CONSULTATIONS

We will be finalising our response this morning to the National Park Authority's consultation on its draft Management Plan and Recreational Management Strategy. A copy of our written response will be available on our website once it has been sent to the NPA. The deadline for the consultation, which is open to all, has been extended to November 14th.

2008/3964 ENCROACHMENTS

We are working closely with the Forestry Commission and Commoners' Defence Association to ensure that the encroachments so far identified are abated as soon as possible. Robust action will be taken against any future encroachment onto the common grazing.

What is an encroachment? A typical example of an encroachment is when the owner or occupier of land bordering the open forest decides to extend his fenced boundary outwards, for whatever reason, or gravel over or tarmac an access on to the forest, thus taking away land that was otherwise open to grazing by the animals. That land may well actually belong to the householder, but in a forest context that makes no difference. To fence out animals, or destroy grazing through re-surfacing, is an interference with common rights, which is called an encroachment.

2008/3965 FEEDING OF PONIES ADJACENT TO SUMMER LANE, BEAULIEU

Further to the presentment made at last month's court by the Commoners' Defence Association we have written to the occupiers of the property in Summer Lane advising them that their pony feeding activities constitute a breach of the Verderers' byelaws and asking them to desist immediately.

2008/3966 CAMPSITES

In its presentment last month the New Forest Association suggested that data needs to be compiled in respect of each of the campsites in the Forest, showing exactly what equipment and facilities exist at each site. The information would then be used as a benchmark in the future, so that any further additions or removals from those sites can be accurately tracked.

We agree with this suggestion, and we intend to take up the NFA's offer to provide assistance in pursuing this project. We also hope to involve the FC and Forest Holidays in this important initiative which will prove to be a very helpful source of key information for all parties in the long term.

2008/3967 BOAR PIGS

The Verderers' byelaws state that no entire boar pigs which have attained the age of four months may remain on the Open Forest. In order to ensure this essential rule is fully complied with, the Verderers' policy is to ask for a veterinary certificate stating the age of any uncastrated boar pig to be made available for inspection by the Agister prior to the pig being marked.

2008/3968 UNAVAILABILITY OF BACK-UP GRAZING LAND WITH COMMON RIGHTS

We have again considered Ms Rivers' comments concerning the availability and affordability of land that holds common rights, but we still feel that there is nothing further we can or indeed should be doing at this time.

ANIMAL ACCIDENT REPORT

2008/3969 ACCIDENT REPORT FOR SEPTEMBER 2008

The agisters attended 12 accidents, compared with 6 for the same period last year.

4 ponies and 1 cow were killed.

8 accidents occurred during the hours of darkness.

11 involved private cars or light commercials.

7 accidents involved local motorists and 1 was not reported.

The total killed and injured for the year to date is 55 compared with 73 for the same period last year. This shows a welcome reduction so far this year of 18.

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

None

PRESENTMENTS

2008/3970 NEW FOREST GOLF CLUB LICENCE RENEWAL

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

Our association have already entered into correspondence with the Deputy Surveyor expressing some concerns and recommendations concerning the renewal of the licence for this club. As always, we would wish the Verderers to be party to these

concerns and advise you accordingly.

We applaud the fact that the Forestry Commission is likely to only allow a ten-year licence. This will be most effective in asserting greater control over any misunderstanding between the management of the club and the Forestry Commission.

We note that under The Third Schedule (item 16) in the terms, it refers to interference and artificial hazards, which might injure the said stock. Now may be the appropriate time to build on this particular item, as the racecourse drift has suffered for a number of years at the hands of the greensmen and their deliberate attempts to alter the course of the stock to the pound. As you are aware, a fence was constructed in a half circle around the green nearest to the pound, which was much against our wishes (and remains so) to this day. It is felt that no other artificial barriers (temporary or permanent) should ever be erected in the future. We would respectfully suggest that a Keeper or well-qualified Ranger attend the Golf Club, and walk the course prior to the onset of the drift. If any abnormalities were subsequently found, then suitable advice could be given and any inappropriate obstructions removed before the drift got under way.

Recently it has been identified that the fairway cutting appears to be increasing in size, and maybe outside of the approved remit. I seriously doubt that a rabbit could get a decent meal, let alone our stock. As these fairways cover several acres, actual cutting times, number of cuts per year, and volume need to be addressed. Worthy of note is an area of grass at the southeastern corner of the course adjacent to the driftway to the pound, which has been sprayed with white paint. What are the club's intentions for this area? Any use of this locality would be deemed an obstruction.

2008/3971 DRAGONS TEETH ADJACENT TO BADGERS COTTAGE, LINWOOD ROAD
Presentment by Mr Michael Cooper on behalf of the New Forest Commoners Defence Association

Hampshire County Council have seen fit to place a 120-metre length of Dragons teeth adjacent to Badgers Cottage, Linwood Road. These are placed right against the tarmac road, with no verges. This road is very narrow, and passing vehicles are driving onto the verges on the opposite side of the carriageway, effectively breaking down what small verge there is into the drainage ditch. We consider these improvements ill thought through, and a hazard to traffic and pedestrians alike. There is scope for these posts to be moved further back, with the exception of an area at the bottom of the hill, where for safety's sake we feel they should be removed altogether. We would seek your assistance in this matter before a nasty accident occurs. A photograph is attached to assist with your deliberations.

2008/3972 NEW FOREST GOLF CLUB
Presentment by Mr John Ledger

Mr Ledger explained he has been a member of this Club for 4 years and for the past 15 months has been Honorary Secretary/Manager.

Mr Ledger went on to explain that the Club has been in existence for 120 years in Lyndhurst. For 20 of the past 25 years of the current Licence, the Club was proprietor operated. He added that whilst he has no first hand knowledge of indiscretions by the proprietors under the terms of the licence, there is sufficient information on file to evidence this to be the case. When the Golf Club became a members' club four years ago there was a determination on the part of the members to forge a closer relationship with the Forestry Commission and users of the land. Unfortunately there was almost immediate action by the then Head Greenkeeper to repair sections of the

course in an incorrect and unauthorised manner. With the wisdom of hindsight the members accept that they failed to act as they should have done in a controlling manner. The Greenkeeper in question is no longer employed by the Club.

Since then the members have endeavoured to work much closer with various parties including the Forestry Commission to ensure no further indiscretions take place. Mr Ledger explained the various actions that the Club is now taking to try to return the Course to a more natural and acceptable status. He has given assurance that no attempts will be made at greens protection despite the probability that damage will result to the greens as a result of galloping hooves during the drift.

The Club is prepared to consider a 10 year licence, notwithstanding the apparent discrimination this causes compared with the usual 25 year leases that are granted to sports clubs on the Forest. This is because the Club wishes to be judged by its future actions and not the past actions of others over which they have no control.

Mr Ledger then explained that the Club considers itself to be generally beneficial to a number of people including its members, visitors and charitable causes to which it donates several thousands of pounds a year. It also offers its facilities to groups of children who wish to try their hand a golf.

The Club recognises it is in a privileged position and they must share the land it occupies with other users including ramblers, dog walkers, horse riders as well of course the grazing livestock. The members accept there are some local people who would prefer the Club not to exist but they hope they are a minority and that the majority do in fact support it.

On behalf of the Club, Mr Ledger thanked the Court for listening to this Presentment and hoped the Forestry Commission and Verderers would see fit to renew the licence.

The Official Verderer responded by saying close op-operation is essential and that he is heartened by what Mr Ledger had said.

2008/3973 NEW FOREST NATIONAL PARK DRAFT MANAGEMENT PLAN AND RECREATION STRATEGY DOCUMENTS

Presentments were received from the following people:-

Col. Peter Sweet, Commoner,
Alex Chalmers, Farrier,
Fiona Macdonald, Veterinary Surgeon
Pippa Rivers, local resident,
Mark Hulme, local resident,
Joy Alderson, non practising commoner, Secretary of the Pony Publicity Group,
Mrs M A Tillyer, practising commoner.

All the presentments objected to the National Park's draft plans. The main objections concerned the proposed restrictions on recreational horsekeeping.

The biggest concern was for the welfare of horses and ponies which would each have to be grazed on a minimum of 1 hectare (2,5 acres) of land in order to comply with the planning regulations. This would result in numerous cases of Laminitis, a potentially lethal illness. In some cases owners may well find themselves in breach of the Animal Welfare Act 2006 which, amongst other things, requires owners to provide shelter as well as adequate food for their animals and an appropriate environment.

Other concerns listed included loss of income and therefore closure of local

businesses as a result of reduced numbers of horses. These businesses would include saddlers, feed merchants, stable builders, farriers and farmers who diversify by renting land to horseowners.

In his presentment, Mr Hulme also expressed concern that the NPA is an unelected body consisting of a senior management team of career civil servants with no democratic mandate. The majority do not live locally. The draft proposals were created by a consultancy in Bristol using research often gathered from areas distant and with completely different environments to that of the Forest. He went on to say that he believed a young woman from the South Downs was employed as a consultant in respect horse keeping and he added there is little similarity between the geology of the South Downs and the Forest. Concern has also been expressed that the questions asked in the workshops run by the NFNPA were designed to provide the answers the NPA wanted in its wish to promote the removal of privately owned horses from the Forest. Some groups, including NFDog are concerned that their input was completely ignored. Others have withdrawn their support since the documents were printed. There is also anger that the NPA did not adequately advertise the existence of the new proposals and that the Authority has been uncooperative concerning the documents until very recently, when media attention was generated by various campaigns. Mr Hulme requested the Court to consider discussing a re-draft of these proposals with the NPA, using local expert input and more objective and relevant research.

Col Sweet asked the Court to remind the NPA that the Forest (within the perambulation) is still legally governed by the five New Forest Acts. He added that under the 1970 Act the Verderers control the facilities in the Forest and that the New Forest Acts take precedence over the Forestry Act and the National Parks Act. The NPA appears to be attempting to take control of camping, road tolls, dog walking and horseriding, in all of which the Verderers have a vital say.

Mr Chalmers was concerned about welfare and also commented on the effects the proposals are having, and would have, on the wellbeing of his clients all of whom care greatly for their animals and love the Forest.

The present NFDC planning requirement for the keeping of recreational horses is that each must occupy a minimum of 0.75 acre (0.30 of a hectare) of land, but the proposed NPA proposals state 2.5 acres (1 hectare).

Mrs Tillyer pointed out that to keep the native New Forest Pony going forward you must have a sound breeding programme and we have this because the Verderers have overseen the Forest run stallions for at least 50 years. You must also have a market for your stock. This starts locally and because we have good useful stock, expands nationally and internationally. If the NPA proposals for recreational ponies are carried out the commoners will lose their markets with dire results for both the commoners and the core fabric of the new Forest. New Forest Pony is the only British native pony in its own habitat that is not a rare breed. The Dartmoor, Exmoor, Fell, Dale and Welsh Ponies on the hills are all rare breeds. Their native habitats are all National Parks and they have been for 50 years. The Court was asked to remember when responding to the NPA's consultation documents, that the commoners are very proud of their New Forest Ponies and do not want to see them reduced to a rare breed or, heaven forbid, like some other European countries, a state herd.

IN COMMITTEE in the Library

PRESENT: Mr Mark Street, newly appointed Area Land Agent, New Forest
Mr Richard Palmer, Forest Holidays

The Official Verderer welcomed Mr Richard Palmer to the meeting and it was agreed that matters of concern to him should be dealt with first.

2008/3974 SURVEY OF FOREST CAMPSITES RESUME

Mr Frost reported that the New Forest Association is happy to assist with the survey but due to its involvement in the imminent National Parks Society conference it has not been able to progress the survey. There are a couple of people who the NFA believe would be very competent to carry out the survey.

Mr Palmer confirmed that Forest Holidays would welcome the survey which would provide a benchmark showing current development on the sites, hookups, hardstandings etc. He added that FH is keen to become involved and may be able to make a financial contribution to the survey. The Forestry Commission would be prepared to host the information electronically using its GIS system which would mean that future amendment and updating would be a lot easier. Photographs of the sites will also be obtained as they are extremely useful in seeing how sites change as the years go by.

2008/3975 ROUNDHILL CAMPSITE – ELECTRIC HOOKUPS AND GAS STORAGE TANKS RESUME

The Official Verderer said a decision would be made on the gas tanks later in the meeting.

Mr Frost suggested the facilities blocks should be re-sited so that all the entrances open onto the concrete road. It will be necessary to lay additional concrete pads for which planning permission will be required. This would allow the new gas tanks to be placed under the concrete and so remove the need for dragons teeth on the grass. The sites of the present blocks would then be fully reinstated.

It was agreed to wait for the campsite survey before making any further decisions on hookups except that the new ones on the back of the facilities blocks must be removed.

Mr Pasmore commented that the Court will not agree that everything identified by the survey should remain. Once the survey is completed, a decision will be made about what may remain and what must be removed.

The Official Verderer said that a study of the lease and maps of the campsite indicates that there is no formal record of any electrical hookups. This was stated in a letter written in July 2008 to Mr Palmer from the Official Verderer.

2008/3976 OTHER CAMPSITE MATTERS

RESUME

Mr Pasmore commented that Longbeech Campsite looks very run down and untidy. He asked that assuming it is not to be closed, could it please be tidied up.

Mr Frost commented that in Hollands Wood there are wires protruding out of the ground. Mr Palmer said he did not know why this should be so and offered to meet Mr Frost on site.

On behalf of Mr Gerrelli who was unable to attend Court today, the Clerk reported that after the facilities blocks were removed from Roundhill wires sticking out of the ground, broken concrete and timber with nails in it was left for several days creating a serious hazard to stock and anyone walking across the site. A request was made that this situation should not be allowed to happen in future. Mr Palmer agreed that shouldn't happen.

Mr Palmer then reported that the Manager of Holmsley campsite has been appointed as New Forest co-ordinator and he hoped that this will prevent problems in future. The Clerk suggested the Manager should meet with representatives of the Court because Holmsley is an enclosed site which may be managed differently to those on the Open Forest which are open to stock all year around. This was agreed.

Mr Frost repeated his concerns that caravans had been left on the campsites site last year after they had closed and that should not happen this year. He also reminded Mr Palmer that vans should not be left on the same pitch for months on end and that scalplings had been laid at the entrance to some of these vans which again is unacceptable.

Mr Palmer said he would visit Hollands Wood and Roundhill after the meeting to assess the current situation.

The Official Verderer thanked Mr Palmer for attending the meeting. Mr Palmer then left.

CONSIDERATION OF PRESENTMENTS

The application for a new lease for the New Forest Golf Club and the presentments concerning the National Park Plans will be discussed later in the meeting.

2008/3977 LINWOOD ROAD WIDENING OUTSIDE BADGER COTTAGE

RESUME

The Court agreed that the dragons teeth are dangerously close to the road edge and agreed that the CDA's concerns about the damage to the opposing verge were valid. Mr Street was asked to contact the Highway Authority to remind it that the excess tarmac on this road, plus that laid on Forest Road, Burley must be removed.

Mrs Thorne suggested that in the case of the Linwood Road two passing places should be provided and the verges should be protected with dragons teeth and banking to prevent over-running by vehicles. A copy of the CDA's presentment, together with the photographs provided was handed to Mr Street. The measurement of tarmac to be removed extends to the red band on the ranging pole shown in the photographs, not the entire length of the pole.

2008/3978 ENCROACHMENTS

RESUME

Natural England is taking the lead regarding the encroachments in Minstead. It has been agreed that the fence has now been moved back to an acceptable position. The container will be allowed to remain until December when the building work on one of the properties in the Lane should be completed.

Mr Street says he has inspected the Bartley encroachment and has ascertained that the new fence has been erected on Crown Land. The ditch which has been piped also belongs to the Crown. A letter is on its way to the occupier, instructing him to remove the fence. The Verderers will also write to the occupier in support of the Forestry Commission's action.

As respects Rose Cottage, Mr Street says dimensions have been taken and it is clear that an area of Open Forest has been illegally enclosed. This matter is being referred to solicitors today.

Miss Macnair repeated her request for the old underground tank at the bottom of Castle Hill to be removed or filled in. The ground appears to be collapsing which could be a serious hazard. Mr Street will investigate.

SUBMISSIONS BY THE FORESTRY COMMISSION

None

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

2008/3979 A31 FENCE

RESUME

The Clerk reported that the Head Agister, her assistant and herself met with two representatives of Enterprisemouchel, the new Highway Agency contractors responsible for the A31. The two gentlemen are former employees of Mott MacDonald but they now have new roles with the new contractor. Unfortunately nothing much has changed in that they are still refusing to consider upgrading the specification of the fence, blaming the Highway Agency for their inability to do anything about it. Having said that, last week it was necessary to call the highway engineers following a breach of the fenceline and their response was reassuringly swift.

The Clerk suggested that the only way of improving the situation would be to write to the relevant Minister in the hope that pressure can be put on the Highway Agency to upgrade the fence. The Official Verderer said he would discuss this with the Clerk but there is concern that there is a lack of evidence of stock escaping onto the road. To this end, reports of animals escaping or defects in the fence are to be reported to the number provided by Enterprisemouchel. The reports will then be recorded in order that the necessary evidence is available in future. The Verderers' Office will also improve its record keeping in this connection.

2008/3980 MILLERSFORD PLANTATION RESUME
January
2009

Following a discussion at the last Open Forest Advisory Committee meeting, the Forestry Commission will be commencing rhododendron clearance and arrangements will be made of the piles of cut timber to be removed.

2008/3981 CROW ROAD STREET NAME SIGN RESUME

The Forestry Commission will raise the issue of street name plates at the next meeting with NFDC and the NPA. If it is not possible to reach agreement with NFDC a joint letter from the Forestry Commission, NPA and Verderers will be sent stating that standard NFDC design road nameplates are not acceptable in the Forest and asking the Council to come up with good reasons why such signs are necessary.

2008/3982 SIGNS ON THE BEAULIEU ROAD RESUME

The large stone is still in place. Also, Pondhead Farm has affixed notices to the Forestry Commission's signs! Mr Street will ensure they are removed.

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2008/3983 NETWORK RAIL TREE CUTTING AT NEW COPSE RESUME

Network Rail has carried out extensive tree cutting along the railway line in the vicinity of New Copse. A great deal of damage has been caused to a particularly valuable lawn as a result of cut timber being thrown over the fence onto the Forest and then being hauled about. Deep ruts have resulted and the grass has been torn up.

Natural England had not given consent for the work and due to the damage, ordered the work to be stopped on Friday. Following an emergency site meeting it was agreed work should continue, particularly as there was a need to clear the area prior to the forthcoming drift.

Mr Pasmore proposed that a claim for compensation for damage and loss of grazing should be made against Network Rail. This was agreed and a letter will be sent by the Clerk setting out the cost to the Court of inspecting the site and claiming £1,000 in respect of the damage. Mr Frost seconded this proposal and the motion was carried unanimously.

Network Rail proposes to continue its work northwards and Mr Pasmore is to meet the National Park's landscape architect on site in an attempt to secure retention of valuable screening and landscape trees of importance in the Bishop's Dyke area. In future Network Rail will be required to take away all cut material via the railway line rather than across the Open Forest.

2008/3984 WOODLAND CLEARANCE RESUME

A pony has recently punctured a lung as a result of running into a tree branch which was driven between her ribs. This incident has highlighted the condition of most of the Forest woodlands. Because of

Natural England's refusal to allow any fallen trees to be removed, some of the ancient woodlands have become impassable. Additionally, there have been reports of ponies becoming trapped in the heads of fallen beech trees, resulting in the death of the ponies.

The need for leaving so much fallen wood is not understood and the matter will be raised again with Natural England who at present, will only allow wood on main tracks to be cleared back. In the past approximately 10% of fallen wood was left but it is now virtually 100%.

Mr Street left the meeting.

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

2008/3985 KINGSTON GREAT COMMON RESUME

There is still nothing further to report on this matter. The Verderers will be given the opportunity to comment on the paper being prepared for members by Mr Steven Trotter of the NPA.

2008/3986 GAS TANKS ON ROUNDHILL CAMPSITE RESUME

No objection was raised to the principle of burying the gas tanks. However it was agreed that before Verderers' consent is given, the Planning Authority should be asked to consider the siting of the facilities blocks.

It is suggested that the units would be better placed alongside the tarmac/concrete road on the existing hard standing although it was recognised that some additional hard standing would be required.

This would give the advantage of the entrances being on a good surface obviating the need for additional gravel. The gravel that was laid this season in order that campers were not obliged to walk through mud to get to the units could then be taken up and the grazing restored.

If the facilities blocks are re-sited as suggested, the gas tanks could be buried under the concrete road, eliminating the need for dragons teeth and meaning that the vehicles which will need access to the tanks will not need to drive across the grass.

As part of the eventual consent, the Court will be seeking assurance that in the event that the gas tanks are in future no longer required, the land will be properly re-instated. In particular assurance must be given that the tanks, or the holes in which they are placed, are adequately filled in to prevent collapse in years to come.

In coming to this decision, the Verderers had regard to National Park Purposes.

2008/3987 NEW FOREST GOLF CLUB RENEWAL OF LEASE RESUME

The Official Verderer declared an interest in this matter.

The Forestry Commission is not seeking the Verderers' formal consent at this stage, merely their views.

Firstly, the Court would like all sports club licences to include a clause requiring them to close their facility for three hours on the morning of any official drift arranged for their area. It is believed the Forestry Commission is happy with this proposal.

Mr Pasmore then asked that the minutes record the reasons for his opposition to the grant of a new lease which are...

1. The course is very damaging to the landscape, farming and ecology of the New Forest and should be re-located to private enclosed land so that the Forest can be restored,
2. in particular, the natural vegetation is being worn out and the intensity of the current recreational use is unsustainable and
3. the course interferes with the exercise of common rights and the use of the area for quiet informal recreation.

During previous discussions concerning the New Forest Golf Club, the Court decided that 9 hole Golf Courses on the Forest should, all things being equal, be granted a 25 year licence whilst those with 18 holes should only be allowed a 10 year lease.

In the case of the New Forest Course there is serious concern that the facility is too results in too intensive use in too small an area.

It was agreed that the best way forward would be to ask Natural England to carry out an assessment of the condition of the course to see if there has been any improvement since the last time it was surveyed.

Mr Pasmore was adamant that in his view the area has deteriorated and he repeated that he would like to see the Club closed.

Mr Pasmore therefore proposed that any request for a licence be refused. Mr Frost seconded Mr Pasmore's proposal. However, when put to the vote the proposal was defeated with 4 Verderers voting against closing the course, and 2 voting for its closure. The Official Verderer abstained.

It was finally agreed that further input is required from Natural England before a final decision can be made. The Clerk will seek an updated condition assessment and it was requested that the natural beauty of the site be included as is required by the legislation. The report is to be requested in time for consideration prior to the next Court.

COUNTRYSIDE STEWARDSHIP SCHEME

2008/3988 FORTHCOMING MEETINGS

RESUME

The Sub-Committee meets on the 21st October and the Advisory Group will meet on 4th November.

NATIONAL PARK

2008/3989 NATIONAL PARK AUTHORITY MANAGEMENT PLAN AND RECREATION STRATEGY RESUME

Having listened to the Presentments heard this morning, the Verderers gave careful consideration to the two letters drafted by the Sub-committee.

It was agreed that the Verderers' response must be restricted to matters within their remit, powers and duties. As a result of the discussions some minor amendment to the letters was agreed. Once these have been incorporated, the letters will be sent to all Verderers for final approval following which they will be submitted to the Park Authority, copied to interested organisations and placed on the Verderers' website.

The Official Verderer will write to Col Peter Sweet, following the comments that were made in his presentment, advising him that to the best of the Verderers' knowledge, there are no proposals for a new Act of Parliament affecting the governance of the Forest.

OTHER AGENDA ITEMS

None

MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS

There were no reports.

STAFF MATTERS (including the Staff Committee)

2008/3990 THE AGRICULTURAL WAGES BOARD ORDER RESUME

This Order is believed to have been issued and the Clerk will obtain information on this year's pay award for consideration by the Remuneration Committee.

TRAINING

No training is currently being undertaken.

HEALTH AND SAFETY AT WORK

2008/3991 STALLIONS/STOCK AND THE HEALTH AND SAFETY EXECUTIVE RESUME
A practice note from the Forestry Commission is awaited. January 2009

ANY OTHER BUSINESS

There was no further business and the meeting closed at 1.30 p.m.