

MINUTES of the Court of Verderers held on Wednesday 16th October 2013 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

PRESENT:	Mr Dominic May	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr B Dowsett	Forestry Commission Appointed Verderer
	Mr A Gerrelli	Elected Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr C Maton	National Park Appointed Verderer
	Mr D Readhead	Elected Verderer
	Mr R Stride	Co-opted Verderer
	Mr G M H Mills	DEFRA Appointed Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Mr C F R Draper	VGS Manager; standing in for Clerk to the Verderers
	Mr J R Gerrelli	Head Agister
APOLOGIES:	Miss S Westwood	Clerk to the Verderers

IN COMMITTEE in the Library

2013/6877 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 18th September 2013 were not signed, pending 2 minor changes.

2013/6878 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, Mr Maton, and Mr Stride all declared an interest in the New Forest Higher Level Stewardship Scheme and the Verderers Grazing Scheme.

Mr Hallam Mills declared an interest in HLS Schemes as his Estate is in Higher Level Stewardship. The Estate is also involved in the Better Boundaries Project, run by the New Forest Land Advice Service with support from Natural England. He added that Mrs Mills is a participant in the New Forest Fit Club Boot Camp which operates at Rockford. Mr Mills is also a Patron of the New Forest Trust.

Mr Gerrelli declared an interest in campsites.

Mr Dowsett advised the Court that he is a Forestry Commission Voluntary Ranger.

Mr Stride reminded the Court that he is an employee of the Forestry Commission.

Mr Maton reminded the Court that as a Forestry Commission contractor, he has been invited by the Forestry Commission to quote for clearing the former bombing ranges.

2013/6879 CONDITION OF STOCK RESUME

The Head Agister reported that he is very pleased with the condition of stock. The Agisters have been getting on well with the drifts and the overall condition of stock on the Forest is very good. Cattle are doing well, although he expressed surprise, in view of the heavy acorn fall this year,

that there are still so many cattle out, though a few have been taken in. The condition of some of the mares which had not picked up during the summer has improved significantly in the last few weeks as a result of the mild damp conditions which have promoted a flush of grass. Several animals have died as a result of eating too many acorns; one at Abbotswell and another at Howen Bottom, and an old mare has been taken off the Forest at Black Knowl with acorn poisoning, although it is hoped that she may recover. The bad news is that there are a large number of acorns still to fall.

Mrs Westerhoff asked whether some breeds of cattle are better able to cope with acorns than others. Mr Maton reported that old cattle cope better, with young cattle more susceptible to acorn poisoning. In his opinion there is no difference in tolerance between different breeds. Mr Gerrelli agreed and emphasised that young suckling calves are particularly at risk. Miss Macnair noted that animals need to eat plenty of fibre to reduce the risk of acorn poisoning. Cattle will sometimes die of colic because they are unable to regurgitate acorns to chew the cud.

The Official Verderer anticipated a request from the CDA for an extension to the pannage season. In discussion it was noted that the first 3 weeks of the pannage season had effectively been lost because the acorns hadn't started to fall in any numbers then. The early start date was requested because of the timing of the acorn fall in recent years. The Official Verderer mentioned that one commoner had complained about the 'quarantine' period of 2 weeks after buying pigs during which commoners are required to keep them in before they may be turned out and, as a result, had chosen not to turn pigs out this year. When the reason for the quarantine period was explained, he appeared more inclined to turn pigs out subject to an extension. There was a consensus for a 6 week extension to the pannage season, subject to discussion with the Deputy Surveyor after the Open Court.

2013/6880 STOCK LOSING CONDITION AND REMOVED FROM THE FOREST RESUME

One mare with a foal and one other mare were removed in September as a result of losing condition.

The total removed for the year is 342 compared with 209 to the end of September last year.

2013/6881 MARKING FEES RECEIVED THIS YEAR TO DATE RESUME

	Forest	Common	Total
Ponies	4381	723	5104
Cattle	2518	968	3486
Donkeys	94	71	165
Pigs	202	35	237
Sheep	0	113	113
Total	9105		

Ponies, cattle and donkeys on the Forest – 6993
 Ponies, cattle and donkeys on the Common – 1764
 Total Ponies, Cattle and Donkeys – 8757

MARKING FEES RECEIVED IN 2012 TO THIS DATE

	Forest	Common	Total
Ponies	4089	793	4882
Cattle	2280	879	3159
Donkeys	86	68	154
Pigs	105	105	210
Sheep	0	136	136
Total	8541		

Ponies, cattle and donkeys on the Forest – 6455
Ponies, cattle and donkeys on the Common – 1740
Total, Ponies, Cattle and Donkeys - 8195

2013/6882 BYELAW ENFORCEMENT RESUME

There were no byelaw issues.

2013/6883 ANNOUNCEMENTS AND DECISIONS RESUME

There was one announcement which was approved.

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

IN ATTENDANCE: Mr Mike Seddon, Deputy Surveyor of the New Forest (DS)

APOLOGIES: Mr Mark Street, Area Land Agent (New Forest)

ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER

2013/6884 ABBOTS WELL POST – Presentment by Mr Richard Deacon

In his presentment at the last Court, Mr Deacon asked for permission to replace the traditional oak marker post which delineates the boundary between Forest and Common at Abbots Well, Frogham. The Verderers have no objection.

ANIMAL ACCIDENT REPORT

2013/6885 THE ANIMAL ACCIDENT REPORT FOR SEPTEMBER 2013

In September the Agisters attended 13 accidents in which 2 ponies were killed, 2 ponies were injured and destroyed (of which one was wearing a reflective collar and one was a foal), a donkey and calf were injured, 4 animals were uninjured, and there were 3 incidents where no animal was found.

9 of the 13 accidents occurred in daylight
10 of the vehicles were cars or light commercials
6 of the motorists involved were local and
3 drivers failed to report hitting a Forest animal.

The total number of animals killed and injured up to the end of September is 65. That compares with 50 for the same period last year.

4 accidents occurred on the B3078 - with 2 at Godshill, and the others at Roundhill, and Howen Bottom.

4 accidents took place in Burley, at Chapel Lane, Pound Lane, Dur Hill and Vinney Ridge, Other accidents occurred in Beaulieu at Hatchet Lane; in Hyde at Hungerford Hill; and in Boldre; Nomansland; and on the B3079 between Cadnam and Brook.

In the accident at Howen Bottom on the B3078 between Brook and Godshill on the evening of Sunday 22 September, the occupants of the 4x4 which hit and killed a pony were lucky not to have been injured themselves. They were saved by the vehicle air bags and the size of the large VW Tuareg in which they were travelling. The force of the collision caused enormous damage which, had it been a smaller vehicle, could have had tragic consequences for the driver and passengers.

With autumn upon us and the evenings drawing in, motorists are reminded to take extra care when driving across the Forest in the early mornings and evenings. It is always a particularly dangerous time for Forest stock when the clocks go back and motorists should adjust their speed to take account of the road conditions and darker evenings.

As always if a driver is involved in, or witnesses an accident with an animal, then they must call the Police as soon as possible so that an Agister can be sent out to deal with any potential casualty. Even if an animal runs off it may be seriously hurt or have internal injuries, so it is important that it is found and treated quickly.

PRESENTMENT BY THE DEPUTY SURVEYOR OF THE NEW FOREST

2013/6886 NEW FOREST FALLEN LEAVES – CYCLE EVENT

At September's Court two presentments were made expressing concern about the growth of organised, large scale cycle events in the New Forest. Many of these events do not affect land managed by the Forestry Commission.

When an organised event takes place on land managed by the Forestry Commission it would usually do so under a permit we grant. The Forestry Commission has successfully operated a permit system in the area for over 20 years. Through the permit system approach we work with event organisers to ensure events avoid the most sensitive habitats or species and also work safely with other activities that might be taking place at the same time.

On average we grant about 20 permits in a year for activities that in some way involve cycling, or less than 3% of all permitted activities on the forest. The majority of these activities involving cycles are small scale, and arranged by local clubs or groups. In 2012 the Forestry Commission granted permission for two larger cycle events of more than 200 participants to use the forest's gravel tracks. And so far in 2013 a further two such events involving cycles have been permitted. One of these permits allowed for 1,000 participants, with the other three being for around 500 people or fewer.

In the last few days the Forestry Commission has received a request from UK Cycling Events for permission to be granted allowing the Fallen Leaves event on 8th December to take place on forest gravel tracks. This event has taken place in the Forest previously and it is our intention to work with the organisers to allow the event to go ahead but in a managed way.

The Forestry Commission agrees views expressed by the Commoners Defence Association that events need to take account of the normal working life of the forest. And also that events need to be respectful of other people's enjoyment of the forest; a point made by the New Forest Equestrian Association. We believe the best way to achieve these goals is through dialogue with event organisers and use of a permission system to manage the activities.

PRESENTMENTS

2013/6887 OBER DRIFT CANCELLATION BECAUSE OF CYCLE EVENT – Presentation by Mr Peter Roberts, Chairman New Forest Association

My name is Peter Roberts, I am chairman of the New Forest Association. We speak to commend the Verderers on their action, in the interest of safety, of postponing the Drift on the recent week-end that the cyclists were at New Park. We also wish to make it clear in the strongest possible terms that there should never have arisen a situation in which a commercial recreation event, of whatever kind, should be allowed to take precedence over a drift. How many times does it have to be said that this is a working forest and that without the commoners' and their stock it would not exist?

It is now clear beyond any doubt that the frequency of large commercial events and the numbers attending them are far beyond the capacity of the Forest. I say it again, this is a working Forest – recreation must come second. I could stand here all day and recite anecdotal evidence about inappropriate and unsafe behaviour, by cyclists in particular, at these events. The rudeness seems to emanate from the frustration of some cyclists who wish to race, against themselves, the clock or fellow competitors. As a race the correct procedure is for the organisers to apply to the police to close the roads. The Forest community has been pushed around for a long time by the commercial interest in recreation – we have reached a point beyond which it must not go. There is not a limitless capacity to absorb all the various amenity interests, we all have to consider others in what we do.

We know that this is a small densely populated island and the New Forest is within a daily trip of many millions of people. That this is a National Park does not give commercial interests the right to unlimited access. The type of activity that is suitable must be in keeping with the nature of the land and the inhabitants, both people and wildlife. The phrase quiet enjoyment has been synonymous with National Parks for decades and that should be the criteria here. It must also be of a type that does not cause disruption to the working practices that make the Forest special.

We ask, no, demand, that those who sanction these events take into consideration all that has been said above and ensure that the working Forest never has to take second place to a commercial event again.

2013/6888 OBER DRIFT CANCELLATION BECAUSE OF CYCLE EVENT – Presentation by Mr Mike Eccles , Commoners' Defence Association

Commoners are appalled and angry that a commercially motivated, mass cycle event should have taken precedence over drifts, which have been a part of the cultural heritage of the New Forest since time immemorial.

Drifts are vital for CDA members to manage their livestock and it is their livestock which have shaped and maintain the unique habitats and landscape of the New Forest. Without them the Forest would revert to scrub.

We fully respect the responsible decision taken by the Verderers and Agisters, when faced with the determination of UK Cycle Events and the New Forest Show Society that the "Wiggle" cycle event 10 days ago would go ahead. The Verderers and Agisters had no alternative but to act responsibly and cancel the Ober drift, to avoid the obvious risk if both events were to go ahead, with ponies driven to the pound and cyclists and vehicles all using the strip of Open Forest outside the Buckhound Kennels entrance to the Showground.

But it is essential that the principle that Drifts take precedence needs to be robustly defended, if the carefully planned pattern of Drifts throughout the Forest between mid-August and early-November is not to be irrevocably disrupted. And weekend Drifts are especially important to minimise disruption to residents and commoners' jobs during the working week.

The onus must be on mass event organisers to check what other events may be taking place before planning and advertising theirs. It is not adequate to simply inform the New Forest Safety Advisory Group as UK Cycle Events has done, given that the remit of that Group relates only to road traffic issues.

Our members fear that the cancellation of the Ober Drift is the 'thin end of the wedge'. The New Forest is an irreplaceable national and international asset, not simply a conveniently located network of roads available for commercial exploitation.

2013/6889 EXTENSION TO PANNAGE SEASON – Presentation by Mr Mike Eccles, Commoners' Defence Association

The CDA asks the Verderers to support a request to the Forestry Commission to extend the Pannage Season this year.

The Acorn crop this year is very considerable and represents a clear risk to Commoners' livestock. But the acorns were late in starting to fall and only began to drop in any number part-way through the current Pannage season. Some of our members delayed turning out their pigs as a result.

We believe there will be sufficient acorns to justify a significant extension to the Pannage season and suggest that a 6 week extension would be appropriate

2013/6890 VERDERERS' GRAZING SCHEME: DECISION TO WITHHOLD GRAZING PAYMENTS FROM GELDINGS AFTER THIS YEAR. -Presentation by Susan Mitchell (Commoner)

I am asking for clarification over the announcement in the Lymington Times regarding no payment for Forest geldings.

Looking in turn at the given justification:

1. No contribution to the New Forest Breed

There are many New Forest geldings that do contribute by their successes and revise the profile of the breed in national and local press e.g. HOYS, BSJA, Pony Club, local P2P etc.

2. Interfering with stallions

Look at human management of the herd. Turning out stallions only one month of the year and no young colts 'training' the younger mares and fillies. If there are problem geldings then do not take a sledgehammer to crack a nut. Use the existing 'bye-laws' to order off ponies.

3. Increase pressure on grazing.

Using the above criteria, any pony on the Forest that is not contributing to the breed should not receive payment. So that includes part-breds, Shetlands, and any other non-registered pony.

4. For many the geldings are out on the Forest for an early education before they are brought-in to be produced and sold on as riding ponies and thereby promote the breed.

I do not benefit from the Scheme. I am a UK taxpayer, so contribute to the Scheme. I own fully registered New Forest ponies, some are riding ponies and others are young stock turned out, of which one is a yearling gelding.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2013/6891 CYCLE EVENT - NEW FOREST FALLEN LEAVES (Mountain Bike 'Blast' on 8th December 2013) RESUME

The Official Verderer thanked the Deputy Surveyor for his presentment on the 'Fallen Leaves' cycling event, stating that it was appropriate for the Forestry Commission to respond to the 2 presentments on this subject which were raised at the September Court, as the Forestry Commission provides the permit for such events.

The Deputy Surveyor stated that he has a great deal of sympathy with the concerns which were raised and that the permit system is a way of bringing together cycling interests to avoid conflict; he made 2 points:

The Forestry Commission recognises the issues, but needs to work with other organisations.

The Forestry Commission takes account of other Forest activities such as drifts when considering provision of a permit.

The Official Verderer made it clear that issues over cycling events on public roads through the Forest are not within the Verderers' remit and that it is important to differentiate between cycling events on the Crown Land which are within their remit, and those on public roads which aren't.

Mrs Westerhoff asked whether a similar event to 'Autumn Leaves' has been held before. The Deputy Surveyor confirmed that there have been 3 such events: last year there was a spring and an autumn event; this year there was no spring event and the autumn event is planned for after the drift season. Mrs Westerhoff went on to enquire whether there have been any issues with the previous events to which the Deputy Surveyor said that there have only been minor complaints such as inclosure gates not always left closed. He went on to say that the organisers are very responsive and cited their readiness to change the title, removing the emotive word 'Blast' which had caused concern.

Miss Macnair mentioned that there seem to be large events in the Forest every weekend, causing long queues of traffic and said that it is an issue of scale; she asked whether the Forestry Commission is able to limit the numbers taking part or cycling at the same time which causes great inconvenience to others. The Deputy Surveyor explained that the Forestry Commission has no influence over road events. There was a brief discussion over the commercial interest in such events but it was pointed out that some are run strictly for charity and it is important to treat them all in the same way as events, and to establish a dialogue over how they are managed.

The Official Verderer asked whether the Forestry Commission, when giving permission, has a limit on the maximum number of cyclists taking part in an event on the Forest. The Deputy Surveyor explained that this hasn't been an issue to date. Last year 500 cyclists took part in the event and this year the forecast number is between 450 – 600. There is a framework agreement for other events such as orienteering, with the Forestry Commission providing permits for 1 international event per year, with around 1,500 competitors; 2 medium, national or regional events, with 500 – 600 competitors; and 15 - 20 smaller club events with around 50 competitors. He is sympathetic to the concerns of the Verderers but the Forestry Commission has a responsibility to balance these with the interests of other groups.

The Official Verderer mentioned that the organisers of the recent Wiggle event on the Forest roads had erected a number of signs saying "Caution, Cycle Race in Progress" which is inconsistent with their argument that the event was not a race and questioned whether the cyclists on the Autumn Leaves event on the Forest would be as competitive. Mr Dowsett said that the original perception that the Forest event would involve similar numbers to the on-road Wiggle is incorrect (as confirmed by the Deputy Surveyor); the event will be run in 3 categories: Epic – with around 350 cyclists; Standard – with around 200; and Short – with around 50.

The Deputy Surveyor confirmed that the Terms & Conditions laid down by the organisers make clear that it is not a race and any competitor found to have been racing other competitors will be banned.

Mr Deakin expressed his view that it makes no difference whether a cycling event is run for commercial gain or for charity, what is important is the impact these events have on other people and the disruption of their 'quiet enjoyment' of the Forest. He went on to make the point that the Verderers' permission for cycle tracks on the Forest was never intended for such events. He reminded the Court of the Sandford principle which puts conservation first. He stressed that there is no economic benefit to the Forest from these events, as cyclists arrive by vehicle in time for their event, and leave immediately afterwards.

Mr Maton asked what happens to families who may be using the cycle tracks and get caught up in these events, and whether the infrastructure can stand up to this type of use and who pays for any repairs. The Deputy Surveyor explained that the organisers may erect signs in advance, warning the public that the event is taking place so that they can avoid those tracks if they wish. He made it clear that the event is not given exclusive use of their route. The tracks can cope with the additional use and any maintenance is paid for by the Forestry Commission.

The Official Verderer asked whether the charge made by the Forestry Commission for these events covers only the administrative costs or also the degradation of the Forest. The Deputy Surveyor said that the charges are based on the type and size of event and the impact. He offered to provide more detail after the meeting.

Mr Gerrelli expressed concern over the increasing number and scale of these events as a result of the government promoting cycling, particularly in view of the recent funding given to the New Forest National Park Authority for this. He asked whether the Autumn Leaves event would be using Forestry Commission land for parking. In response, the Deputy Surveyor said that the organisers have arranged for parking in Foxlease. He stressed that the Forestry Commission does turn events down and will be pleased to work with the Verderers' Cycle Working Group to develop a policy on this for the future.

Mr Readhead said that he is not anti-cycling and has been involved in a number of charity cycle events, but not in the Forest. What he is against is the competitive nature of some events which, notwithstanding the assurances by the organisers, are in fact races. The issue is the pressure on the Forest. He pointed out that the cycling events are planned 2 years in advance and suggested that the drifts should be planned 3 years ahead so that the organisers of cycling events can avoid any clashes.

Mr Stride said that he is increasingly worried about the scale of use of the Forest for recreation. There are events held on the Forest every weekend such as: long distance rides; orienteering; and cycling, and it is just getting too much. He suggested that organisers should show more restraint and referred to the Boxing Day Point to Point as an example where the commoners have shown restraint in not organising similar events at other times of the year. Mr Maton said that the Forest belongs to everyone so there is a need for compromise, to which Mr Stride responded by saying that this should not extend to allowing damage to the Forest, and that the sheer scale of Forest events is too much and not in the interest of the Forest.

The Official Verderer referred to the 2002 Memorandum of Understanding between The Forestry Commission and the Verderers, of Forest events, identifying: those which require permission from the Verderers; those which don't require permission; and those where it is unclear whether permission is required or not. Interestingly, mass cycle events are not mentioned, as they clearly did not exist in 2002. He explained that whether the permission of the Verderers is required depends on a legal interpretation of the New Forest Acts, and that legal advice is often conflicting and always very expensive.

The Official Verderer suggested that the Deputy Surveyor should make it a condition of the event that it should not be timed, thereby removing any competitive element. This would be likely to deter those who want to compete, and make it more likely that those taking part would come to appreciate the Forest and use it more sympathetically.

The Deputy Surveyor offered to investigate this option for the future, but thought it would be too late this year as details have already been published.

Mr Dowsett said that he feels the Verderers need to draw a line in the sand over these events as it is inevitable that organisers will push for even more in future. The use of the Forest for recreation is having a tremendous impact on wildlife with disturbance day and night. Groups of off-road cyclists equipped with high intensity headlamps now regularly cycle across the Open Forest at night, allowing no respite for wildlife.

The Official Verderer said that there is a need for the Verderers to develop a structured view and establish a dialogue with the Forestry Commission to avoid future conflict. Mr Mills, Mr Dowsett and Mrs Westerhoff have agreed to work on this and the Official Verderer asked Mr Mills to lead and liaise with the Deputy Surveyor, which was agreed. The Deputy Surveyor said that Nick Tucker would also be a point of contact.

Action
HM, BD and
DW

2013/6892 CANCELLATION OF OBER DRIFT DUE TO CLASH IN NEW PARK WITH WIGGLE CYCLE EVENT DISCHARGE

Mr Dowsett explained that the seriousness of the clash with the cycling event at New Park, on the same day as the Ober drift, had only come to light at the last minute, With the organisers being unwilling to cancel or reschedule the cycling even, there had been no option but to cancel the drift.

The Official Verderer asked what the terms are of the Show Society lease for New Park, and whether the Society is allowed to raise money by hosting organised events. The Deputy Surveyor confirmed that the lease allows this and explained that these events provide an important income stream for the Show Society which helps to ensure its survival as a charity. He suggested that the issue is how organisers should work with other authorities to avoid conflict.

It was confirmed that drift lists are sent out to various organisations in the Forest to allow them to plan events to avoid likely conflict, and that the Show Society automatically receives a list.

2013/6893 EXTENSION TO PANNAGE SEASON DISCHARGE

The Deputy Surveyor asked for views on whether a 6 week extension to the Pannage Season would be too long, and possibly lead to problems with rogue pigs if food becomes scarce. It was felt that this is unlikely given the heavy crop of acorns with the majority still to fall.

It was agreed that the Deputy Surveyor would liaise with Mr Draper after the meeting and agree the end date for an extension.

Action
MS

Afternote. The pannage season is extended to Sunday 15th December.

NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION

2013/6894 PROPOSED COMMEMORATIVE CLOCK IN BURLEY VILLAGE DISCHARGE

The request for the erection of the proposed commemorative clock in Burley village was approved subject to the usual three conditions.

2013/6895 PRIVATE WATER SUPPLY PIPE REPLACEMENT AT PARTRIDGE PIECE, OGDENS DISCHARGE

The request for the replacement of a private water supply pipe at Partridge Piece, Ogdens, was approved subject to the usual three conditions.

2013/6896 WATER TOWER REPLACEMENT AT ROUNDHILLS CAMPSITE DISCHARGE

The Court noted the new design of valves and manholes at Setley proposed by Sembcorp Bournemouth Water, to enable the water tower replacement at Roundhill to proceed.

The request for three temporary new manholes at Setley was approved subject to the usual three conditions, and that they are removed once the water tower replacement is complete.

The request for two permanent new man holes at Setley was approved subject to the usual three conditions.

Mr Mills made 2 observations:

The change of map scale in the different plans was unhelpful

The colour scheme could be more helpful in identifying temporary and permanent features

2013/6897 HORSE DRAWN WAGON RIDES; RENEWAL OF AGREEMENT FOR PERMIT HOLDER AT BURLEY FOR FURTHER 3 YEARS DISCHARGE

The Court approved the renewal of the agreement for Horse Drawn Wagon Rides for a permit holder at Burley for a further 3 years.

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

2013/6898 RENEWAL OF ICE CREAM TRADING SITES FROM JANUARY 2014 FOR 3 YEARS DISCHARGE

The Court approved the renewal of Ice Cream Trading Sites from January 2014 for 3 years.

2013/6899 HIGHWAY REPAIRS DISCHARGE

There were no suggested changes to the paper 'Working on Roads in the New Forest'.

2013/6900 LINWOOD ROAD DISCHARGE

HCC has been informed that some of the proposed works are likely to require Verderers' consent under the Acts.

2013/6901 BALMER LAWN ROAD DISCHARGE

HCC has accepted that the Council should have sought consent for the work on Balmer Lawn Road where it passes under the railway line, and has acknowledged for the future.

2013/6902 B3054 BEAULIEU TO LYMINGTON DISCHARGE

HCC has acknowledged concern over chippings ending up on the verges following re-surfacing work and top dressing on the roads. The Council has held initial discussions with their design team and agree that earlier sweeping is one approach that may be employed.

MINUTES of the Court of Verderers held on Wednesday 16 October 2013 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2013/6903 REPAIRS TO HAMPSHIRE COUNTY COUNCIL HIGHWAYS FENCING OF THE A ROADS RESUME

No formal response has been received from HCC over the standard of repairs to highways fencing of the A roads, but the clerk has had discussions with Richard Bastow on this subject.

2013/6904 LYNDHURST SEWAGE WORKS SCREENING RESUME

The Deputy Surveyor informed the Court that he will consider fencing round the sewage works to allow regeneration of birch and scrub to provide screening if formally requested. He agreed to investigate any HLS implications and report back at the next Court.

Action
MS

SSSI RESTORATION WORKS

2013/6905 SNAGGING LIST RESUME

The Deputy Surveyor reported that work to remove the debris dam at Queen's Bower is still outstanding, but is in hand.

Mr Deakin raised concern that drainage needs to be made good on the area that floods on Queen's Meadow. The Deputy Surveyor was asked to add this to the list.

Action
MS

ENCROACHMENTS

2013/6906 ENCROACHMENT LIST RESUME

Mr Stride raised concern over the erection by a commoner of dragon's teeth on both sides of Pondhead Lane. It was suggested that the Forestry Commission should investigate the possibility of relocating the barrier to the top of the lane. The Deputy Surveyor agreed to liaise with the owners of the other 2 properties affected by relocation of the barrier, and to arrange for the commoner to be asked to remove the dragons teeth.

Action
MS

Mr Deakin mentioned some unauthorised dragon's teeth at Brockishill which the Deputy Surveyor agreed will be investigated.

Action
MS

ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2013/6907 FALLEN TIMBER RESUME

Mr Stride said that there are 2 separate problems associated with fallen timber:

Felled trees; he provided an example where these have been left uncleared at Ashurst Lodge

Fallen trees; which he described as causing a particular problem in Pinnick and Eyeworth.

He suggested that there is a need for a revised policy on removal of timber.

Mrs Westerhoff said that there are revised guidelines issued in addition to the SAC plan.

	<p>The Deputy Surveyor agreed to investigate and forward copies of the amendment by e-mail. In discussion it was noted that there is now considerably more deadwood lying on the ground than at the time when the SAC plan was drawn up so there may be scope for further relaxation. He explained that he wants to avoid a 'pendulum' effect, but is sympathetic to concerns over the issue.</p>	<p>Action MS</p>
2013/6908	<p>SIGHT LINE FENCING – MAINTENANCE</p> <p>The Official Verderer reminded the Court of the purpose of 'Sightline Fencing' which is erected at blind points on roads, such as railway bridges, where short sections of fence prevent stock which are out of sight of drivers, from stepping out on to the road. Most of these fences are in poor repair and due for replacement.</p> <p>The Deputy Surveyor explained that he did not feel that maintenance of these fences was a Forestry Commission responsibility. It was agreed that the issue would be referred to the Verderers' Grazing Scheme Management Committee for consideration for funding.</p>	<p>DISCHARGE</p> <p>Action CD</p>
2013/6909	<p>INSTALLATION OF LINING, SIGNING, AND ANTI SKID; CROSS ROADS ROGER PENNY WAY (B3078)/FOREST ROAD</p> <p>The proposal was approved, subject to no encroachment of the works onto the verge.</p>	<p>DISCHARGE</p>
2013/6910	<p>INSTALLATION OF LINING, SIGNING, AND ANTI SKID; SHARP BEND ON FOREST ROAD ON APPROACH TO NOMANSLAND</p> <p>A decision on this item was deferred until after the Forestry Commission has considered the request.</p>	<p>RESUME</p>
2013/6911	<p>POND HEAD LAWN</p> <p>The Deputy Surveyor informed the Court that work on Pond Head lawn is due to start next year.</p>	<p>DISCHARGE</p>
2013/6912	<p>PROBLEMS WITH NARROW BRIDGE ON THE HILL TOP/BLACKFIELD DRIFT</p> <p>Concern was expressed over the design of the new foot bridge below Ipers Bridge Farm where several ponies fell into the ditch underneath during the drift. It was agreed that the bridge is adequate for normal use and that someone should stand on the bridge at the next drift and push stock down to the culvert 50 yards to the right where they can cross safely.</p>	<p>DISCHARGE</p>
2013/6913	<p>DANGEROUS TREES AT APPLESLADE POUND</p> <p>Mr Stride advised the Court that the 'wind-blown' trees have been inspected and are safe, but will be removed next time FC staff are working in that area.</p>	<p>DISCHARGE</p>
2013/6914	<p>ROADSIDE VEGETATION CLEARANCE</p> <p>The Deputy Surveyor informed the Court that work is in hand.</p>	<p>DISCHARGE</p>

2013/6915	CANCELLATION OF ASHURST DRIFT BECAUSE OF BOMB HAZARD	RESUME
	It was agreed that a formal letter should be sent to the Forestry Commission to highlight the Verderers' concerns that the drift has been cancelled, explaining the impact on commoners and the welfare of their stock of unexploded ordnance at Matley, and to request that the MOD be asked to resume their clearance work as a matter of urgency.	Action OV/SW
2013/6916	ACCESS TO WEIRS POUND	RESUME
	Mr Stride said that he thought it would be better to build up the ford rather than create an Irish Bridge causeway to improve access to the Weirs Pound as suggested by the Staff Committee. The Deputy Surveyor agreed to investigate.	Action MS
2013/6917	CYCLING GRANTS TO THE NFNPA	DISCHARGE
	There was a further brief discussion over cycling on the Forest. Mrs Westerhoff mentioned the 2 funding grants of £3.8m and £3.6m provided to the National Park Authority for cycling and asked whether there were proposals for new cycle routes across the Forest. The Deputy Surveyor said that the Forestry Commission has supported the National Park Authority bid to the DfT; he is not aware of any proposals for new routes. Mr Maton explained that the National Park Authority does not spend the money itself, the funding is available for organisations which may want to bid for grants for specific projects to support cycling.	
2013/6918	CATTLE GRIDS	DISCHARGE
	Mr Mills enquired about responsibility for cattle grids on public roads in the Forest. It was explained that these are managed by HCC and contact details are held in the Verderers' office.	
2013/6919	DRIFTS	RESUME December
	Mr Deakin thanked the Deputy Surveyor for the Forestry Commission's support with the drifts, which had worked well and is appreciated. Simon Smith will be invited to attend part of the wash-up meeting in due course	
2013/6920	TREE STUMPS AT SLUFTERS	DISCHARGE
	Mr Deakin asked if the Forestry Commission would remove or reduce the height of tree stumps where the inclosure has been thrown open at Sluffers; the growth of bracken in the area which conceals the stumps, makes these a particular hazard to riders and stock. The Deputy Surveyor agreed to investigate.	Action MS
2013/6921	RESPONSIBILITY FOR MANAGING ARCHAEOLOGICAL SITES ON THE FOREST	DISCHARGE
	Mr Maton expressed concern that it appears that the National Park Authority has responsibility for managing archaeological sites on the Forest and letting contracts for this work, rather than the Forestry Commission. It was explained that the work is funded by the HLS and that responsibility has been delegated to the National Park Authority as an HLS partner. Work is carried out to Forestry Commission standards and is monitored by the Forestry Commission.	

MINUTES of the Court of Verderers held on Wednesday 16 October 2013 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2013/6922 BRACKEN CUTTING DISCHARGE

Mr Readhead thanked the Forestry Commission for doing a good job of cutting bracken which is allowing late grass to come up.

2013/6923 FUNGI PICKING DISCHARGE

Mr Stride mentioned that a commoner has drawn his attention to an advertisement in the Echo for guided fungi picking in Fritham. Action MS

The Deputy Surveyor left the meeting

OTHER MATTERS ARISING

2013/6924 VERDERERS' GRAZING SCHEME: DECISION TO WITHHOLD GRAZING PAYMENTS FROM GELDINGS AFTER THIS YEAR – Presentment by Susan Mitchell RESUME December

The presentment by Susan Mitchell was referred to the VGS Management Committee for consideration. Action CD

OTHER AGENDA ITEMS

2013/6925 MARKING FEES FOR 2014 RESUME

This item was deferred to the November Court

2013/6926 COURT DATES FOR 2014 DISCHARGE

The Court will meet on the third Wednesday of each month in 2014, except August when there will be no Court, as usual. Mr Draper will circulate a list of dates to Verderers. Action CD

MATTERS ARISING FROM EXTERNAL COMMITTEES & WORKING GROUPS

2013/6927 OFAC MEETING DISCHARGE

Mrs Westerhoff provided the following update on the OFAC meeting held on 15 October 2013:

Woodland tracks: It was mentioned that the Agisters have requested clearance of the main tracks in Pinnick to aid their drifts. This will go in to next year's programme.

Blackwater driftway: A site visit will be arranged to agree re-alignment of Dames Slough fence line.

At Penny Moor the agreed restoration work has been done including the maintenance of the side drain running back towards Frame Heath Inclosure.

A record amount of bracken has been treated – 120 ha sprayed, 15 ha swiped and 90 ha foraged. Two commoners will be baling bracken on 4 sites.

Linford Bottom restoration was discussed. It will require planning permission and so may not be done for a few years but the Agisters have complained about the dense scrub affecting the drift. A site visit to agree minor works will be arranged.

The total cut and burn programme is 808.5 acres. FC is planning to take on contracted help this winter for burning and holly pollarding. Following the request from Richard Stride for drainage works on lawns, a meeting has been arranged in November for Natural England and the CDA to discuss the issue. Some works at Butts Lawn will be agreed in a separate visit.

A site visit to look at some of the completed wetland restoration sites is to be arranged. It was agreed that Longwater Lawn and Markway will be two of the sites included.

FINANCIAL MATTERS

2013/6928 FINANCIAL STATEMENT FOR SEPTEMBER RESUME

The financial statement was noted.

STAFF MATTERS

2013/6929 REMUNERATION COMMITTEE DISCHARGE

The Court approved the recommendation of the Remuneration Sub Committee for a 1% pay rise from 1 October 2013 for all staff. The 1% limit is in line with government pay guidelines for public sector workers.

Action
SW

2013/6930 LAND ROVERS DISCHARGE

The Court agreed a proposal by Mr Readhead that the Land Rover warranties should be extended. Mr Draper confirmed that the warranty can be extended on an annual basis until the vehicles are either 10 years old or have covered 100,000 miles. Mr Draper to action.

Action
CD

HEALTH & SAFETY & TRAINING

2013/6931 RADIO TRAINING RESUME

The radios which have been provided for the Agisters have proved very successful, but radio operation protocol could be improved. Mr Draper was asked to investigate the availability of radio training locally.

Action
CD

2013/6932 CHAIN SAW CERTIFICATES RESUME

There may have been changes to the rules on chainsaw certification and renewal which will affect the Agisters. It was agreed that the matter should be referred to the Staff Committee for clarification and consideration.

2013/6933 HEALTH & SAFETY TRAINING RESUME

Continuing

ANY OTHER BUSINESS

2013/6934	HEALTH & SAFETY	RESUME
	With the introduction of monthly checks of Land Rovers and trailers it was suggested that the Agisters should check each other's vehicles, rather than their own, in line with standard policy for checking safety equipment. Mr Deakin to review arrangements.	Action RD
2013/6935	ORANGE BEACONS	RESUME
	The Official Verderer welcomed a suggestion from Mr Readhead to use orange beacons to highlight drift warning signs but asked for more information on storage arrangements and batteries and advice on any legal implications from HCC. Mr Readhead was asked to investigate and report back.	Action DR
2013/6936	TB CONTINGENCY PLAN	DISCHARGE
	There was a brief discussion over the requirements for a contingency plan for managing TB on the Forest. Mr Mills stressed the need for a plan to be in place in the event of cattle testing positive. It was suggested that the Foot & Mouth plan might provide a useful template. The Court agreed that there should be a plan, and that funding would be provided for a consultant should that be required but advice should be sought from the NFU in the first instance. It was agreed that this should be referred back to the Staff Committee.	Action RD
2013/6937	JACK DONKEYS	RESUME
	The subject of Jack Donkeys on the Forest was referred back to the Staff Committee for further consideration and its recommendations.	Action RD
2013/6938	CYCLING	RESUME
	There was a further brief discussion about the additional funding allocated to the NF NPA for cycling projects for: Car free travel Linking Communities	
	Mrs Westerhoff was asked to check with the National Park Authority and report back to the next Court.	Action DW
2013/6939	FIT CLUB AT ROCKFORD	DISCHARGE
	Mrs Westerhoff asked whether there were any further concerns about this. No recent incidents have been reported.	
2013/6940	FUTURITY SCHEME	DISCHARGE
	Miss Macnair informed the Court that the inspection of colts for the Futurity Scheme has been held and the top 12 colts have been selected, including both Stud and Forest bred colts. The scoring system gave additional points for colts descended from stallions and/or mares with rarer bloodlines.	

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2013/6941 CATTLE GRID AT FURZEY LODGE DISCHARGE

Mr Deakin informed the Court of a planning application for a cattle grid at Furzey Lodge adjacent to the holding area for the pound. It was agreed that this would be a hazard to stock during the annual drift, and also during *ad hoc* use of the pound at other times of the year. The Clerk will send a letter to the National Park Authority Planning Department, objecting to the application.

Action
SW

2013/6942 BRAMSHAW GOLF COURSE DISCHARGE

Mr Readhead asked whether any progress has been made on proposals to move the first tee at Bramshaw Golf Course to avoid conflict over damage to the fairway by cattle, over the winter months. Mr Stride confirmed that a meeting was held last week, but that it is too late for the tee to be moved before the winter.

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