

MINUTES of the Court of Verderers held on Wednesday 21st September 2005 at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.

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| PRESENT: | Mr O Crosthwaite Eyre | Official Verderer |
| | Mr J Adams | Elected Verderer & Chairman of the Staff Committee |
| | Mr P Frost | Countryside Agency Appointed Verderer |
| | Mr A Gerrelli | Elected 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: | Mr J R Gerrelli | Head Agister (first three items only) |
| | Miss S Westwood | Clerk |
| APOLOGIES: | Cllr K Heron | Hampshire County Council Appointed Verderer |
| | Mr J F Kitcher | Elected Verderer |

IN COMMITTEE

The Head Agister was present for the first three items.

2005/1798 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 20th July 2005 were approved and signed.

2005/1799 ANNOUNCEMENTS & DECISIONS DISCHARGE

The Announcements and Decisions were approved.

2005/1800 CONDITION OF STOCK RESUME

Report by the Head Agister

We are now right into the drifts which provide a good opportunity to look at the ponies. On the whole the condition of stock is very good. Mares without foals this year are in tip-top condition. One or two mares with foals have lost a little condition but any which give cause for concern are being removed. The commoners are co-operating and no problems have been encountered. A careful watch will need to be kept on mares with foals which have been branded and returned to the Forest. The Agisters are trying to persuade commoners not to leave foals on mares whose condition is not ideal. The foals this year are generally big and strong and it was suggested that there may be more this year. Miss Macnair remarked that she hoped that a good proportion will go to the sales. It was reported that there are some 305 entered. It was queried whether the number of foals is increasing again, despite the stallion scheme.

The Official Verderer thanked the Head Agister on behalf of the Court for the enormous patience shown by the Agisters during the trials in July. The Agisters spent days at the Magistrates Court in Southampton. He added that the Judge made a special point of praising the way the Agisters gave their evidence and their professional

conduct which was key to the success of the case.

The Head Agister left the meeting.

Report by Mr John Adams – Chairman of the Staff Committee

Mr Adams felt the Head Agister had summed up conditions very well. He said there will always be a few older mares or younger ponies which do not do so well. He added that as long as there is some rain in the near future, the animals should go into the winter in good condition.

Mr Gerrelli agreed that the weather has a great effect on conditions. He said he has heard no complaints from the public.

2005/1801 DECLARATIONS OF INTEREST RESUME

The New Forest Golf Club will be raised later in the meeting and the Official Verderer declared an interest as a director of another Golf Club in the Forest.

As a member of the New Forest Fox Hounds, Mrs Thorne declared an interest in the items on the Agenda concerning hunting.

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

Mr Gerrelli declared an interest the items concerning Campsites.

2005/1802 FINANCIAL STATEMENT RESUME

Statements for July and August were circulated and approved.

2005/1803 MARKING FEES RESUME

The Assistant to the Clerk confirmed that marking fees have been paid to date for the following animals:-

| | |
|---------|------|
| Ponies | 4279 |
| Cattle | 2448 |
| Donkeys | 97 |
| Pigs | 1 |
| Total | 6825 |

2005/1804 BYELAW ENFORCEMENT RESUME

The Agisters have approached all those involved in the prosecutions and ask them to pay their marking fees for 2005. All have agreed to pay. Marking fees will be collected regardless of whether it is possible to mark the animals for this year. Next year cattle will have to be marked in accordance with the byelaws when fees are paid. The Agisters will keep a careful note of exactly which animals they are receiving fees for and from whom.

The prosecution and trial of Mr James Penny in respect of his stallion has been adjourned part-heard until 11th November 2005.

The costs incurred in bringing these prosecutions, is estimated to be just under £40,000 which is not quite as much as expected. The audited accounts record the costs in accordance with normal accounting practise.

These costs can be covered by the general fund and it is anticipated it will not be necessary to touch the Railway Fund.

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

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

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

2005/1805 ANNUAL ACCOUNTS

We intend to formally approve the draft audited accounts this morning in committee for the financial year ending March 31st 2005, after which they will be available for inspection at the office, as well as being published on our website.

2005/1806 COUNTRYSIDE STEWARDSHIP SCHEME

We can now confirm that we have received over 350 applications to join the scheme this year, which amounts to 76% of the total number of practising commoners (59% joined in year one). This is very encouraging and shows how well the whole scheme has been received, despite the considerable doubts and suspicions that existed in its early days. Individual contracts have been sent out to all applicants for signature, and to date, all but 9 have been returned. We will be applying to DEFRA at the end of this month for payment of the funds. We hope that, like last year, we can then start to make individual payments to all members of the scheme in December, based on £60.00 per animal.

2005/1807 PROSECUTIONS

Since the last Open Court in July the trial of various commoners for non-payment of marking fees has taken place and been concluded.

Of the seven defendants John Kilford, Malcolm Horsbrough and Austin Young were acquitted on the basis that the Judge accepted that they did not own any animals out on the Forest at the time in question.

The remaining defendants, namely Andrew Young, Colin Barnes, Peter Burgess and Roland Bessant received convictions for non-payment of marking fees.

We hope that this now puts to rest once and for all the notion that the Verderers' Byelaws are somehow optional in the Forest; they are not.

ANIMAL ACCIDENT REPORT

2005/1808 ACCIDENT REPORT FOR JULY & AUGUST 2005

The agisters attended 24 accidents in July & August which compares with 22 for the same period last year.

6 ponies, 2 cattle and 1 donkey were killed and 4 ponies and 1 donkey were injured.

12 of the accidents occurred during the hours of darkness.

19 involved private cars or light commercials and 1 involved a heavy vehicle.

4 accidents were not reported and 5 involved local motorists.

The total killed and injured for the year to date is 62 compared with 64 for the same period last year.

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

2005/1809 PANNAGE SEASON

In accordance with the provisions of Section 7 of the New Forest Act 1964, the Verderers have been consulted with regard to the dates of the pannage season and I hereby notify the Court that the season will commence on Monday 26th September 2005 and that it will end on Sunday 27th November 2005, both dates inclusive.

May I remind Commoners who hold the right of Common of Mast that:-

1. Pigs turned out must be levant and couchant in and upon the land from which the right is derived.
2. Pigs may not be turned out until they have been inspected by an Agister, effectively ringed, marked and the appropriate fee paid. This must take place during normal working hours. 48 hours notice must be given and the time and place where the pigs are to be inspected and marked must be agreed.
3. Pigs must be marked before they are put onto the Forest.
4. Pigs may not be turned out into the Inclosures.
5. Breeding sows, that is female pigs in-pig, may be allowed the privilege of remaining on the Open Forest after the end of the pannage season if so authorised in writing by the Deputy Surveyor for the period specified in the consent.
6. Any breeding sow that is granted the specific written consent of exercising the privilege must be inspected, ringed, marked and paid for during the pannage season.
7. Any breeding sow exercising this privilege must return to the holding at night.
8. Apart from the aforementioned privilege of turning out breeding sows with proper authorisation onto the Open Forest beyond the pannage season, no pig will be allowed to remain on the Forest after the end of the season.
9. No period of grace is allowed for the removal of such unauthorised pigs.
10. Any consent granted for the exercise of the privilege is limited to the period following this particular pannage season and cannot be presumed to apply for future years, for which a separate application must be made.

11. Any unmarked animal running on the Forest does so in contravention of the Verderers' Byelaws and the owner is liable to a fine of up to £200.00.
12. Property owners of land adjacent to the Forest are reminded that it is their responsibility to fence out Forest animals from their land.

2005/1810 CYCLING ON THE FOREST (Crown Land Cycle Network)

The Forestry Commission's cycle network provides sustainable enjoyment for many thousands of people each year, as well as providing traffic free cycle links between some of the Forest's villages and attractions.

The Forestry Commission requests the renewal of the Verderers' agreement for the existing network of waymarked cycle routes on gravel tracks of the Crown Lands. To enable the Commission, other authorities and local businesses to plan for the provision and management of cycling opportunities in the New Forest, the agreement of the Verderers is sought for a period of five years.

The Official Verderer said that in view of the contentious nature of this presentment, the Court will not consider the matter until after the next Open Court in order to allow an opportunity for supporting or counter presentments to be heard.

PRESENTMENTS

2005/1811 ILLEGALLY PLACED NOTICES ON THE FOREST

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

The Court was asked to seek the co-operation of the Highways Agency and Forestry Commission in preventing signs being placed around the Forest by businesses and event organisers without permission. The signs are considered to deface the environment and they are often left to degrade and become litter. In some cases they may distract drivers in high-risk areas for animal accidents.

2005/1812 MARKWAY LAWN

Mr Cooper explained that the Association is extremely unhappy with the work which has been carried out at Markway Lawn.

It is considered the work is not in accordance with that which was agreed after considerable consultation and that what has been done is likely to lead to further flooding of the lawn.

The Association asked the Court to look into the Forestry Commission's actions on the site as a matter of urgency. A complete review of the works was called for to try to ensure further flooding does not occur at the site and it was requested that this be done before any additional works to be undertaken on the Open Forest are agreed.

2005/1813 MARKWAY LAWN

Presentment by Mr Bob Cooper

Mr Cooper wished to add his support to the last presentment and advised the Court that the Northern Commoners and Minstead Manor Commoners have sought a meeting with the Minister for Biodiversity.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2005/1817 CYCLING ON THE FOREST (Crown Land Cycle Network) RESUME

The Official Verderer reminded the Court that on the last occasion the Forestry Commission sought consent for the cycle network no specific time limit was requested but a 2 year approval was granted. He asked if members of the Court were content to wait until after the next Court before deliberating the subject.

2005/1818 ILLEGALLY PLACED NOTICES ON THE FOREST DISCHARGE

The Deputy Surveyor explained that the Forestry Commission's staff do take action to ensure the removal of illegal notices. He added that it would be useful to know if there are any specific signs which are the cause of complaint. Mr Parke explained that Forestry Commission Staff can simply remove the signs but generally the business or householder is asked first. This is particularly the case if the sign was clearly expensive to manufacture. Very temporary signs, on sticks, are often just taken away.

The Official Verderer suggested the Forestry Commission should write to the CDA explaining its policy.

Mr Frost added that in other National Parks there is greater emphasis on enforcement.

2005/1819 MARKWAY LAWN RESUME

Elected Verderers who have visited the site to look at the work on the river expressed serious concerns that it appears it has not been carried out in accordance with what was agreed. The main difference is the dimensions of the clay plug which has been constructed and which is longer and higher than agreed.

A lengthy discussion then took place during which various views were expressed.

The Deputy Surveyor said the work has been carried out in accordance with advice from Southampton University in good faith to try to satisfy the aspirations of all parties. Mr Frost supported the Deputy Surveyor, believing best advice had been followed.

Miss Macnair felt strongly that work to remove the weed, which has not yet been carried out, should be done whilst the weather is still dry. At present there are still three channels where there should be one which must be cleared of vegetation.

Mr Pasmore considered all Verderers should inspect the site after a period of heavy rain when it should be possible to see the effects of the works.

The Deputy Surveyor confirmed the Forestry Commission's

commitment to review the success of the works and consider additional works if necessary.

It was finally agreed that Mr Simon Weymouth (FC) should be asked to arrange a site meeting for the Verderers only when the work is finished.

The Clerk will write to Mr Mike Cooper and Mr Bob Cooper to let them know what has been agreed.

SUBMISSIONS BY THE FORESTRY COMMISSION

2005/1820 ICE CREAM TRADING

DISCHARGE

The Forestry Commission sought agreement to Ice Cream Trading on the Forest for an unspecified period on the understanding that the Commission would not grant a permission for a period exceeding three years.

After careful consideration, however, the Verderers remained uneasy about the proposal and gave their agreement for a period of 2 years.

2005/1821 WAGON RIDES

DISCHARGE

The Forestry Commission sought agreement for Wagon Rides on the same basis as for Ice Cream Trading. The Verderers, however, again expressed reservations and again gave their agreement for a period of 2 years.

2005/1822 ASHURST CRICKET CLUB

RESUME
January
2006

A copy of Mr Parke's letter of the 30th August 2005 together with the attached plan, is appended to the Minutes for future reference.

To clarify the position;

The Verderers' byelaws will not apply to the land but the Forestry Commission's byelaws will.

The Verderers' insurance will cover Agisters and commoners who may help the Agisters' in respect of the management of legally depastured stock.

The Forestry Commission will remain the owners of the land.

The Forestry Commission will maintain the gates.

The land does not benefit from, nor is it subject to, rights of common.

The option to re-fence the land in the future will remain if significant problems arise as a result of it being grazed by commoners' stock.

A number of other issues remain outstanding, in particular the future of the pavilion building and the ongoing maintenance of the fencing.

The Court is keen to see the land made available for grazing by

commoners' animals but there remain some reservations about future management issues. As a result the Court approved the proposal in principle, subject to satisfactory resolution of the outstanding issues.

2005/1823 EAST BOLDRE VILLAGE HALL ELECTRICITY SUPPLY DISCHARGE

The proposal for a replacement, upgraded, electricity supply to the Village Hall was agreed subject to the usual conditions. The supply will be placed underground where practical but not under the road.

2005/1824 HINCHEBLEA WATER SUPPLY PIPE REPLACEMENT DISCHARGE

The water pipe supplying Hinchleslea was laid in the early 1940's and is of 2" asbestos. Over the years it has become increasingly brittle, causing numerous leaks. The time has now come for it to be replaced.

The Court agreed the replacement of the pipe in accordance with the letter and plan provided by the Forestry Commission. The pipe will be laid in an open trench dug with a digger with subsequent consolidation, refilling and reinstatement. There will be no markers, chambers or other apparatus at or above ground level. The usual 3 conditions will be applied.

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

2005/1825 LYNDHURST GOLF COURSE – TURF AND FENCING RESUME

The replacement of the top strand of wire with a wooden rail has not yet been carried out. Mr Parke will chase up the Club.

2005/1826 LONGDOWN RUBBISH DUMP RESUME

The Environment Agency is due to report back to the Forestry Commission on how best the area can be monitored.

2005/1827 VERDERERS' INCLOSURES DISCHARGE

The Forestry Commission requested this matter be discharged. The matter will be brought back to the Court at a future date.

2005/1828 DUNCES ARCH EXTRACTION DAMAGE DISCHARGE

The Forestry Commission has put the damage right.

2005/1829 HGV WEIGHT RESTRICTIONS B3078/B3079/B3080 RESUME

As Mrs Heron was due to report on this matter, the item is resumed until October.

2005/1830 TRAIL HUNTING DISCHARGE

The first outings of the Beagles and Foxhounds have taken place without incident.

- 2005/1831 REVIEW OF COMMON LAND BILL RESUME
- The Official Verderer reported that Leading Counsel will provide an Opinion for a fee of £2,000 plus VAT.
- The subject was raised by the Official Verderer with the Chief Executive of the National Park Authority who has said that if Leading Counsel's Opinion reveals problems which need to be referred to DEFRA's Legal Department, the Park Authority will assist. The Deputy Surveyor confirmed the Forestry Commission will also assist. Mr Parke reported that he has spoken to the DEFRA Lawyers, who, as far as he could remember, thought the new Bill will not affect the existing position. Mr Pasmore felt the Bill will affect privately owned commons.
- 2005/1832 BEAULIEU ROAD HOTEL SEWAGE SYSTEM RESUME
- The new sewage treatment plant has finally been approved by the Environment Agency and work has commenced. It is expected that it will take approximately 3 weeks for work to be completed and the new plant to be commissioned. Part of the consent is for the old pipe, which discharges onto the Open Forest, to be disconnected. The soakaway for the new system will be entirely on the Hotel's land. It was noted, however, that the triangular piece of land at the back of the hotel under which the herringbone soakaway will be installed, may be subject to common rights.
- 2005/1833 HANGING ROPES DISCHARGE
- Rope swings have been hung from trees above many of the Forest's rivers. The Forestry Commission explained that the ropes are removed as and when they are discovered by staff.
- 2005/1834 SWAY RECREATION GROUND DISCHARGE
- The fence at the rear of the ground was reported to be in very poor condition. Mr Parke said he will speak with the Parish Council about getting it properly repaired. Mr Pasmore asked if the Forestry Commission intended to give permission for the portakabin which the Parish Council wants to place on the site. Mr Parke said the Commission will not give permission.
- 2005/1835 MILKHAM INCLOSURE GATE DISCHARGE
- The new gate installed some time ago is still locked. Mr Parke will see about getting it unlocked.
- 2005/1836 RINGWOOD & ELLINGHAM CRICKET PITCH RESUME
November
- Mr Adams reported that the wicket covers, roller and chain harrow are still on the Open Forest. Mr Parke said he has spoken with the Secretary and assumed the items would be removed. He is waiting to meet with the Club.

2005/1837 NEW FOREST MARATHON

DISCHARGE

Concern was expressed that several commoners were prevented from getting to the Woods Corner Pound on drift day because of the Marathon. The drift starts at 8.00 a.m. to avoid clashes with ponies and runners but the problem occurred when some commoners came to the drift later on to collect stock. The Clerk will try to find out how far ahead the date for the Marathon is set to see if it is possible to avoid having the drift on the same day.

2005/1838 BEAULIEU EVENTS AND ROAD CLOSURES

DISCHARGE

On two occasions recently roads around Beaulieu have been closed and traffic diverted because of events being held at Beaulieu Estate. The Agisters have experienced difficulties with access, which could present a serious problem in the event of an incident requiring their urgent assistance. Mr Montagu explained that a one-way system is sometimes employed to aid traffic management. The police shut roads by formal order. It was agreed that if roads are to be closed or traffic is to be diverted, the Agisters need to be advised in advance. Mr Parke reported that a meeting is due to be held by interested parties to discuss issues raised by the events.

2005/1839 BULL HILL BRIDGE (adjacent to Lees Nursery)

DISCHARGE

A gate which has in the past been used by Walhampton School is in a bad state of repair and animals have escaped from the Forest. It was suggested that the Riding Department be contacted to see if the gate is still required. If it is not, it could perhaps be removed. Mr Parke said he will investigate.

2005/1840 VERDERERS' POLICIES

DISCHARGE

A recent letter from the Deputy Surveyor to the Official Verderer on the subject of the Verderers' recently revised policies was copied to members of the Policy Sub-Committee.

The Forestry Commission disagrees with certain aspects of the policy document and the Deputy Surveyor explained that the purpose of his letter was to set out the Commission's opinion.

The Deputy Surveyor said that in his view the Verderers have primary and secondary responsibilities. Primary responsibilities, where the Verderers have specific powers under legislation include, for example, the administration of Common Rights.

When making decisions, the Verderers must pay due regard to other legislation (secondary responsibilities); examples are the SSSI and, more recently, National Park purposes. The Deputy Surveyor did not agree that the Verderers are all powerful in these instances.

On commoning issues, he considered the Verderers to be clearly the lead organisation but on other issues, other organisations have the lead and the Verderers are not necessary the arbiters.

The Deputy Surveyor finished by saying that his letter was intended to state the Forestry Commission's position and to flag up that he accepts the policies as written are unlikely to change at the moment but that he expects that any decisions made in line with the Verderers' policies to be properly justified and the criteria used to be explained.

2005/1841 PROLIFERATION OF BRACKEN

DISCHARGE

It was remarked that bracken seems to be spreading more than ever and is probably contributing more to the loss of grazing and heather than anything else. The Forestry Commission was asked if it has any views on how the spread of bracken might be controlled and it was suggested that in Ashdown Forest a new spray is being used. In response the Deputy Surveyor explained that bracken clearance is part of the Open Forest Programme and the worst areas are treated in rotation to try to control the problem. Mr Pasmore asked if there is any assessment of expansion in bracken to which the Deputy Surveyor replied that a study of aerial photographs could possibly be undertaken. In response to a suggestion that more bracken could be harvested for composting, it was explained that unfortunately at present it is not commercially viable, but current operations will continue.

2005/1842 SPEED INDICATOR DEVICES (SID's)

DISCHARGE

The Court was advised of an initiative, led by Hampshire County Council, whereby a Speed Indicator Device will be positioned at selected locations on the Forest's roads in an effort to reduce speeding and road traffic accidents. It will be necessary for posts to be erected at strategic locations in order that the SID can be installed for a limited period at each site. A number of those present at the meeting were aware of the initiative but it was felt the Court should be requested to give formal approval as some semi-permanent structures (posts) will be required on the Forest.

The proposed locations are as follows:-

1. B3078 at Telegraph Hill
2. B3078 at Godshill end
3. B3054 at Beaulieu Heath
4. B3054 at Hill Top
5. B3055 to Sway
6. Picket Post
7. B3056 Brockenhurst to Hatchet Pond

Good reports have been received from other areas where SID's have been employed and it seems they do encourage a reduction in speed.

The Court raised no objections to the suggested locations and supported the initiative.

The Deputy Surveyor and Mr Parke left the meeting.

LIFE 3

2005/1843 SUSTAINABLE WETLAND RESTORATION – RIVER BASIN RESUME
IMPLEMENTATION PLAN

Jane Smith, Forestry Commission Life 3 Officer has written to the Court asking for a meeting to discuss this project. Mr Frost agreed to contact Ms Smith to agree a suitable date and liaise with Mr Kitcher.

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

2005/1844 STALLION SCHEME RESUME

A draft agreement for grazing at Cadland has been received from the Manager, Mr Jim Greenwood. The insurance position needs to be clarified. The land consists of some 60 acres split into 4 fields. It is isolated from other land and together with the land at New Park it is considered that a total of 42 stallions could be accommodated.

The New Forest Trust has agreed to pay £5,040 – which is half the rent for all the land. It is accepted that not all the land may be used and the exact contribution may be less.

A request for a contingency fund was made but the Trust decided it would rather deal with known costs. It was confirmed, however, that in the event of an urgent need for repairs to fencing or problems to water supply, it is open to further approaches.

The Scheme whereby stallion owners will be offered free grazing from October to March in turn for agreeing to keep their animals off the Forest until the end of March was felt to be a good way of getting the Stallion Scheme back on track. Stallions will, thereby be off the Forest from the end of July until the beginning of April each year.

The proposal was formally put forward by Mr Adams and seconded by Mr Gerrelli. All those in present were in favour.

A letter will be sent to the New Forest Trust, thanking them for their support of the scheme.

2005/1845 WILVERLEY INCIDENT DISCHARGE

The Clerk confirmed that a letter, approved by the Verderers' Insurance Company, has now been sent to the daughter of the lady involved in the incident with the mare and stallion on Wilverley Plain. To date, nothing further has been heard.

2005/1846 HOLLANDS WOOD & ROUNDHILL CAMPSITES – APPROPRIATE RESUME
ASSESSMENT

The Official Verderer reported that a Draft Appropriate Assessment has been written and that he and Mr Pasmore have read through it. English Nature has apparently expressed numerous concerns. Minutes of a meeting between Forestry Commission, English Nature and the Official Verderer were circulated to all members of the Court.

A case study meeting is the next stage and this will be arranged hopefully for the second week in October. It is intended that those present will include Terrence O'Rourke, Forestry Commission, Senior Conservation Officer English Nature from Peterborough and the Verderers.

The Official Verderer advised those present that the documents circulated are part of the appropriate assessment and are confidential to the Verderers.

VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME

2005/1847 VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME

RESUME

The Official Verderer reported that the Advisory Group has met. The Scheme is considered to be progressing very successfully. However, animal numbers are climbing towards the maximum limit of 7,000.

DEFRA are supportive and understanding of the scheme's possible future predicament but action must be taken immediately to put out the message that restraint is required to prevent stock numbers increasing further. A letter will be sent out to all commoners explaining the problem. A meeting of the Verderers' CSS Sub-Committee will take place on Monday next at 2.00 p.m. in the Library.

Minutes of the Advisory Group meeting are to be circulated to all members of the Court as soon as possible.

NATIONAL PARK

2005/1848 NATIONAL PARK AUTHORITY PLANNING CONTROL

DISCHARGE

Mr Frost reported that the Authority is working towards the target date of April 1st for taking on its role as Planning Authority.

2005/1849 NATIONAL PARK AUTHORITY MEMBERSHIP

DISCHARGE

Mr Ken Thornber has resigned. His place has been taken by Alan Rice.

2005/1850 NATIONAL PARK AUTHORITY TRAINING DAY

DISCHARGE

The training day was very well received and proved to be a productive day. It was enjoyed by all those who attended. Many have said they learnt a great deal and were very glad they attended.

The Official Verderer said to Mrs Cornish that other days and events can be held for members as and when required. He went on to thank Jonathan Gerrelli, the Head Agister, who, he added spoke very well. The Court also wished to thank Mr & Mrs Rayner for their hospitality

OTHER AGENDA ITEMS

2005/1851 FIVE YEAR PLAN & BUDGET DISCHARGE

The Five Year Plan and Budget were approved.

2005/1852 IDENTIFICATION OF STOCK – BRANDING RESUME

Miss Macnair drew the Court's attention to a draft paper produced by DEFRA entitled A Health & Welfare Strategy for the Horse, Pony and Donkey.

Section 19.4 on page 26 of the document states "At least three of the semi-feral societies use hot branding as a means of identification of for some of the ponies. This method is regarded as efficient and humane in the hands of an expert, but may give concerns in some sectors". The inclusion of this paragraph gives some hope that hot branding may continue to be legal.

The advice prepared by Leading Counsel Mr Charles Parry, following the recent prosecutions for non-payment of marking fees was circulated to members of the Court. It was agreed a new policy on branding and identification of commoners' stock is needed as a matter of urgency. A sub-committee consisting of Mr Adams, Mrs Thorne, Miss Macnair, Mr Pasmore, Mr Gerrelli and Mr Kitcher will meet as soon as possible to develop a system which needs to be simple to operate and understandable in order to satisfactorily identify ownership. The sub-committee was asked to bring preliminary thoughts and proposals to the October Court committee.

2005/1853 LIFE 4 RESUME

Mr Pasmore, Mr Kitcher, Mr Montagu and Mr Frost all expressed an interest in attending the forthcoming brainstorming meeting on the 27th September to try to identify projects for a further LIFE project.

2005/1854 REVISION OF CHARGES FOR SEARCHES AND BRANDS RESUME

The Official Verderer sought approval to bring in a fee scale for searches rather than the standard fee which is currently charged for most properties. Some members of the Court were concerned that if fees are set too high, income may be lost but it was agreed that the suggestion should be considered further.

The fee for allocating brands may also be revised and the sub-committee which is to discuss identification of stock was asked to consider this matter at the same time.

2005/1855 MARKING FEES FOR SHEEP DISCHARGE

Further to previous discussion in committee (Minute No. 2003/351) it was agreed that marking fees should be collected for sheep. The rate will be £10.00 on the Forest and £5.00 on the commons. No prompt payment discount will apply to sheep.

2005/1856 MARKING FEES – PROMPT PAYMENT DISCOUNT DISCHARGE

It was agreed that from 2006, the prompt payment discount will only be applied if fees are paid by the end of January.

2005/1857 VERDERERS' POLICIES DISCHARGE

A further discussion took place concerning the letter received from the Deputy Surveyor on the subject of the recently published revised Verderers' Policies. Mr Montagu commented that decisions must be based on the Verderers' statutory powers. It was agreed the Deputy Surveyor's letter was a helpful document and its contents were noted.

MATTERS ARISING FROM EXTERNAL COMMITTEES & WORKING GROUPS

STAFF MATTERS (including the Staff Committee)

2005/1858 PERSONAL ACCIDENT INSURANCE COVER FOR EMPLOYEES RESUME

At the last Staff Committee meeting a request was made for the level of cover in the event of an employee being permanently disabled to be reviewed. The Clerk was asked to check the level of cover currently provided.

2005/1859 MILEAGE PAYMENTS RESUME
April 2006

The Staff Committee asked if the Court would review the level of mileage reimbursement currently paid to the Agisters.

Mr Gerrelli declared an interest in this subject.

The Official Verderer said that the budget must be approved before consideration can be given to increasing the mileage rate.

TRAINING

2005/1860 FIRST AID TRAINING DISCHARGE

First Aid training for the Head Agister will be arranged in due course.

HEALTH AND SAFETY AT WORK

2005/1861 ACCIDENT ON THE BRATLEY DRIFT DISCHARGE

The Court was advised that one of the Agisters had an accident whilst riding on the Bratley Drift. The circumstances were investigated thoroughly and the necessary report made to the Health & Safety Executive as it was a "more than 3 days off work" accident. A note will be made on next year's risk assessment for that drift warning of the wet area in which the Agister's horse fell. The Agister has now recovered and is back at work.

ANY OTHER BUSINESS

2005/1862 THE ENVIRONMENT AGENCY'S NEW FOREST RIVERS DISCHARGE CATCHMENT PLAN

The Official Verderer produced a CD sent to him by the Environment Agency about the above. Mr Pasmore and Mr Frost both agreed to read the disk. The subject will be brought back to the Court if necessary.

2005/1863 FOREST HOLIDAYS PUBLIC – PRIVATE PARTNERSHIP RESUME

A press release has been received concerning a possible partnership between the Forestry Commission and the Caravanning and Camping Club. A copy has been provided to all members of the Court and the Official Verderer asked for comments at the next meeting.

2005/1864 MARKING FEES DISCHARGE

The Court agreed that marking fees should now be collected for animals running on the Forest which originate from neighbouring commons, which themselves are outside the jurisdiction of the Court, such as Minstead Manor. Payment will be at Forest rate. A formal announcement will be made in October with fees being due from 1st January 2006.

After careful discussion the Court agreed the level of marking fees should remain unchanged in 2006. To clarify, marking fees are payable as follows:

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| Ponies & Donkeys on the Forest (including Minstead Manor animals) | £18.00 if paid by 31 st January or before they are turned out. |
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£20.00 if paid after 31st January.

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|---------------------------------|--|
| Ponies & Donkeys on the Commons | £9.00 if paid by 31 st January or before they are turned out. |
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£10.00 if paid after 31st January.

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| Cattle on the Forest | £20.00 |
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| Cattle on the Commons | £2.50 (1/8 th Forest fee) |
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No prompt payment discount applies to cattle.

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| Pigs on the Forest and Commons | £1.00 |
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| Sheep on the Forest | £10.00 |
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| Sheep on the Commons | £ 5.00 |
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An announcement will be made in the October Open Court.

2005/1865 VERDERERS' AUDITED ACCOUNTS

DISCHARGE

The Audited Accounts had been circulated to all Verderers prior to the meeting.

No queries were raised and the Accounts were formally approved for signature by the Official Verderer.

Once they are signed, the Accounts will be displayed on the Verderers' website.

2005/1866 TRACK AT HYDE

DISCHARGE

Mrs Thorne reported that there is a dispute about a track between Hungerford Hill and the Church which runs past the local Club. The occupants of a property which is split by the track are trying to close off the track and so join the two parts of their property together. It is believed the track is subject to common rights and should be open.

The problem falls outside the jurisdiction of the Verderers but the Clerk said she remembered a discussion about the track when the property owners first erected gates at each end of the track some time ago. The Atlas and the files will be checked to see if any further information can be found.

Mrs Thorne will provide further details to Mr Pasmore who also offered to help if he can.

2005/1867 STALLIONS - RESEARCH

RESUME
April 2006

The Official Verderer reported that he has received a letter from Col Peter Sweet suggesting some professional research be carried out on the effects of the stallion scheme, detrimental or otherwise. The Official Verderer has spoken with the National Park Chief Executive, Mrs Lindsay Cornish and she has indicated the NPA may be able to assist once the authority is fully operational. It was agreed that research of this sort would be helpful.

2005/1868 REFLECTIVE COLLARS

DISCHARGE

The Court agreed a letter of thanks should be sent to the International League for the Protection of Horses for the collars that have been provided this year.

There being no further business, the meeting closed at 1.45 p.m.