

**MINUTES of the Court of Verderers held on Wednesday 21<sup>st</sup> September 2011 at 9.00 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 A Gerrelli	Elected Verderer
	Miss D Macnair MBE	Elected Verderer
	The Hon R Montagu	Forestry Commission Appointed Verderer
	Mr A H Pasmore	Elected Verderer (joined meeting during 2011/5639)
	Mr D Readhead	Co-opted Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister – for minutes 2011/5640 – 2011/5643
APOLOGIES:	Mr C Maton	National Park Appointed Verderer

**IN COMMITTEE in the Library**

2011/5637 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 20<sup>th</sup> July 2011 were approved.

2011/5638 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, including Mr Readhead, and Mrs Thorne all declared an interest in the Higher Level Stewardship Scheme.

Mr Deakin declared an interest in matters connected with the Beaulieu Road Sale Yard as he is a director and the treasurer of the New Forest Livestock Society. Mr Readhead also declared an interest in matters connected with the Beaulieu Road Sale Yard, and the Livestock Society as he is its Chairman.

Mr Gerrelli declared an interest in matters concerning campsites.

The Official Verderer declared an interest in the possible land exchange at Coxhill. Minute 2011/5659 refers.

2011/5639 ANNOUNCEMENTS AND DECISIONS RESUME

The Announcements and Decisions were approved. The following discussion took place.

Land at Kings Copse Road, Blackfield – Mr Frank Tillyer

The Official Verderer explained that a further letter has been received from Mr Tillyer, requesting the Verderers reconsider their previous decision. He continues to insist that a previous tenant never had authority to turn out stock from his land despite evidence contained in an email from that person stating that she did.

The Verderers were asked by the New Forest District Council, via the New Forest National Park Authority, to consider three criteria in respect of various parcels of land around the Forest.

1. Has the land been used in the past for back up grazing?
2. Is the land used now for back up grazing?
3. Is the land suitable for use as back up grazing?

The Court did not change its opinion that two of those three criteria are met in relation of Mr Tillyer's land i.e. that it was used in the past for back up grazing and also that it is suitable for such use.

**Mr Pasmore joined the meeting.**

Grit Bins

The Official Verderer thanked Mr Pasmore for his help in ascertaining the legal position regarding the placing of grit bins on the Forest.

A letter has been received from Cllr Melville Kendall and another from Minstead Parish Council, both of whom are unhappy with the Verderers stance over the grit bins. Both, however, are seeking a solution. An email supporting the Verderers in this matter has also been received. The press has also been reasonably supportive.

Photographs of damage caused by a bin sited outside Brockenhurst on the B3055 at Perrywood/Ironshill were circulated. They will be sent to Cllrs Kendall and Thornber as well as Minstead Parish Council and the Mr Richard Bastow, the local Highway Manager.

Action  
SW  
(partly)

The Beeches, Shappen, Burley – encroachment

The announcement has been agreed with the Forestry Commission.

The Court felt it is important to stress to the New Forest National Park, as the relevant planning authority, that when considering planning applications, it is essential it considers possible effects such developments may have on the common lands of the New Forest.

2011/5640 CONDITION OF STOCK

RESUME

**The Head Agister joined the meeting** and reported that on the whole the condition of stock remains quite good. Some mares which caused some concern at the beginning of the drift season, have improved considerably.

The weather has been bad for haymaking but good for grass on the Forest.

At the recent drift at Penn Common the ponies looked a lot better than in previous years. Some of this may be attributed to there having been only one stallion turned out in the area last year.

The acorn crop is more patchy than was first thought. They are falling and some stock has been seen acorning. Pigs are beginning to go out but numbers are down on last year. It is estimated only about 200 pigs have been marked (last year there were nearer 600). Pigs were expensive at the last Salisbury Market which has doubtless had a bearing on the numbers that commoners have purchased to turn out.

- 2011/5641 AGISTER ROBERT MATON RESUME
- Agister Maton has broken his collar bone as a result of his horse falling during the Culverley Drift. The other Agisters are sharing his duties.
- 2011/5642 STOCK NUMBERS – FOALS DISCHARGE
- As a result of the very poor prices attained at the recent Beaulieu Road Sale, it is expected that some foals will be branded and left on the Forest. Others which were taken to the sale but did not sell may be turned back out with the mares. 37 ponies never made the minimum bid of ten guineas some of which were nice fillies. Approximately 25 ponies did not reach their reserve.
- Foal numbers are up on last year, despite the stallion scheme. It is thought that some commoners are putting their mares in with stallions in fields. The mares are generally in better condition these days and so are more likely to get in foal.
- 2011/5643 AGISTER PETER RIX DISCHARGE
- Mrs Thorne asked for it to be minuted that Agister Peter Rix has put in a lot of extra time and effort to help commoner Mr Don Dibdin following his recent very serious accident. Agister Rix has been helping Mr Dibdin on his days off and at other times when his duties permit.
- The Official Verderer asked that this be minuted.
- The Head Agister left the meeting.**
- 2011/5644 HEALTH AND SAFETY RESUME
- The Clerk said she has reported Agister Maton's recent accident to the Health and Safety Executive as is required in such instances.
- 2011/5645 TRAINING RESUME
- The Clerk reported that all First Aid training is now complete.
- 2011/5646 STAFF MATTERS – STALLIONS RESUME
- Mr Deakin said the Stallion Sub-Committee will be challenged this year to devise an appropriate strategy for the coming year, bearing in mind the poor economic conditions prevailing at the moment. Mr Deakin has requested the Commoners' Defence Association to consider the matter and possibly bring forward some suggestions.
- Action  
RD

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

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

APOLOGIES: Mr Kevin Penfold, Acting Deputy Surveyor of the New Forest

**ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER**

2011/5647 LAND AT KINGS COPSE ROAD, BLACKFIELD

In July, Mr Frank Tillyer made a presentment concerning a piece of land that he owns in Blackfield. He objected to the land being classified as part of the back-up grazing resource for the New Forest. He requested the Verderers to retract the statements made for the New Forest District Council's Sites and Development Management Development Plan. The Verderers were asked to advise whether the land meets 1 of 3 criteria: was the land recently used for back up grazing; is it currently used for back up grazing; is the land suitable for back up grazing?

The Verderers have written evidence which indicates that animals were turned out from the land as recently as 2001. The land is suitable for back up grazing. The land meets 2 of the 3 criteria. The Court has therefore declined Mr Tillyer's request for the statements made to be retracted.

2011/5648 GRIT BINS ON THE OPEN FOREST

The common land of the New Forest, mostly in the ownership of the state (administered by the Forestry Commission), comprises the obvious heath and woodlands, but also nearly all the road verges within the perambulation. The use of that common land is controlled by the Verderers' Court under the New Forest Acts. In general anyone who wishes to erect or place structures on the common (including the Forestry Commission) must obtain the permission of the Verderers' Court. Failure to do so constitutes an offence against the Forestry Commission's byelaws and may also lead to an inquiry under Section 23 of the New Forest Act 1877, followed (if appropriate) by legal proceedings and a fine.

The New Forest Act of 1949 empowers the Verderers to approve or refuse the transfer of land in the Forest to a highway authority and for the authority to use that land for highway purposes if transferred. However, they may not fence or otherwise enclose it. The land adjoining the highways on which grit bins have been placed has not been transferred.

In 2010 Hampshire County Council, without seeking consent of the Forestry Commission or the Verderers, placed on the common land grazing, large numbers of grit bins made of blue plastic and containing grit with or without salt for treating the roads. In doing this Hampshire County Council appears to have committed an offence against the Forestry Commission's byelaws and contravened the New Forest Acts.

As well as being an encroachment on the common land, the salt has caused damage to the grass in the SSSI over a wider footprint than the bin itself. I am not aware why the grass is so damaged: it could be careless spillage during filling the bin, or perhaps the general public have been playing sand castles, or maybe the bins have drain holes allowing the salt to leach out. Grit bins have also been used for general rubbish disposal, and Hampshire County Council have also freely admitted that some grit bins were lost: either their original location was not properly recorded, or they had been moved by persons unknown, and some even stolen. Whatever, the grit bins are causing in every location on the perambulation both an encroachment on the common land and damage to the SSSI.

The desirability or otherwise of the provision of grit bins is not relevant. Consent should be sought from the Verderers, and might well be given on a temporary basis if the Verderers are satisfied with the locations being off the grazing and the salt not liable to damage the grazing. Public authorities, of course, can only act within their powers and neither the Verderers nor the Forestry Commission can set aside the provisions of the New Forest Acts which are designed to protect the common land – however desirable such setting aside might appear to Hampshire County Council.

Both the Verderers and the Forestry Commission challenged the placing of these bins and we had understood that Hampshire County Council agreed to their removal during the summer months. Some have been removed from the perambulation, but many remain, encroachments on the common land and damaging the SSSI. These grit bins which remain on the common lands must be removed immediately please.

The Verderers require the Forestry Commission to remove their (legal) campsite litter containers during the winter when the campsites are not in use. There is thus adequate precedent for the Verderers requiring Hampshire County Council to remove its grit bins during the summer when they are not in use.

The Verderers of the New Forest are not against grit bins as they clearly serve a useful purpose, and we would like to work with Hampshire County Council to resolve this issue. Through this Court I invite the councillors and officers of Hampshire County Council to consult with us on sensible locations for their grit bins sited off the grazing, and where the salt will not run onto the grazing to damage the grass. Once the consultation is complete, the Verderers' Court will consider the application in the usual way. If Hampshire County Council start this consultation now, there is no reason why the next Verderers' Court on the 19<sup>th</sup> October cannot consider this winter's grit bin locations, and the grit bins can be in place ready for any freezing weather.

#### 2011/5649 INQUIRY INTO A REPORTED ENCROACHMENT

It has been reported to us that there is an alleged encroachment at The Beeches, Shappen in Burley by the owners of the house Mr & Mrs David Childs and their builders Matrod Frampton, and the Verderers will inquire into this under Section 23 of the New Forest Act 1877 and if proven we will use our powers under the Act by summary order to direct that the encroachment is abated.

### **ANIMAL ACCIDENT REPORT**

#### 2011/5650 ROAD TRAFFIC ACCIDENT REPORT FOR JULY AND AUGUST 2011

The Agisters attended 28 accidents in July and August, compared with 29 in the same period last year.

4 ponies were killed.

4 ponies were injured and destroyed.

7 ponies, 1 cow and 1 donkey were injured.

1 pony and 1 cow were uninjured.

8 ponies and 1 donkey reportedly involved in accidents were not found.

16 accidents occurred in the hours of darkness.

13 involved private cars or light commercials.

4 accidents were hit and runs.

8 accidents involved local motorists

The total killed and injured to date is 57 compared with 52 for the same period last year.

## PRESENTMENTS BY THE ACTING DEPUTY SURVEYOR OF THE NEW FOREST

2011/5651 PANNAGE SEASON

By Mr Mark Street (Land Agent) on behalf of the Deputy Surveyor of the New Forest

In accordance with the provisions of Section 7 of the New Forest Act 1964, the Verderere have been consulted with regard to the dates of the pannage season and I hereby formal notify the Court that the season commenced on **Saturday 10 September 2011** and that it w end on **Sunday 26 November 2011**, 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. No person shall cause or allow to roam at large any pig in the Forest until fourteen days after it has been inspected by an Agister, marked and ringed and the appropriate payment has been made.  
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. The owner of any animal running on the Forest in contravention of the Verderers' byelaws 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.

## **PRESENTMENTS**

2011/5652 LAND AT KINGS COPSE ROAD, BLACKFIELD  
Presentment by Mr Frank Tillyer, of Rowdown Cottage, Blackfield

Mr Tillyer made a further Presentment concerning the Verderers' decision as announced by the Official Verderer earlier. He asked that the Court reconsider its decision and if it is unable or unwilling to retract the statement, to give its reasons in writing. Mr Tillyer attached a number of documents to his Presentment for consideration by the Court.

## **PRESENTATIONS**

2011/5653 PRESENTATION OF THE LIFE ROSE BOWL

Under the New Forest LIFE Project Pony Premium Scheme, which ran for four years from 1998, mares were inspected annually and the owner of the pony judged to be the best each year, was presented with the Rose Bowl.

The LIFE Scheme has long since ended and for some years the Rose Bowl gathered dust in the Verderers' Office.

Last year the New Forest Pony Breeding and Cattle Society suggested that the Rose Bowl should be awarded to the owner of the top-scoring mare in the annual round of Forest mare grading that is carried out each summer and the Rose Bowl was duly presented to the owner of Oakfield Lark.

We are pleased to continue to support the Society's Grading and Elite Scheme, the aim of which is to recognise and reward top quality ponies of good breed type. Registered mares which are a minimum of four years old and have had at least one foal are eligible.

Forest run mares are inspected on the Forest during the summer and assessed individually by three Society Breed Panel judges. They are scored on conformation, breed type and movement at walk and trot. The pass mark is 70%. If they achieve this mark, they are graded and awarded points which are entered into the Society's Elite Scheme.

This year the top mare is Wellhouse Betsy, owned by Mr Jan & Mrs Rebecca Puzio of Hale near Fordingbridge and are very pleased to present them with the Rose Bowl.

2011/5654 THE ROWL KITCHER CUP 2011

In 2007, we resurrected the annual award of the Rowl Kitcher Cup which was kindly donated some years ago by Mr Rowl Kitcher's family. The Cup was to be awarded each year to the owner of the highest scoring 2 or 3 year old colt at the stallion inspections held in the spring.

This year I am very pleased to present the Rowl Kitcher Cup to Mr Peter & Mrs Mandy Pidgley from Boldre, the owners of 3 year old Haywards Impressionist, the highest scoring young Colt selected to run out on the Forest this season, in the Sway area. Haywards Impressionist is a worthy recipient of this trophy, having been well placed at the Breed Show in a class including senior stallions.

## IN COMMITTEE in the Library

### CONSIDERATION OF PRESENTMENTS

2011/5655 LAND AT KINGS COPSE ROAD, BLACKFIELD

DISCHARGE

This matter had been discussed prior to the Open Court during the consideration of the Announcements and Decisions.

The Official Verderer explained that an email from a former tenant of Mr Tillyer's has been received, stating that she turned out cattle from his field. Mr Deakin and Mr Readhead have both provided statements concerning the land. Mr Tillyer has been provided with copies of all the documents and he included them in the documents which he handed to the Clerk, together with a copy of his Presentment, in Open Court this morning. Included in the papers was a copy of a letter to the Clerk dated 16<sup>th</sup> September in which, amongst other things he asked for a written statement from Agister Lovell, something he says he has been asking for since February.

The Court agreed that it would not change its view and a formal response setting out the reasons why will be sent to Mr Tillyer as requested. As it is thought Mr Tillyer may take this matter to appeal if the District Council's final decision is not in his favour, formal written statements, signed by Mr Deakin, Mr Readhead and Agister Lovell will also be prepared.

Action  
OV

Action

### NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION

2011/5656 CYCLE NETWORK WAYMARKERS

RESUME

The Forestry Commission put forward a proposal for a project to be funded by the HLS to renew and upgrade the cycle network waymarkers. In addition a number of new cycle counters may be installed on both the waymarked route and in areas where there is known to be widespread trespass. In addition, the cycle map will be updated and reprinted. The sum of £75,000 is sought for this project and the proposals have to be submitted by the end of September with a view to the work being commenced on or before the 1<sup>st</sup> January 2012.

The Court is supportive of the principle of upgrading the existing markers and in some cases moving them to more appropriate positions. However the Court agreed that there needs to be the inclusion of signs in those forest car parks without cycle routes to tell cyclists where they are not allowed to cycle.

As respects the proposed 15 cycle counters, it was pointed out that these are very expensive and it was queried whether so many are required and where they would be placed. The Court was advised by Mr Street that some of the counters will be used in places where illegal cycling takes place and it was confirmed that the counters can be moved.

The Court felt the present cycling map could be improved as it is not particularly easy to read, even by those who know the Forest reasonably well. It was suggested a new map should be designed, based on the OS mapping system.

In summary, the Court asked for the proposal to be modified to allow for



no-cycling signs and that more money should be allocated to the provision of a new, easy to understand map that can be distributed free of charge in place of the existing very poor map.

The HLS Board meets on Monday to consider the proposal and hopefully agree it in time for the Friday deadline.

Members of the Court were asked to assist by looking at the map and considering to identify the car parks where 'no cycling' signs need to be installed.

Action  
All

Action  
AHP

Mr Pasmore said he will collate responses.

Mr Pasmore also agreed to attend site where the Forestry Commission propose to place a waymarker post in a slightly different position and he has the Court's authority to approve or reject the new position.

Action  
AHP

2011/5657 NETWORK RAIL BRIDGE REPAIR WORKS AT IVY GUTTER BRIDGE DISCHARGE

Mr Graham Wilson, the Forestry Commission Estates Department's Keeper will meet with the local Agister to agree what needs to be done to avoid a clash between the proposed works and the drift. The Clerk was asked to contact Ian Vicary to ensure.

Action  
SW

The Forestry Commission has taken a bond of £6,000 as an insurance against damage to the SSSI.

2011/5658 PROPOSED FOUL SEWER CONNECTION TO BEECH HURST (CHURDLES), COTT LANE, BURLEY DISCHARGE

The proposal to put a new underground sewer connection to the above property using the standard working methods as set out by Natural England was approved subject to the usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc. In addition, however, careful supervision by Graham Wilson is required as the area is very wet.

2011/5659 POTENTIAL LAND EXCHANGE AT COXHILL DISCHARGE

**The Official Verderer declared an interest in this item and left the meeting.**

Mr Street explained that at this stage he is seeking the Verderers' views on land exchanges in general, with this request being used as an example.

The Court advised Mr Street that land exchanges have to be considered as they are provided for in the New Forest Acts. It is the Verderers' policy to seek an exchange on a 'value' basis rather than purely area. In addition, such proposals must come via presentment from the applicant, as they are always potentially controversial. A decision cannot be expected until after the next following Open Court in order to allow time for supporting or counter Presentments to be heard. Mr Street said he will report back to the applicant.

**The Official Verderer returned to the meeting.**

2011/5660 TEMPORARY FENCE AT LONGWATER LAWN DISCHARGE

The Forestry Commission sought agreement to erect some temporary fencing to protect some clay plugs in the meander of the stream. The level of livestock in the area has meant that the use of turves has failed due to poaching. Diversionary post and rail fencing is required, probably over two seasons. The cost will be covered by the HLS.

The Court agreed to this request.

#### **MATTERS ARISING OF CONCERN TO THE FORESTRY COMMISSION**

2011/5661 LYNDHURST PARISH COUNCIL CIRCULAR WALK – PROPOSED WORK AT SILVER STREET DISCHARGE

It was remarked that this is one of the most beautiful walks in the Forest and there was strong feeling that it should not be urbanised. It would be a shame to upgrade it too much, however, it was agreed that there are two places where the ground is very soft underfoot. The suggestion was made to treat the areas like a normal Forest passage, i.e. keep the restoration work to the minimum necessary. Extensive gravelling must not take place and the repairs are to be very low key. The work must be properly managed. Subject to these conditions, the Court approved the work.

Action  
MSt

2011/5662 ALDRIDGE HILL CAMPSITE OPENING TIMES DISCHARGE

Mr Pasmore referred to the New Forest Review of 1988. This campsite was regarded as one of the most damaging in the Forest and the recommendation was that it should be closed. This caused a terrific furore and as a compromise the restricted opening times which remain to the present day were agreed.

Long Beech has relatively low use and therefore the proposal to alter the opening hours of that site in exchange for an effectively extended period of opening for Aldridge Hill was not regarded as acceptable.

Mr Pasmore therefore proposed that the request to alter the opening hours at Aldridge Hill be refused. Mr Gerrelli seconded the motion which was carried unanimously.

2011/5663 ENVIRONMENTAL MONITORING WORK ON THE NEW FOREST SAC CONNECTED WITH FAWLEY REFINERY DISCHARGE

Mr Street reported that the monitoring proposals have changed and it will now be visual only. A formal Permission for access only has been issued.

2011/5664 BRAMSHAW GOLF CLUB REVISED MANAGEMENT PLAN RESUME

Mrs Westerhoff reported that the plan is not yet ready to be signed off. A number of things that were causing concern have been removed from the plan as requested. Some basic amendments are required and a solution to the conflict with stock from a nearby holding has yet to be found.

Action  
DW in liaison  
with MSt, RD  
& AHP

2011/5665	HIGHWAY MAINTENANCE	RESUME November Action SW
	The Clerk apologised that she has not been able to progress this matter and requested it be resumed in November. This was agreed.	
2011/5666	LYNDHURST GOLF CLUB MANAGEMENT PLAN	RESUME  Action DW
	Mrs Westerhoff reported that this Plan is nice and simple, the Club has done as it was asked. Changes have been agreed. It should be possible to sign off the Plan once the full document is available.	

### **SSSI RESTORATION WORKS**

There are no new projects.

### **ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION**

2011/5667	HASH HOUSE HARRIERS EVENT	DISCHARGE
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Mr Pasmore expressed serious concern at the level of disturbance caused by a recent 'Hash House Harriers' event. It seemed that the whole purpose of the event was to make as much noise as possible and one participant even remarked that they will 'have chased all the wildlife away'. The Court agreed such events are totally unacceptable in the depths of what was designated by the New Forest Committee as a 'quiet area' of the Forest.

The Forestry Commission was asked how events are distributed around the Forest and the Court was disturbed to hear that the New Forest Committee's designated 'quiet areas' are not recognised by the Forestry Commission.

Mr Street reported that the local Wessex Hash House Harriers Grand Master, Mr Martin Simmons, is doing his best to ensure that the complaint about the behaviour of the group encountered by Mr Pasmore is passed on. The group was reportedly from London and no permission had been given by the Forestry Commission for their event.

The problem is that the Open Access Maps show footpaths through the New Forest and so people think that they can go anywhere and apparently also think they can do what they like. The Forestry Commission does its best to manage events that they are aware of but they cannot do much about those that they know nothing about until afterwards.

It was also reported that a triathlon event clashed with a recent Sunday drift but because this event took place on the Highway, Forestry Commission consent is not required. It was suggested that as the associated camp was on local land, perhaps some liaison could be carried out.

Mr Pasmore proposed that the Forestry Commission be asked to prepare and consult on the distribution of large events with a view to them being re-located to Moors Valley or other more appropriate sites. This proposal was seconded by Mrs Thorne and carried unanimously.

Action  
MSt

2011/5668	MEMORIAL TO MR JEFF KITCHER	DISCHARGE
	<p>A request to erect a memorial to Mr Kitcher at Furzey Lodge was agreed. It will consist of a brass plaque on the butt of a tree dug into the ground (as close as possible to the pound) and sliced off at a suitable angle. It is understood that in addition, a special tree is being planted in Hartford Wood by the Beaulieu Estate.</p>	
2011/5669	ROUNDHILL CAMPSITE	DISCHARGE
	<p>It was noted that a lot of caravans seem to have been in situ for a long period. There appears to be no evidence of cars or people connected with these caravans and the Forestry Commission was asked for its views.</p> <p>In reply, Mr Street explained that some seasonal caravans are permitted but they have to be moved at 21 day intervals. A 21 day rule poster has recently been sent to all campsite wardens following several complaints of caravans not being moved.</p>	
2011/5670	CAMPER VAN AT BULL HILL	DISCHARGE
	<p>A camper van was seen parking over night in Bull Hill Car Park for several weeks during the summer. Also one was seen overnight on the Open Forest outside the North gate of Norley Wood. Mr Street asked that all such reports be made to Mr Graham Wilson as soon as possible after the vehicles are noticed. Efforts are always taken to ensure the vans are moved on and persistent offenders are dealt with. The Clerk was asked to provide a copy of the Keepers Rosta to the Official Verderer and Mrs Thorne.</p>	Action SW
2011/5671	ILLEGAL PARKING BETWEEN THE BEAULIEU ROAD SALE YARD AND PIG BUSH, JUST AFTER THE IPLEY JUNCTION	DISCHARGE
	<p>The Official Verderer reported that there is a small area under the clump of trees where a camper van is often parked. Dragons teeth are requested to prevent the illegal parking.</p>	Action MSt
2011/5672	ILLEGAL FIRES AND BARBEQUES	DISCHARGE
	<p>The Official Verderer reported 2 cars in the driftway at Ladycross. A fire had been lit close to a fallen tree. Mr Street said the area would be monitored.</p>	Action MSt
2011/5673	WATER MAIN LEAK CLOSE TO STOCKLEY COTTAGE	DISCHARGE
	<p>It was queried whether the reinstatement has been completed. Orange netting erected to protect the site has now collapsed. Mr Street said he will investigate and take the necessary action.</p>	Action MSt
2011/5674	WORK ON BRIDGES	DISCHARGE
	<p>The Forestry Commission was thanked for its good work on bridges at Mill Lawn and Greenbury.</p>	

2011/5675	CHINESE LANTERNS	DISCHARGE
	The Court wished its concerns at the extreme hazards caused by Chinese Lanterns to be recorded. It is felt it is only a matter of time before a serious fire is caused by a lantern which lands in the woods or on the heather.	
2011/5676	SPRING BUSHES CAR PARK	DISCHARGE
	Mrs Thorne reported large quantities of brash and numerous pits some of which contain mud a foot deep behind Spring Bushes Car Park. It was requested that these hazards be removed.	Action MSt
2011/5677	NOTICES ON THE FOREST	DISCHARGE
	The Forestry Commission was reminded that notices on the Open Forest, such as that on the Milkham East Gate car park concerning river restoration works, do need Verderers' Consent.	Action MSt
2011/5678	MILKHAM EAST GATE	DISCHARGE
	Mrs Thorne reported that the first crossing on the left after the gate is in a horrendous state. It is part of an old stream filling project. It was revisited a while back but nothing has been done. The track is bad and the rejects which were placed in it need dealing with. Concern was expressed that a third crossing will in time become dangerously soft.	Action MSt
2011/5679	PANNAGE SEASON DATES	DISCHARGE
	Mr Deakin thanked the Forestry Commission for its co-operation in agreeing a more satisfactory system for consulting on the dates of the pannage season. It is hoped the same system can be employed next year.	
2011/5680	CATTLE GRID AT BURLEY NEW	DISCHARGE
	The cattle grid at Burley New, adjacent to the Keeper's Cottage resembles a lawn – it is so full of silt and vegetation. A pony became entangled in the wire recently because one pony had got into the inclosure over the cattle grid but the other tried to join it by climbing through the fence. It was requested that the grid be cleaned out as a matter of urgency.	Action MSt

**ENCROACHMENTS OF INTEREST TO THE FORESTRY COMMISSION**

2011/5681	ENCROACHMENT LIST	RESUME
	An updated list was circulated.	Action MSt
2011/5682	LAND AT KINGS COPSE ROAD, BLACKFIELD	RESUME
	Mr Street advised the Court of a possible encroachment at Kings Copse Road in the form of a widened and gravelled entrance in front of a new gate.	

2011/5683	JEALOUS HOLDING WATER SUPPLY	DISCHARGE
	This request was held over from July whilst an encroachment was dealt with. The encroachment has now been abated and the proposals for the new water main were approved subject to the usual conditions.	
2011/5684	NEW GATE AT EAST END – OPPOSITE HIT AND MISS COTTAGE	DISCHARGE
	This encroachment has been added to the list and is being dealt with.	
2011/5685	HOLLY COTTAGE, BISTERNE CLOSE, BURLEY	DISCHARGE
	The alleged encroachment at this property was a matter that the previous Land Agent had dealt with. Unless more evidence comes to light it is felt nothing more can be done. The Forestry Commission will of course keep a close eye on the property to ensure further encroachments do not occur.	
2011/5686	NO.11 CROSSING KEEPERS COTTAGE / HOLMSLEY GATEHOUSE	DISCHARGE
	The occupiers of the property are now parking on gravel outside the curtilage. This is considered to be acceptable as it causes less damage than parking on the grass as has occurred in the past. The new fence appears to be in the right place although there is a degree of difference along the roadside. This property has history and it would be difficult to prove now where the fence line was originally. It was agreed that no further action should be taken but the property will be carefully monitored to ensure that the present boundary, which is now properly recorded, is not moved with further encroachment taking place. Theoretically the house remains an illegal encroachment on common land.	
2011/5687	GRIT BINS	RESUME
	East Boldre Parish Council was the only one to seek consent for a grit bin from the Forestry Commission.	
	In order to try to resolve this issue it was agreed a working group consisting of the Official Verderer, Mrs Thorne and Mr Street will endeavour to meet with the Highway Authority next week. In the meantime the Court insists that the grit bins must be removed from the perambulation before consent for any bins is granted.	Action SW
	The Clerk asked members of the Court to look at the list of grit bin locations that she circulated recently, and to let her know which are acceptable and which are not.	Action All
2011/5688	CATTLE GRID AT HOLMSLEY – A35	DISCHARGE
	The Clerk reported that the Highway Authority and Forestry Commission wish to remove the cattle grid which is situated on a track leading to Brownhills Inclosure, off the A35 and opposite the Forestry Commission cottages at Holmsley. The gate adjacent to the grid is constantly being left open. It cannot be locked as there is no alternative access for horse riders or cyclists. The proposal is to remove the grid, retain the field gate which will then be locked and construct a box gate for use by cyclists and horse-riders. The proposal was approved.	
	The Clerk will advise the Highway Authority.	

**Mr Street left the meeting.**

**OTHER MATTERS ARISING**

2011/5689 COMMONERS' DWELLING SCHEME PANEL MEMBERSHIP DISCHARGE

Mrs Westerhoff kindly agreed to sit on the Commoners' Dwelling Scheme Panel. Action SW

2011/5690 NEW FOREST TRUST VISITOR GIFT SCHEME PANEL DISCHARGE

After careful consideration the Court felt it is not appropriate for a Verderer to sit on this panel. Mr Richard Manley of the New Forest Trust will be advised. Action SW

2011/5691 BBC FILMING OF DRIFT DISCHARGE

In a departure from policy, permission was recently given to the BBC to film part of a drift.

The programme is part of a series, intended to form a historic record of three National Parks. It documents the seasons in the Forest and is focussed on the Stride family.

The Court wished to make it clear that this is a one-off approval, allowed because it was felt it is important for a record to be made from time to time.

Filming is generally regarded as disruptive to the drifts unless very well controlled but that usually means considerable input from the Agisters, who do not have time. For these reasons future requests will not be approved for the time being.

2011/5692 LONG MEADOW DISCHARGE

The lease has not yet been signed although the mares from the Bloodlines Scheme are grazing the land. Mr Draper will be asked to chase up the lease. In the meantime, the Clerk advised the Court that she has arranged for third party liability insurance cover to protect the Court from any claims should an animal escape and the blame be laid at the Verderers' door. This does not relieve the owners of the mares from the requirement for them to carry liability insurance as well. Action SW/CD

**VERDERERS GRAZING SCHEME (VGS)**

2011/5693 BEAULIEU ROAD SALE YARD WATER SUPPLY RESUME November

The HLS has paid £285K towards the cost of the pipeline and upgrade. Mr Draper, VGS Manager has obtained agreement from the hotel and cottages to contribute approximately £60K between them towards the cost of supplying water to their properties. There was originally an unwritten agreement that the New Forest Trust, as leaseholders of the Sale Yard Site would receive these monies to cover future maintenance of the site. However, as Chairman of the HLS Board, the Official Verderer felt this is insufficiently transparent. All expenditure on the project was via the National Park Authority in order the VAT could be recovered. The Official Verderers' view is that whilst the New Forest Trust is worthy of receiving

the money, it should be put back into the VGS account. Separate discussions can then take place at the VGS Committee and the Verderers' Court regarding a grant to the Trust after the Trust comes forward with a formal proposal. For the avoidance of doubt, it was explained that the New Forest Livestock Society, which runs the Pony Sales, has a licence to hold the sales via the Trust, hence the suggestion that the Trust should be kept in funds via the VGS for major repairs and maintenance.

The Official Verderer and the Clerk will write to the Chairman of the New Forest Trust, Mr Richard Manley, to explain the situation and to invite the Trust to make an application for funding.

Action  
OV/SW

2011/5694 NATIONAL TRUST CONTRIBUTION TO GRAZING PAYMENTS

RESUME  
November

Certain landowners other than the Crown, with land within the perambulation which is subject to common rights receive £200 per hectare in respect of stewardship on their land. This includes the National Trust. There is a condition in their agreements that the Verderers' Grazing Scheme will support the grazing element and therefore the private schemes reimburse the Verderers in that respect at an agreed rate of £28/ha.

The National Trust is resisting the principle because some of its commons are overgrazed, so it does not want to encourage grazing on these commons. The National Trust has offered to contribute only £10,000 to the VGS which it argues is a contribution towards the cost of the Agisters.

The Official Verderer has written to the National Trust suggesting that it contributes £28/ha in respect of those commons which are not considered overgrazed but pay nothing in respect of the commons that are overgrazed. It was agreed that the Official Verderer needs to meet with the National Trust Land Agent to try to find a solution.

Action  
OV

**NEW FOREST NATIONAL PARK**

2011/5695 NATIONAL PARK CONSULTATION ON THE DRAFT GUIDELINES SUPPLEMENTARY PLANNING DOCUMENT

DISCHARGE

Mr Pasmore agreed to take this document away and consider the content. He will advise the Clerk if a response from the Court is necessary.

Action  
AHP/SW

**MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS**

2011/5696 RECREATIONAL WORKING GROUP

DISCHARGE

The working group is constantly pushing for more cycle routes on the Forest with the Verderers and New Forest Association's representatives being the only strong objectors.

Action  
RD

**FINANCIAL AND OTHER MONTHLY REPORTS**

2011/5697 MARKING FEES RECEIVED TO DATE

RESUME

Ponies	4503	Pigs	35
Cattle	2362	Sheep	130
Donkeys	123		



	TOTAL	6988	TOTAL ALL ANIMALS	7153	
2011/5698	ANIMALS REMOVED IN JULY AND AUGUST FROM THE FOREST DUE TO POOR CONDITION				RESUME

3 mares with foals. 1 mare on her own.

TOTAL 4

**STAFF MATTERS (including the Staff Committee)**

There were no staff matters to discuss at this meeting.

**ANY OTHER BUSINESS**

2011/5699	A31 POLLUTION FROM ROAD		DISCHARGE
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Run-off from the A31 is polluting the Forest at SSSI Unit 80, east of Slufers and north of the road. The Clerk was asked to contact Enterprise Mouchell which is already aware of the problem to arrange a site meeting with Mrs Westerhoff.	Action SW DW
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2011/5700	ROCKFORD FARM		RESUME
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Rockford Farm is for sale. The National Trust is keen for the farm to be acquired as part of the commoning resource. It is reportedly being sold in lots. It has been suggested that the HLS might be able to assist with the purchase of some land. A meeting is to be arranged which Mr Pasmore will attend on behalf of the Verderers. Ms Claire Gingell at the National Park Authority is the contact.	Action AHP
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2011/5701	NATURE IMPROVEMENT AREA		DISCHARGE
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Mrs Westerhoff and Mrs Thorne attended a meeting with the National Park Authority and Hampshire Wildlife Trust. A proposal is being drawn up for funding to create a Nature Improvement Area. The Chief Executive of the NPA would like to know if the Court would support such a proposal. The Court was unable to support the NIA without considerably more information.

2011/5702	STONE PICKING ON BEAULIEU AERODROME		DISCHARGE
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Mr Gerrelli commented that he saw two people stone picking. He was interested to know if the people were Forestry Commission contractors and whether it has been funded through the HLS. The Clerk was asked to find out and let him know.	Action SW
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2011/5703	HOT BRANDING OF PONIES		DISCHARGE
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A report on hot branding commissioned by the RSPCA is due out in October. The matter will be included on the October Court Agenda if there is anything to report or action is required.	Action PT/SW
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2011/5704	PROPOSED SEWER CLEANING WORKS AT WATERS GREEN, BROCKENHURST		DISCHARGE
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The Clerk reported on a letter she has received from Wessex Surveyors, advising that sewer cleaning work needs to be carried out by Southern

Water (and their contractor Clancy Docwra) on a 88 metre pipe between two inspection chambers in the grass verge alongside Waters Green at Brockenhurst.

The work statement was considered satisfactory and the Forestry Commission will be issuing a permission with the usual constraints covering the management of environmentally sensitive areas and care for livestock. Permission will only be given once approval or consent has been granted by the Court and Natural England.

The Court was happy with the proposals, subject to the conditions stated, and the Clerk will advise the applicants accordingly.

Action  
SW

There was no further business and the meeting closed at 13.50 hrs