

# VERDERERS' POLICIES

approved 20<sup>th</sup> July 2005

## 1. THE PRIMARY OBJECTIVE

- 1.1 The primary objective of the Verderers is to protect and administer the New Forest's unique agricultural commoning practices, to conserve its traditional landscape, wildlife and aesthetic character, including its flora and fauna, peacefulness, natural beauty and cultural heritage, and to safeguard a viable future for commoning upon which these depend.
- 1.1 The following overall aims and policies are all directed to achieving the Primary Objective, and for convenience the characteristics in the Primary Objective are referred to below as the "special qualities of the Forest".

## 2. OVERALL AIMS

- 2.1 The Verderers will endeavour to ensure that the unspoilt natural beauty of the Forest is maintained and, where necessary, restored and/or enhanced.
- 2.2 The Verderers will seek the relocation or cessation, or where that is not possible, mitigation of any activities that are damaging to the special qualities of the Forest, and in particular those which impinge on its peacefulness and tranquil character.

## 3. COMMONERS AND FARMING

- 3.1 The Verderers believe that the system by which the Forest is farmed through the exercise of common rights is essential to the protection of its special qualities. In carrying out their functions (with due regard to statutory constraints), the Verderers will
  - 3.1.1 ensure a high standard of livestock health and welfare.
  - 3.1.2 enforce the byelaws of the Court
  - 3.1.3 seek to provide an environment in which farming through the exercise of common rights is viable and successful
  - 3.1.4 seek to reduce road accidents involving commonable animals, subject to a general presumption against further road fencing except as a last resort.
  - 3.1.5 seek to reduce any harmful effects of other uses of the Forest upon farming.
  - 3.1.6 promote, so far as lies in their power, the well-being of the Commoners as a community essential to the future of the New Forest.
  - 3.1.7 seek to maintain the number of commoners stock to a level that is commensurate with conserving the Forest and maintaining its traditional character as required by the Court's agreement with DEFRA

## 4. CAMPING

- 4.1 In deciding on proposals for new or altered camping facilities, the Verderers will give favourable consideration to any application they receive where
  - 4.1.1 they are advised by English Nature and/or any other relevant authority, that the proposed development and its subsequent use will cause no material conflict with the ecological or other scientific qualities of the Forest which the Court has a statutory duty to protect, and,
  - 4.1.2 they are satisfied that the proposed development and its subsequent use will otherwise cause no material conflict with the special qualities of the Forest.

- 4.2 In relation to existing camping facilities, the Verderers will, where these facilities or their use is in conflict with the special qualities of the Forest, seek to secure either their relocation to such more suitable sites less damaging to the Forest and beyond the commonable lands as may be approved by the planning authority, or where that is not possible seek their closure.

## **5. CAR PARKING**

- 5.1 Where car parking or the recreational use which it generates is in conflict with the special qualities of the Forest, the Verderers will seek to secure its reduction or relocation to more suitable sites, which are less damaging to the Forest. Proposals to increase overall levels of car parking will not normally be given favourable consideration.

## **6. RECREATION AND RECREATIONAL FACILITIES**

- 6.1 The Verderers believe that the New Forest should be available to the public for quiet recreation. To achieve this, while protecting the special qualities of the Forest, the Verderers will seek to ensure that new formal recreational facilities and uses such as playgrounds and sports fields are not normally provided on the commonable lands.
- 6.2 Existing formal recreational facilities and uses which are causing unacceptable damage to the special qualities of the New Forest should, whenever possible, be relocated to more suitable sites approved by the planning authorities outside the commonable lands.
- 6.3 New development, ancillary to recreational uses such as the provision of furniture, play equipment, sculptures, sales points and sports trails will not normally be permitted on the commonable lands. Wherever possible, the Verderers will seek the removal or better regulation of such existing facilities and uses where they are causing damage to the special qualities of the Forest.
- 6.4 Essential development ancillary to recreational use (such as lavatory blocks, standpipes, and litter receptacles and signs) must be kept to a minimum and will normally only be approved where they are of an acceptable design and are appropriately located.
- 6.5 New formal recreational activities (distinct from facilities) will not normally be approved where they would cause material conflict with the special qualities of the Forest, or intensify existing pressures on the Forest.

## **7. UTILITIES AND ROADS**

- 7.1 To protect and restore the special qualities of the New Forest, the Verderers will only approve new public development on the commonable lands where
- 7.1.1 the development will further the primary objective (above); for example, trenching to put existing overhead cables underground, or a reduction in traffic speed on unfenced roads, including road improvements which are otherwise acceptable incorporating noise and visual screening or
- 7.1.2 the works are minor in nature, have no significant effect on the primary objective and no reasonable alternative is available (e.g new underground pipes or cables to an individual house or field).
- 7.2 Where required by the Verderers and before approval will be given, adequate exchange land must be offered, and agreements must be entered into for the removal and full restoration of the site of the utility should it become redundant.

## **8. SIGNAGE**

- 8.1 The Verderers will normally approve signage on the forest where it can be demonstrated to be necessary for safety or essential information. The visual impact of signs should be no more than is necessary for the signs to be comprehended. The design, materials, colours and location of signs should be sympathetic to the landscape of the forest and, where appropriate, emphasise the identity of the New Forest.

- 8.2 The Verderers will seek to be consulted in the formulation of any signage policy which may be drawn up by the Highway Authority, the Forestry Commission, or the National Park Authority.
- 8.3 The Verderers will seek the removal of any unauthorised signs erected within the Forest, including highway and Forest verges.

## **9. MAN-MADE FEATURES**

- 9.1 When man-made features and infrastructure on the Forest become a hazard or redundant the Verderers will usually seek the removal of such features, the restoration of the site where necessary, and the making good of any damage to the ground. Exceptions will be made where a feature is either considered important to the cultural heritage of the Forest, or the feature has an appropriate new use or if its removal would cause unacceptable damage.

## **10. LAND EXCHANGES WITH THE MINISTER**

- 10.1 The Verderers will agree to a land exchange only after detailed examination of the proposal and after a public presentment, and where the exchange would not prejudice the primary objective above. Exchanges will be on a value basis only – not area for area.

## **11. EDUCATION AND INFORMATION**

- 11.1 The Verderers support the provision of education and information for the public as to the special qualities of the New Forest, and the carrying out of scientific research. Where consent is required the Verderers will give favourable consideration to such proposals, provided the activities would not materially damage the special qualities of the Forest.

## **12. RELATIONSHIP WITH OTHER PUBLIC BODIES**

### **12.1 NATIONAL PARK**

12.1.1 The Verderers will, in recognition of their duty to have regard to the statutory purposes of the National Park, forge and maintain a close working relationship with the National Park Authority and will ensure that Park purposes are taken in to account when considering or carrying out their primary objective.

12.1.2 In addition, and as set out in the Minister's Guidance to the New Forest National Park Authority, the Verderers will seek to ensure that the Park Authority:

12.1.2.1 fully understands the workings of the commoning system

12.1.2.2 will take any action necessary to support commoning and foster its long term viability

12.1.2.3 fully includes the Court in the preparation and review of the Management Plan

### **12.2 OTHER BODIES**

12.2.1 The Verderers will seek to maintain a close working relationship with the Forestry Commission, and all other public bodies or relevant authorities with duties and responsibilities within or affecting the New Forest, and will consult with them when necessary.

### **12.3 NATURE CONSERVATION**

12.3.1 Before deciding on any permission or proposal which may affect an SSSI, SAC, SPA or Ramsar Site the Verderers will seek advice from English Nature and/or any relevant authority. The Verderers will seek to ensure that any application they receive is assessed in accordance with the relevant nature conservation legislation.

## **VERDERERS OF THE NEW FOREST**

### **Policy approved: 20<sup>th</sup> July 2005**

NOTE: Sources of statutory, customary and relevant powers and duties include

Primary legislation set out in:

The New Forest Acts of 1877, 1879, 1949, 1964, and 1970

The Countryside Act 1968 Section 23

General statutory duties set out in:

The National Parks and Access to the Countryside Act 1949 Section 11A (as introduced by Section 62 Environment Act 1995)

The Wildlife and Countryside Act 1981 Section 28G (as amended by Countryside and Rights of Way Act 2000)

Regulation 48 of the Habitats Regulations

Existing Agreements

Memorandum of Understanding, Verderers & Forestry Commission, 12<sup>th</sup> November 2002

Declaration of Intent, Verderers, Forestry Commission & English Nature 25<sup>th</sup> July 1995

Commons Agreement 1964

Enclosures Agreement, Verderers & Forestry Commissioners 18<sup>th</sup> January 1960

Relevant Agreements:

The Minister's Mandate 1999 – 2008, confirmed by the Forestry Minister 28<sup>th</sup> July 1999

Minister's Guidance to the New Forest National Park Authority, on behalf of the Secretary of State, 17<sup>th</sup> February 2005

The above list is not intended to be exhaustive and merely lists the main statutes and agreements for ease of reference