

**Minutes of the Court of Verderers held on 19th July 2023 at 9.30 a.m.
in the Verderers Hall, the King's House, Lyndhurst**

PRESENT	Mr E Heron	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Dr G Ferris	Co-opted Elected Verderer
	Mr R Manley	DEFRA Appointed Verderer
	Mr A H Pasmore	Senior Elected Verderer
	Mr D Readhead	Elected Verderer
	Mr R Stride	Elected Verderer
	Mr C Chatters	Natural England Appointed Verderer
	Mr M Gammon	Forestry Commission Appointed Verderer
	Vacant	National Park Appointed Verderer
IN ATTENDANCE	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister

IN COMMITTEE in the Library

2023/12976 NATIONAL PARK APPOINTED VERDERER DISCHARGE

The Official Verderer advised that Miss Sevier is no longer a member of the NFNPA, and therefore, at present, the NFNPA Verderer appointment position is vacant. It is expected an appointment will be made following the NFNPA's October meeting.

2023/12977 MINUTES OF THE LAST MEETING RESUME

The minutes of the last Court held on Wednesday 21st June 2023 were approved and signed by the Official Verderer.

2023/12978 NEW DECLARATIONS OF INTEREST RESUME

None.

2023/12979 CONDITION OF STOCK – REPORT BY THE HEAD AGISTER RESUME

The Head Agister said overall he is very pleased with the condition of stock. A little rain fell at just the right time and there is a lot of food on the Forest. The animals are doing very well.

There are a lot of cattle on the Forest and it is thought most herds that are going to be turned out, have been. There are some nice foals around and the Agisters are carrying out their foal counts.

There are still a few, predominantly older ponies, which are lacking condition. One very elderly mare was recently removed from Burley following several complaints from one local resident. The mare was old and because of that her back had dropped meaning her shape had changed and she did look thin. She was actually, however, quite strong and healthy. For sentimental reasons, her owner had hoped to let her spend one more summer on the Forest. 2 other mares with foals which were also a little thin, have been removed from Stoney Cross.

2023/12980 MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

	<u>2023</u>	<u>2022</u>
Forest Ponies	4817	4616
Forest Cattle	2658	2386
Forest Donkeys	104	122
Forest Pigs	0	0
Forest Sheep	0	0
Total Forest Stock	7579	7124
Common Ponies	588	619
Common Cattle	1177	814
Common Donkeys	98	107
Common Pigs	22	14
Common Sheep	152	162
Total Common Stock	2037	1716
Ponies, Cattle & Donkeys on the Forest	7579	7124
Ponies, Cattle & Donkeys on the Commons	1863	1540
Total Ponies, Cattle & Donkeys	9442	8664
Total Stock – Forest & Commons	9616	8840

2023/12981 BREACHES OF THE BYELAWS RESUME

The owner of a number of cattle which were ordered off the Forest due to poor condition, has appealed the decision of the VGS Committee to withhold his payments. The Official Verderer will consider the appeal with input from another Verderer with knowledge of the case.

Action OV

It was agreed that the procedure for considering appeals should be reviewed.

Action VGS
Sub-Cttee

The Head Agister left the meeting

2023/12982 VERDERERS REPRESENTATION ON EXTERNAL COMMITTEES & WORKING GROUPS RESUME
November

Mr Chatters agreed to join Mr Deakin in representing the Court on the Freshwater & Wetland Restoration Forum.

Mr Gammon agreed to sit on the VGS Management Committee.

Decisions on representation on two other groups will be held in abeyance until a new NFNPA Verderer is appointed.

OPEN COURT

IN ATTENDANCE: Mr Craig Harrison, Deputy Surveyor
Mr Paul Grugeon, Land Agent

The Head Agister opened the Court with the usual proclamation.

ANNOUNCEMENTS & DECISIONS

2023/12983 PUBLIC SPACE PROTECTION ORDERS

The two PSPOs, covering the lighting of fires and BBQs and the feeding and petting of ponies, donkeys and mules, are now in effect. While only time will show whether their introduction will reduce incidences of fires and BBQs and of the public interacting with depastured stock, the Court expresses its gratitude to New Forest District Council for making the orders.

2023/12984 COMMERCIAL DOG WALKERS

The Court shares concerns expressed at the increase in commercial dog walkers undertaking their business within the Forest. Through the introduction of a licencing scheme, controls could be put in place to ensure that operators hold appropriate public liability insurance and that they undertake their commercial activity to prescribed standards, to minimise risk to wildlife, depastured stock and the public. The Court has asked that Forestry England consider introducing a licencing scheme, learning from schemes that have been successful introduced elsewhere in the country.

2023/12985 NEW FOREST SHOW

The Court will again be attending the New Forest Show this year and I encourage you to visit the Verderers stand in the Heart of the Forest area.

ANIMAL ACCIDENT REPORT

2023/12986 THE ANIMAL ACCIDENT REPORT FOR JUNE 2023

The Agisters attended 6 accidents in June this year compared with 5 in June last year.

4 animals died – a pony, a donkey, a cow and a pig.

A donkey involved in another accident was uninjured.

Nothing was found following a report of a pony involved in a further accident.

5 accidents happened in daylight, the other 1 in the dark.

1 driver failed to report having collided with a commoners' animal.

The total number of animals killed and injured in the year to date is 17, compared with 19 in the same period last year.

PRESENTMENT BY THE DEPUTY SURVEYOR

2023/12987 PANNAGE

'In accordance with the provisions of Section 7 of the New Forest Act 1964, the Verderers have been consulted on the dates of the pannage season. I notify the Court that the 2022 season will commence on Monday 11th September and end on Friday 17th November, 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.'

PRESENTMENTS BY THE PUBLIC

2023/12988 ROGER PENNY WAY - AVERAGE SPEED CAMERAS

Presentment by Mr Andrew Parry-Norton, Chairman, New Forest Commoners' Defence Association

'Good morning official Verderer, Verderers and Court members

I wish to express the disappointment of the CDA that the police do not consider the installation of speed cameras on the Roger Penny Way fulfils their criteria and they will not be installed.

As Commoners we lose stock every year on this stretch of a road, often several animals in one accident. As yet a human life has not been lost but it's a matter of when, not if.

The CDA recommend in the strongest terms to the Police they review their decision before this happens. We, the CDA, will support the Verderers in every respect to get this decision reversed.'

2023/12989 SHOBLEY / FOREST OAKS

Presentment by Mr Andrew Parry-Norton, Chairman, New Forest Commoners' Defence Association

'You will recall that last month I made a presentment on behalf of the CDA concerning the constant fight our association has with encroachments generally both on the Crown Lands and Added Areas.

This month I want to make a presentment on a specific encroachment at Forest Oaks, Shobley near Ringwood. This is a battle we have been fighting for nearly four years now. The owner of Forest Oaks who also owns some 10 acres of common to the rear of his property has enclosed an area of some 2/3-acre immediately adjoining his property. This land was formerly available to our depastured stock but they are no longer able to access it.

I do not need to remind the Court that it is unlawful to enclose common land.

We had been in negotiation with the owner together with the Verderers and we were hopeful and confident that an agreement had been reached with the owner in early 2020 to resolve the issue that would mean the removal of the encroachment. Unfortunately, the owner was not prepared to agree to the proposal put forward by the Verderers and was not concluded.

Since then, despite several attempts from us to get the fence removed the owner has refused to comply with our requests or discuss the matter. We reluctantly issued court proceedings at the end of 2022; the owner is defending this case and the projected total costs for this case amount to approximately four hundred thousand pounds.

This sum of money clearly exceeds the financial assets of our organisation and although we have received one or two offers of financial support from local and national organizations, which is much appreciated, we need to raise a further large sum in order to continue fighting the case.

This is of fundamental importance not only to the Commoners of the New Forest but it could well affect over 100,000 acres of Commons throughout England and Wales.

Although we remain very grateful that the Verderers having supported us in this fight, we are extremely disappointed that neither the NPA nor Natural England have contributed in any way to assisting us, either using their physical or financial resources.

Indeed, we would welcome support from any Forest stakeholders, this is not a battle we can win on our own, not because we do not have a strong case but simply because of the potential level of resources we will need to administer this action.

We have therefore decided to start a Crowd Funding Page; the Official Launch will be at the New Forest Show at the end of this month and we do urge everybody who has a desire to see the forest remain as it is and available for grazing animals, to support this page in as generous a manner as they can afford.

This really could be the thin end of the wedge and may eventually result in the loss of many acres of common land both here and indeed throughout the country, if we do not succeed, we therefore ask for the Court's continued support. Thank you.'

2023/12990 ROGER PENNY WAY – AVERAGE SPEED CAMERAS
Presentment by Gilly Jones, Commoner, and the lead on New Forest Roads Awareness

'Good morning Official Verderer, Verderers and members of the public.

I would like to update you about the New Forest Roads Awareness' views on the statement from HCC regarding Average Speed Cameras on the B3078, Roger Penny Way.

We are, of course disappointed at the outcome of the feasibility study, as the ones out there doing the speeding operations, we would have liked to have had some input, so we could have shown what we have seen.

It was concluded that the road and its usage patterns do not meet the necessary criteria. The criteria are set out by the Dept. of Transport emphasise that incidents that result in human death is the benchmark. In our opinion this does not take into consideration the unique roads within the New Forest.

Is this going to stop us doing what we do, trying to prevent animal accidents on that road or on other roads? Of course not. It is a stumbling block, but we have met and overcome them before. We know how to push a rock up a hill. See us as very determined dung beetles.

We may have become a victim of our own success, as it stands accidents involving livestock are still at a very low level compared to previous years.

I would like to use this opportunity to ask the Verderers, Commoners and the public to help us collect evidence of people driving dangerously across the New Forest. Firstly, lead by example. Drive within the speed limit and pass livestock Wide and Slow. Please get a Dash Cam, the videos can be sent to the Police online. They do look at them. Reporting these incidents helps the police to know when and where speeding and dangerous driving is happening.

Have your views heard, talk to your Parish Council, attend meetings, and make some noise. Contact the Police and Crime Commissioner, her details can be found online. It's worked for me.

Be proactive, Try and start a Community Speed watch in your area. As it stands the speed enforcement on RPW has been left to our CSW and Operation Mountie and Countrywatch. Working together, we should be able to push that rock a bit further up the hill.

I would like to also thank Tony Vanderhoek and the Young Commoners for their amazing work to get the new signage out on the main four key roads for animal accidents. It is a huge task and has to be done 4 times a year. Without the support of Tony and the Young Commoners, I doubt it would ever have been done.

I want to finish on a high. Please remember, for every driver you see speeding, for the people you see hugging a donkey, remember the 100's that are respecting the New Forest and enjoying it safely.'

2023/12991 **BRAMBLES & FERN ON THE OPEN FOREST**
Presentment by Mrs Mary Gray, Commoner

'The Chairman of the CDA, quite rightly in my opinion, in his presentment, spoke of encroachments.

Commoning animals grazing is very much being lost forever by brambles and fern.

We who have known our Forest, for ever it seems, seeing this. So wrong. Acres being lost to what should be there, for animals to graze.

Walkers, riders alike, should be able to make our way through when checking stock.

Burning, always best, brashing, consistant programme, to overcome these encroachments.

On behalf of our animals, cannot speak for themselves, us owners can.

With anticipation for coming seasons when encroachment clearing takes place.'

2023/12992 **BRACKEN**
Presentment by Mrs Margaret Tillyer, Commoner

'I am Margaret Tillyer and again, courtesy of my family who do the work, I am still a practising commoner.

I am making this presentment on behalf of myself and fellow commoners regarding the excessive growth of bracken on the Open Forest.

It is a known fact that when the ponies eat green bracken in excess they develop bracken poisoning. If this is not noted and treated, it can lead to a slow and painful death.

I therefore request that early attention is given to the control, if not eradication, of this increasing bracken problem.'

2023/12993 **SHOBLEY / FOREST OAKS**
Presentment by Ailsa Farrand on behalf of the New Forest Equestrian Association

'The NFEA fully supports the CDA over the removal of this illegal fencing and would like to offer financial assistance in the event of a court case, and hope the NPA will take a lead as the planning authority.

2023/12994 CLAYPITS BOTTOM NEAR BRAMSHAW TELEGRAPH
Presentment by Ailsa Farrand

'As the Verderers hold the chairmanship of the largest Higher Level Stewardship Scheme in England, may I respectfully bring to the Court's attention some concerns over stream restorations in the Forest.

The Freshwater and Wetland Restoration Forum was formed in 2019 (following recommendations of the National Audit Office) with an agreed 8 point strategy – the first of which was:

"Set clear objectives and expectant outcomes with timescales and implement surveys and monitoring to collect baseline and post restoration evidence to robustly check outcomes are being met."

One site apparently needing repairs again is Claypits Bottom near Bramshaw Telegraph, immediately above a SSSI Geological Feature of international Importance, the only one of its type in Southern England. (It is a naturally eroded gully where some of the rarest fossils from past millennia can be found). Palaeontologists from the Natural History Museum are very concerned the site is not compromised in any way. However, without the Forum seeing any plans or a chance for a much requested site visit, work has started there which involves heavy machinery and importing of hoggin and clay. When the original works were completed in 2010 much of the infill washed downstream into the protected site and has already been repaired since then.

The South West Quadrant representative has asked me to refer to the National Audit Office report and recommendations of 31st July 2017 on the NF HLS scheme:

- a) "The need to improve local public communication on planned schemes, their impact and the remediation of sites within the community."
- b) The requirement for solid data and that "It is important scheme benefits are measured and evaluated against base lines to inform the design of future projects and that sufficient attention is given to post project evaluations to assess value for money."

After 6 years there is still little evidence that any of these objectives are being implemented.

Bramshaw Parish Council has not been informed of any work on this highly protected site.

A Senior Palaeontologist at the Natural History Museum who spoke at the Latchmore Planning Committee in 2016 has indicated that he would wish to attend a site meeting to voice their concerns.

I ask the Verderers to request that the work is halted until the Forum has had the opportunity to see what is planned and assess the potential impact on the geological SSSI site downstream.'

2023/12995 LICENCING OF COMMERCIAL DOG WALKING
Presentment by Mr John Ward, Chairman, Friends of the New Forest (New Forest Association)

Mr Ward said that at a recent meeting of the NFA Trustees, the suggestion to licence commercial Dog walking was welcomed. He said the NFA welcomes and supports the announcement made by the Official Verderer.

The Head Agister closed the Court

IN COMMITTEE (in the Library)

CONSIDERATION OF PRESENTMENTS

2023/12996 ROGER PENNY WAY AVERAGE SPEED CAMERAS RESUME

The presentments from Ms Jones and the CDA were considered together.

It was agreed the Official Verderer should write to the PCC and the Chief Constable inviting them to meet with the Court to discuss its concerns. The OV will also write to the Secretary of State to seek the Department for Transport's view as to the applicability of its Circular 1/2007, which was reference by the Police, given the circumstances of the New Forest and the access of depastured stock to the highway. The letters will be published on the Verderers' website with a link from the Verderers' Facebook page.

Action OV

2023/12997 ENCROACHMENTS GENERALLY AND AT SHOBLEY / FOREST OAKS DISCHARGE

Forestry England always assists in abating encroachments within the New Forest, when they are on Crown Land. The Clerk said she tries to help the CDA with encroachments on privately owned land by writing to land owners where appropriate. The Official Verderer is of the view that the Verderers Court is in effect the commons registration authority for the New Forest, given the provisions within the 1949 Act s.4(4)-(5) and 1964 Act s.2(2)-(3).

2023/12998 BRAMBLES AND BRACKEN DISCHARGE

Management of brambles and bracken is considered and planned by the Open Forest Advisory Committee (OFAC). FE's open forest team monitors both species. Control is limited by available resources and measures which are permitted on the SSSI. The Deputy Surveyor said he welcomes specific areas being notified to FE so that it can be discussed at OFAC. The forage harvester was used at Stoney Cross and was reasonably successful.

2023/12999 CLAYPITS BOTTOM NEAR BRAMSHAW TELEGRAPH RESUME

The fossils are not rare but their exposure in the New Forest is. There is no doubt it is an important site. However, the proposals which are intended to consolidate previous restoration work, were discussed and approved at the Freshwater & Wetlands Restoration Forum. The Forum follows a democratic voting process to arrive at decisions where contentious issues are discussed.

A copy of the presentment will be provided to the DS and he was requested to come back to the Court with any comments. A response to Ms Farrand will be drafted. Mr Chatters and Mr Deakin will assist. Action
OV,DS
CC & RD

Mr Pasmore said he feels the Court must be consulted, or at least informed and given the opportunity to comment, when further major works to correct issues resulting from earlier restoration, such as in this case, are planned.

2023/13000 LICENCING OF COMMERCIAL DOG WALKING DISCHARGE

The support of the Friends of the New Forest (NFA) is very much welcomed by the Court.

MATTERS ARISING

2023/13001 LICENCING OF COMMERCIAL DOG WALKING RESUME

The DS said the Dog Walking Charter clearly sets out the expected behaviour of anyone walking dogs on the Forest. It covers the whole Forest. There are approximately 80 registered commercial dog walkers on the NPAs website. The DS said he intends to re-energise and promote the Charter. He said he will also look at the Recreation Management Strategy (RMS) re charging and licencing commercial dog walkers. Action DS

The Court, however, expressed disappointment that the DS feels FE cannot address this problem more robustly, before the idea becomes established that as a business, anyone can walk as many dogs as they like without adequate control. That is what has happened with off-track cycling. In response the DS explained it is a matter of priorities and available resources.

2023/13002 ENCROACHMENTS DISCHARGE

The Encroachments Working Group is being reinstated with Ms Julie Stubbs (formally from the Land Advice Service) organising meetings as an individual rather than representing a particular organisation. The Friends of the New Forest (NFA) have offered to assist and the NFNPA has offered to provide secretarial support.

The existing leaflet explaining property boundaries where there is a ditch and bank is being revised and will be reissued. Action FE

2023/13003 COMMUNICATIONS MASTS DISCHARGE

Forestry England was thanked for facilitating a meeting to discuss the provision of telecommunication (mobile phone) masts in the Forest. Disappointingly not much could be achieved as Cornerstone, the communications company failed to turn up. The reason given is that Vodafone is refusing to explain the coverage it needs and without that, little progress can be made. The OV said he would be interested to understand the coverage that Airwave (the Emergency Services Network) has in the Forest. Mr Grugeon said FE will facilitate another meeting. Action PG

2023/13004 TURF HILL – DAMAGE CAUSED BY TIMBER EXTRACTION DISCHARGE

Mr Pasmore produced a report which has been sent to FE. The DS said that FE is working on further restoration and he said lessons have been learned which should prevent a repeat of such extensive damage.

The DS added that further timber extraction is needed but the operators have been told to remain on the centre of the track. Habitat restoration work including stump removal (shearing stumps to ground level) will also be undertaken.

It is thought that regrettably the track will always be wet now, due to the extent to which it has been compacted.

2023/13005 COMMONERS' DWELLING SCHEME RESUME

Discussions are being held with the NFNPA regarding the restrictions on commoners' dwellings which prevent potential occupiers obtaining mortgages. The problem is the conditions which are intended to ensure that houses remain available for commoners in the future. Attempts are being made to identify alternative lenders who could accept the restrictions.

Action OV

2023/13006 CYCLE ROUTES DISCHARGE

Mr Gammon said he has met with the cycling group. Proposals will be brought forward in due course.

2023/13007 A326 UPGRADE RESUME

The OV has emailed the Executive Member for Transport at HCC, asking whether consideration has been given to the likely impact on the Forest of upgrading the A326. Two particular concerns are increased traffic flows on the nearby unfenced roads which may result in more road traffic accidents involving commoners' stock, and the possibility of greater recreational pressures on that side of the Forest. A meeting will be requested which Mr Chatters and Mr Deakin both expressed an interest in attending.

Action OV

UTILITY PROPOSALS

2023/13008 DE-MINIMIS-CONSENTS - UTILITY PROPOSALS AGREED BY THE DE-MINIMIS COMMITTEE DISCHARGE

The following proposals were approved subject to the three usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing:

DM0174 BT Openreach – Lyndhurst V9033 FTTP additional duct in Gritnam Rd

DM0175 SSE – Former Cloud Hotel electricity connection

DM0176 SGN – Gas supply to Hawthorne, Forest Road, Salisbury, SP5 2BW

2023/13009 UTILITY PROPOSALS FALLING OUTSIDE THE SCOPE OF THE DE-MINIMIS COMMITTEE DISCHARGE

The following proposal was approved subject to the usual conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing:

BT Openreach - Proposed Civils Works in Burley Road / South Weirs
Brockenhurst - Fibre to the Premises projects - Brockenhurst V8007

CAMPSITES

2023/13010 HOLLANDS WOOD CAMPSITE ELECTRIC HOOKUPS DISCHARGE

The warden accommodation (tents, caravans, and camper vans) has been forced to relocate to an alternative grassy area. This is because ecologists have banned them from using the old area as it was under trees. It is a tree protection move, with dragons' teeth installed to prevent parking in the original location. As a result of the move, it has been necessary for very long cables to be used to connect the several accommodation units to the power source by the toilet block, which was close to the original area.

A proposal was put to the Court which involves running an underground cable from the toilet block, along the gravel track, to the new warden area. The end point is sited just off the track, on grass. It crosses only a foot or two of grazing, terminating in a hook up point which will be underground when not in use. The Court agreed this is a sensible tidy up, improving safety of cables in a location open to animals, with only minor impact upon grazing.

The request was therefore approved subject to the three usual conditions.

SSSI RESTORATION WORKS

2023/13011 THE REPAIR & MAINTENANCE/ENHANCEMENT LIST RESUME

The list was noted.

ENCROACHMENTS

2023/13012 ENCROACHMENTS LIST RESUME

The list was noted.

Action FE

2023/13013 DRAGONS TEETH ON THE ROAD TO BOLDERWOOD, CLOSE TO THE NEW FOREST INN RESUME

Consultation is required and a site meeting is requested. The NF Inn has a very small car park which is inadequate. There is nowhere nearby where one can be created. Road parking is, therefore, inevitable and a solution needs to be found which allows the free passage of vehicles but does not result in unacceptable damage to the SSSI.

Action DS

2023/13014 FENCE AT BARTLEY DISCHARGE

A newly erected security fence at Bartley appears to have been erected outside the property boundary. The property was visited by the local Keeper, Mr Patrick Cook and Elected Verderer, Mr Richard Deakin. Part of it is not on Crown land. The property owner appeared to be open to advice but it is not known whether the fence has been erected as advised. Further investigations are taking place.

Action
FE/RD

ITEMS REQUIRING ACTION BY FORESTRY ENGLAND

2023/13015 ACTION LIST DISCHARGE

The list was noted..

2023/13016 NEW FOREST DISTRICT SCOUTS AT HARRY'S ISLAND, VERELEY, NR BURLEY DISCHARGE

Vehicles have been seen parked on the Forest outside this facility. FE was asked to investigate and potentially install some car free defences.

Action DS

ANY OTHER BUSINESS INVOLVING FORESTRY ENGLAND

2023/13017 WOODGREEN CRICKET CLUB PAVILION ROOF DISCHARGE

Mr Grugeon asked for views on the proposal to re-roof Woodgreen Cricket Club's pavilion. After some discussion it was agreed that the Club should be asked to consider cedar shingles if it feels unable to replace the present thatch.

Mr Grugeon will advise the club and bring proposals to the Court for consideration in due course.

Action PG

2023/13018 PSPO NOTICES DISCHARGE

FE was asked for a map showing the locations of the PSPO signs which have been erected, following reports that some have been placed on grazing when there are good alternative gravel areas that could have been used instead. The DS was reluctant to provide this detail on the basis that there are several hundred signs but he said that he will ensure that those who are erecting the signs give more careful consideration to where they are sited. The signs must be clearly visible to satisfy the conditions of the PSPOs. For that reason, they cannot be put on posts with other signs. The DS agreed that the signs technically need the consent of the Court but he felt that as partners in the initiative, their consent was a given.

The DS assured the Court that, if and when, the PSPOs are no longer required, all associated signage will be removed from the Forest. He also confirmed that no other notices or signage will be placed on or attached to post/structures erected for the display of the PSPOs.

The Court appreciates the requirement for the signs to be erected at pace to ensure the effectiveness of the PSPOs by the 1st July, however advised, in accordance with the Memorandum of Agreement, details of all PSPO signage on fresh grass must be presented to the Court within 6 months to ensure that records are maintained of the permitted signage.

2023/13019 FORESTRY ENGLAND DONATION REQUEST BOARDS RESUME

A number of large boards have been erected asking the public for money to help Forestry England manage the New Forest. The Court's consent has not been requested and some of the signs are on grass. The DS agreed that any boards erected on fresh grass will be removed or re-sited to gravelled areas. The OV questioned whether planning consent is required for the boards. The DS stated that he does not believe it is needed. The OV will write to the NFNPA as the local planning authority to seek its views.

Action DS

2023/13020 TREE FELLING DISCHARGE

The DS advised the Court that FE is being subject to a legal challenge over clear felling and the felling of mature trees. This is a national challenge, not just applicable to the New Forest, and is believed to be driven by climate change activists.

2023/13021 EDUCATION DISCHARGE

The DS said that he feels greater use of QR codes could be made in order to educate and inform the public more effectively. A small QR code on the corner of a sign can provide much more information than can be included on a physical sign, and people are often encouraged to look at them out of curiosity. A greater use of QR codes is likely in future.

2023/13022 CROWN OWNED PROPERTIES AND ITS TENANTS DISCHARGE

Mr Deakin said that whilst he had promised never to raise this subject again, he has recently received a letter from a third person who occupies a Forestry England house and who says that in three years' time, when the target rent has been reached, he will no longer be able to afford to live in his home. One other tenant has said he is frightened of retiring. The tenants want the Court to be aware of their predicament.

Mr Deakin said he understands that the formula for rent increases which was agreed by the Housing Review Group after extensive discussion, is being followed. However, it is not helping a small number of tenants who have lived in their properties for many years when rents were historically very affordable.

The OV suggested tenants could approach NFDC to see if they may be eligible for housing benefit support. Mr Grugeon asked that those affected let him know they are in trouble before they fall into arrears with their rent or decide they have no option but to give notice to leave their homes.

2023/13023 VANDALISING OF FOREST BRIDGES DISCHARGE

The DS reported that several wooden bridges in the Forest have been vandalised. The bridges have been very badly damaged and will require complete reconstruction. The incidents have been reported to the Police. FE can ill afford the cost of the repairs. The DS asked the Verderers and New Forest partners to be vigilant and to report any instances of vandalism that they see.

The Deputy Surveyor and the Land Agent left the meeting

ENCROACHMENTS NOT INVOLVING FORESTRY ENGLAND

2023/13024 SHOBLEY FOREST OAKS RESUME

The OV advised that Shoosmiths, a well-respected firm of London Solicitors, which has a local office, has been asked to advise on the Verderers legal position as respects this encroachment as it is on the added areas.

Action OV

Once the advice is received from Shoosmiths, the Court will decide how it can best support the commoners in their case against Mr Paul Stoddart and European Aviation Limitation to Court.

At the recent case management hearing, the Judge directed the parties to go to mediation and he stayed the case for 4 months.

MATTERS ARISING

2023/13025 ANIMALS STRAYING ONTO FENCED ROADS RESUME

Mr Deakin said he will prepare a Risk Assessment in time for the September Court.

Action RD

OTHER AGENDA ITEMS

2023/13026 BRAND ALLOCATION FEE DISCHARGE

The brand allocation fee was last revised in 2008.

It was agreed that the fees should be increased, and as from 1st August 2023 they will be....

Action Office

New brand applications including check on Forest Rights where necessary £300.00 (increased from £250.00)

Transfers within families – FOC

Transfers between existing practising commoners £30.00 (increased from £20.00)

New applications from members of practising commoners' families £30.00 (increased from £20.00)

It was agreed that these fees should be reviewed in 5 years.

HIGHER LEVEL STEWARDSHIP SCHEME & THE VERDERERS GRAZING SCHEME

2023/13027 VGS ENHANCED PAYMENTS CALCULATION DISCHARGE

It was confirmed that when calculating the percentage of animals turned out which are included in the VGS, animals depastured on the commons and paid for at common rate are never included.

A few commoners occupy land to which attaches both common rights over the Crown Lands and common rights over the added areas. In those cases, a commoner may pay for animals at Forest rate and turn them out onto the Forest. Those animals will be included in the VGS calculation. However, animals belonging to the same owner but paid for at common rate and turned out onto the commons are not included.

REPORTS FROM EXTERNAL COMMITTEES & WORKING GROUPS

2023/13028 FOREST FARMING GROUP RESUME

Dr Ferris said there is a virtual meeting (Zoom) of this group tomorrow (20th July). He expects the group to approve the document which will be sent to Natural England and the Rural Payments Agency, applying for funding for a detailed feasibility study to look at the basis for future Forest environmental support. Dr Ferris said he is optimistic that the application will be successful.

Action GF

2023/13029 WHITE TAILED EAGLE GROUP DISCHARGE

Mr Gammon said that a white-tailed eagle chick has hatched in the South of England, for the first time in more than 240 years. He added, it is not in the New Forest.

2023/13030 LOST LAWNS CONSULTATION RESUME

Three site meetings are due to take place, at Balmer Lawn, Canterton/Rufus Stone and Ober. Consultation papers will be circulated.

Action All

STAFF MATTERS

2023/13031 STAFF COMMITTEE RESUME

The minutes of the last Staff Committee meeting had been circulated.

2023/13032 AGISTERS' AREAS RESUME

Mr Deakin reported that the Agisters' Areas are being reviewed and some changes will be made. The latest Agister has a vast area with a lot more commoners and animals than most of the others. Minstead had been included before as the previous Agister had a holding in that area. Once it has been finalised, consideration will be given to putting the map on the Verderers' website.

Action RD

2023/13033 STALLIONS DISCHARGE

All the stallions which were turned out this Spring, have now been removed from the Forest.

2023/13034 HORSE EXPENSES RESUME

The Agisters have requested the payment they received towards their Horse Expenses be reviewed in view of the increase in the cost of living. The Remuneration Committee is due to meet shortly. OV/Clerk

OTHER ADMINISTRATIVE MATTERS

2023/13035 FINANCIAL STATEMENT RESUME

The Financial Statement was noted.

2023/13036 FIVE YEAR PLAN DISCHARGE

The Clerk said she will update the Five-Year Plan/Budget in September/October once the Audited Accounts have been finalised. Action Clerk

TRAINING & HEALTH & SAFETY

2023/13037 PONY DRIFTS DISCHARGE

The Drifts start in August. Attendance by the Verderers is welcome. The Verderers' Livestock Officer position has not been reinstated for financial reasons. The situation will be monitored.

ANY OTHER BUSINESS

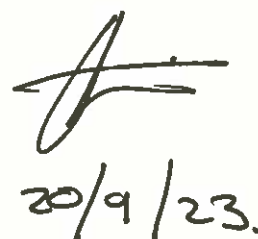
2023/13038 STALLION GRAZING RESUME

Negotiations continue with two landowners who have offered grazing for the stallions. In one instance there would be sufficient space for the futurity colts (the scheme run by the New Forest Pony Breeding & Cattle Society) and a new bloodlines scheme. Mr Pasmore suggested a further possible location which will be investigated. Action – Stallion Sub Cttee

2023/13039 OGDENS POUND DISCHARGE

The pound on Hyde Common needs rebuilding. Hampshire County Council has agreed to pay for the materials. A further £3,000 is required to cover labour. The Court agreed to this expenditure.

The meeting ended at 13:18 hrs



Handwritten signature and date 20/9/23.