

**Minutes of the Court of Verderers held on 15th March 2023 at 9.30 a.m.
in the Verderers Hall, the King's House, Lyndhurst**

PRESENT	Lord Manners	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr R Manley	DEFRA Appointed Verderer
	Mr A H Pasmore	Senior Elected Verderer
	Mr D Readhead	Elected Verderer
	Miss A Sevier MBE	NFNPA Appointed Verderer
	Mr R Stride	Elected Verderer
	Mr C Chatters	Natural England Appointed Verderer
	Mr M Gammon	Forestry Commission Appointed Verderer
APOLOGIES	Dr Graham Ferris	Co-opted Elected Verderer
IN ATTENDANCE	Miss S Westwood	Clerk to the Verderers
	Mr R Maton	Agister

IN COMMITTEE in the Library

2023/12747 MINUTES OF THE LAST MEETING RESUME

The minutes of the last Court held on Wednesday 15th February 2023 were approved and signed by the Official Verderer.

2023/12748 NEW DECLARATIONS OF INTEREST RESUME

There were no new Declarations of Interest.

2023/12749 CONDITION OF STOCK RESUME

Agister Robert Maton reported on the condition of stock. He said that on the whole, things are not too bad. The recent wet weather has shown up ponies who do need to come in and the commoners and Agisters are removing them as quickly as possible. The winter has been relatively kind. Although it was very wet early on, it then turned cold but dry. Mares in areas where a stallion was not turned out last year are generally in excellent condition.

There have been a few cattle issues, mostly relating to commoners who have more animals than they can really cope with. Most herds are in but of those which are out, on the whole, most look well. They are in receipt of supplementary feed.

Mr Deakin said that it was about this time last year that the Staff Committee Verderers went out with the Agisters to inspect a couple of cattle herds which were giving cause for concern. He said the same can be done this year and the Agisters only have to ask. At present this was not felt to be necessary.

This is always a difficult time of year. Vegetation begins to green up but there is very little food on the Forest and there won't be for some time yet.

Mr Deakin added that he has total confidence in the condition standards the Agisters set.

A discussion then took place regarding two herds of cattle that have come off the Forest due to poor condition. One herd is in fields adjacent to a busy road. The condition of the animals in that field is appalling and it is understood members of the public have complained. It is believed that Trading Standards/Animal Health is aware and officers have visited. Some of the animals were marked by the Agisters in the autumn and concern was expressed that members of the public may think that the animals had been marked more recently to go out on the Forest. If that was the case, the condition of the animals could justifiably be queried. It was, however, confirmed that the herd was marked before Christmas and at that point their condition was fine. Some animals from the herd have been turned out in the past week but they are thought to be in good enough condition and the local Agister is checking. Anything that is below the condition standard will be removed.

A local vet has reportedly commented that the quality of forage this winter is poor, probably due to the very hot summer of 2022. There have been problems with animals in fields losing condition because the hay they are being fed is of poor quality. Sheep and some cattle are worst affected.

2023/12750 STRANGLES DISCHARGE

Unfortunately, the strangles outbreak has spread. Areas where cases have been identified include Bartley Water, Busketts, Roundhill (Brockenhurst), Pilley and Norley Wood in addition to Longdown where it was first noticed before Christmas.

It was agreed that some publicity is required and the Clerk will arrange for a note to be put on the Verderers' website and also on Facebook and Twitter. This will hopefully ensure that private horse-owners are aware. Action Clerk

2023/12751 CATTLE AND THE VGS DISCHARGE

It was suggested that consideration be given to rewarding commoners who maintain more traditional types of cattle which are more suited to Forest life. The Official Verderer said this is being considered.

Agister Maton left the meeting

MARKING FEES

2023/12752 MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

	<u>2023</u>	<u>2022</u>
Forest Ponies	949	669
Forest Cattle	163	192
Forest Donkeys	18	16
Forest Pigs	0	0
Forest Sheep	0	0
Total Forest Stock	1130	877

Common Ponies	128	67
Common Cattle	208	51
Common Donkeys	4	0
Common Pigs	12	0
Common Sheep	0	0
Total Common Stock	352	118
Ponies, Cattle & Donkeys on the Forest	1130	877
Ponies, Cattle & Donkeys on the Commons	340	118
Total Ponies, Cattle & Donkeys	1470	995
Total Stock – Forest & Commons	1482	995

OPEN COURT

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

Agister Robert Maton opened the Court with the usual proclamation.

ANNOUNCEMENTS & DECISIONS

2023/12753 SUPPORT FOR COMMONING

In her presentment in the February Court, Lyndsey Stride expressed her concerns for the future of commoning and appealed the Court to do all it can to ensure that commoning is adequately supported as the Basic Payment Scheme is phased out.

We can assure Lyndsey and all commoners that a great deal of effort is going into investigating the various environmental land management and countryside stewardship schemes which are on offer, to identify which will best deliver for the Forest, both in terms of the conservation interest and support for commoning. The case for support for commoning is, in our view, very strong given its vital role in delivering conservation grazing benefits.

Whilst the Higher Level Stewardship Scheme can run for a further 5 years, the Forest Farming Group has supported taking forward the possibility of replacing it by entering into a Countryside Stewardship Scheme (CS) and/or CS Plus (the latter having replaced Local Nature Recovery) in place of the HLS. The possibility of a Landscape Recovery Scheme is also being kept under review by the Forest Farming Group as that may prove an attractive more bespoke option.

Such is the complexity of the various schemes, consideration is being given to employing a consultant to look at the possibilities in order to try to arrive at the best solution and to do the as much of the extensive preparatory work needed to enter into a new scheme as possible. This is being led by the Forest Farming Group initiative, with combined funding from a number of organisations including the Court.

Hampshire County Council has entered into a Countryside Stewardship Scheme in respect of its land holding in the Forest and we understand the National Trust may do the same. The Verderers Grazing Scheme committee has pulled together a consultative group which met for the first time last week and that is reviewing how the funds in the VGS might now be best spent.

The Deputy Surveyor has assured the Court that Forestry England supports the need to find the right mechanisms to ensure commoning is sustainable at the right level. However, other things must fit together, including habitat restoration. It is important to bear in mind the economics/cost of capital works, together with the eligibility and ongoing maintenance of various habitats.

Given that the Forest is one of the most highly protected landscapes in the country which delivers enormous public benefits I am optimistic that we will be able to enter into a scheme that both safeguards the role of commoning and preserves and enhances the habitat.

2023/12754 THANKS FOR DONATION OF BOW SAWS

We would like to thank Mr Mike Eccles, Mr Neil Eccles and Ms Marlene Hall for very kindly donating six bow saws for emergency use by the Agisters and the Livestock Officer.

Thank you all for your generous contribution which will greatly assist in ensuring the safety of commoners' animals on drifts and at other times.

ANIMAL ACCIDENT REPORT

2023/12755 THE ANIMAL ACCIDENT REPORT FOR FEBRUARY 2023

The Agisters attended 8 accidents in February compared with 5 in February last year.

5 ponies were killed.

2 accidents were reported where nothing was found.

2 accidents occurred in daylight and the other 6 in the dark.

There were no hit and runs but in 2 cases the drivers did not come forward as quickly as they should have done. In 1 of those instances, the Police are investigating.

The total number of animals killed and injured in the year to date is 9, compared with 10 in the same period last year.

PRESENTMENT BY THE PUBLIC

2023/12756 SCRUB CLEARANCE AT DIBDEN
Presentment by Mr Mike Eccles

Mr Eccles thanked Forestry England for the scrub clearance work that has been undertaken at Dibden. He said it has made the road much safer by improving the vision/site line for motorists.

2023/12757 BRAMBLES
Presentment by Mrs Mary Gray

Mrs Gray repeated her plea for more bramble clearance to be undertaken, particularly on Stoney Cross. She said if there were fewer brambles, she feels the public would be more inclined to remain on Stoney Cross to play and enjoy the Forest rather than wandering into the depths of the Forest

The Head Agister closed the Court

IN COMMITTEE (in the Library)**CONSIDERATION OF PRESENTMENTS**

2023/12758 BRAMBLES

DISCHARGE

Some bramble clearance was undertaken on Stoney Cross this year. It is an ongoing issue which FE does its best to tackle with finite resources.

It has been noted that brambles do appear to have become much wider spread in recent years and it is thought climate change may be to blame.

MATTERS ARISING

2023/12759 DMMO (DEFINITIVE MAP MODIFICATION ORDER1231 SANDFORD (RINGWOOD) TO BURLEY DISCHARGE

Neither Mr Grugeon nor the Clerk have heard any more. Mr Grugeon said we will hear in due course. The legal advice regarding whether rights over Crown Lands can be acquired by prescription has not been received from HCC. It was agreed this matter should be discharged. It will be brought back when there is something to report.

2023/12760 ILLEGAL CAMPING – YOUNG PEOPLE

DISCHARGE

Miss Sevier advised that NFDC will step in, in cases where young people are sleeping rough as a result of not having anywhere to stay. She suggested to FE that their staff should continue to report any young persons found sleeping in tents to NFDC to see if help with accommodation and support can be arranged.

Action FE

2023/12761 ILLEGAL CAMPING – MOTORHOMES IN CAR PARKS

DISCHARGE

The issue at the Royal Oak, Hill Top, Beaulieu was dealt with but it is likely a similar situation will arise in future when there are certain types of event in Beaulieu.

Camper vans in car parks overnight is an ongoing issue. It was suggested that notices could be put on vehicles found parked up overnight warning the occupants that they should not be there and that action may be taken if they are found in FE car parks overnight on future occasions. The Deputy Surveyor said FE staff do carry out checks and liaise with overnight parkers where appropriate but will consider what further activity may be possible. Members of the Court should feel free to report to FE the number plate and location of regular offenders. Mr Grugeon said that the police have advised that if there are good grounds for obtaining the name and address of a registered keeper, the DVLA will provide the information.

Action DS

2023/12762 NEW ACCESS AT PROPERTY IN BURLEY (OVERMOOR FARM)

RESUME

Mr Marsh is going to visit the property again.

Action FE

2023/12763 BURNING PROGRAMME RESUME
June
Mr Chatters is working on producing a paper explaining the benefits of burning. The OV said that the Game Conservancy recognises the benefits of burning. Cool burning results in a net carbon gain. The DS said it is a useful tool in habitat restoration and maintenance. Action CC

DE MINIMIS CONSENTS

2023/12764 UTILITY PROPOSALS AGREED BY THE DE-MINIMIS DISCHARGE
COMMITTEE

DM0169 BT Openreach Armstrong Road/Close and North Weirs, Brockenhurst. Brockenhurst V9017/V9046 Additional 65m duct alongside Burley Road

DM0170 SSE Tregonalls Bungalow, Lymington Road, St Leonards, East End New underground connection

DM0171 Network Rail – access to line via steps next to footbridge over Lymington Line near to Marlpit Oak Crossroads

DM0172 Clancy/Southern Water – work on existing main - New Park main entrance

UTILITY PROPOSALS FALLING OUTSIDE THE SCOPE OF THE DE-MINIMIS COMMITTEE

2023/12765 BT OPENREACH PROPOSED CIVILS WORKS IN THE MINSTEAD DISCHARGE
AREA

BT Openreach's Fibre to the Premises projects - Cadnam V8036 – 3 new joint boxes and additional ducting (not FE) was approved.

2023/12766 WESSEX INTERNET RESUME

Mr Grugeon reported that BT Openreach is pulling out of installing fibre to the premises broadband in the Forest. A company called Wessex Internet is taking over. A meeting has been arranged for 24th March at 10.30 a.m. with Wessex Internet to discuss the method of working in the New Forest. Mr Deakin said he will attend if he can. The Clerk confirmed she will attend. Action RD/Clerk

CAMPSITES

2023/12767 SOLAR ARRAY ON DENNY WOOD CAMPSITE DISCHARGE

Consent was given for the Solar Array, which is considered more environmentally friendly than the diesel generator. The Court requested that care be taken when routing the cables to avoid any issues with stock. It was suggested the cable could pass inside the adjacent fence and then back out.

2023/12768 HOLLANDS WOOD CAMPSITE SEWER DISCHARGE

Approximately 50m of 110mm sewer pipe connecting Hollands Wood Campsite with the main sewer in Balmer Lawn Road has collapsed and needs replacing. A site meeting was arranged which Mr Deakin attended. Mr Gammon inspected the proposed work site independently. The necessary application for consent is with Natural England.

Mr Chatters said there is an invasive plant in the vicinity which has sharp spikes which can be dangerous to soft feet – animal or human – and he hoped care would be taken to ensure it doesn't colonise where the excavations have been undertaken. It is felt this is unlikely providing the stipulated method of working is followed carefully. Assurance has been given by Camping New Forest that it will and Mr Deakin said he was told the turf will be removed and put back by hand digging.

The Court confirmed it is happy with the proposed works and consent was given subject to the usual three conditions regarding satisfactory reinstatement, safe working conditions and compensation for loss of grazing.

2023/12769 ROUNDHILL CAMPSITE TOILET BLOCK DISCHARGE

The Court gave consent for one temporary toilet block, for the 2023 camping season, to be sited in the middle of the campsite. No screening is required. The block must be removed off-site at the end of the 2023 season.

SSSI RESTORATION WORKS

2023/12770 THE REPAIR & MAINTENANCE/ENHANCEMENT LIST RESUME

The list was noted.

ENCROACHMENTS

2023/12771 ENCROACHMENTS LIST RESUME

The list was noted.

2023/12772 POSSIBLE NEW ACCESS AT THE LODGE, MALWOOD RESUME

It is thought the owners of this property may again be seeking permission for a new entrance. The present access opens onto the A31. The Clerk said this has been discussed in the past. Before a decision can be made, further details are required. The Clerk will check the NFNPA's online planning portal.

Action Clerk

2023/12773 FOREST ROAD BURLEY, NEW GATE DISCHARGE

It was reported that a new access gate has appeared on a plot of land behind a house next to Herons Pool. FE will investigate.

Action DS

2023/12774 DAMAGE TO EARTH BANK, COFFIN HOLMS, CASTLE HILL, BURLEY DISCHARGE

Mr Chatters says he believes there is an encroachment at this location where a householder is installing a hot tub. The DS said FE will investigate and take action if an encroachment has taken place.

Action DS

ITEMS REQUIRING ACTION BY FORESTRY ENGLAND

2023/12775 ACTION LIST DISCHARGE

The DS said progress is being made in removing the old broken concrete at Milkham.

ANY OTHER BUSINESS INVOLVING FORESTRY ENGLAND

2023/12776 NETWORK RAIL ACCESS GATE – BROCKENHURST RAILWAY STATION PLATFORM DISCHARGE

Action Clerk

Mr Chatters reported a defective gate. The Clerk will report it.

2023/12777 TURF HILL RESUME

During timber hauling, approximately 2 acres of ground has been badly damaged, leaving a horrendous mess. In places, deep ruts have been left across width of 10-15 metres. The Court said this is not acceptable. The DS promised to investigate and report back in April.

Action DS

2023/12778 COMMONERS' HOUSING DISCHARGE

Mr Deakin asked whether the housing rent review is complete. He said he has heard of several cases where occupiers are saying they will not be able to remain in their homes as they cannot afford he rent.

In response, the OV said that a lot of work by the Housing Review Panel went into devising a fair rent formula. If there is evidence that the level of rent is defeating one of the key objectives, namely the support of commoning, then there may be grounds to ask FE reconsider the rent formula. FE will consider cases of genuine hardship. Miss Sevier said that people can apply to NFDC for help with paying their rent.

2023/12779 A35 FENCE DISCHARGE

Mr Deakin asked whether the question of responsibility for the A35 fence where the road abuts Rhinefield Inclosure has been resolved as animals had got out onto the road, endangering themselves and the Agister and FE staff who attended. The Clerk said that FE staff promptly made the fence safe. She added that the fence is HCC's responsibility under the NF Acts regardless of whether it is Open Forest or inclosure on the other side.

2023/12780 DEER NUMBERS RESUME

In response to an enquiry about deer numbers, the DS agreed to provide a report on culling and coverage for the next Court.

Action DS

2023/12781 OCKNELL ARCH CULVERT UNDER THE A31 DISCHARGE

The Clerk reported that National Highways has approached her regarding lining the culvert under the A31. This is the same location as the recent Fish Pass proposals, submitted by the Environment Agency. A site meeting is due to be arranged.

The Deputy Surveyor and the Land Agent left the meeting

ENCROACHMENTS NOT INVOLVING FORESTRY ENGLAND

2023/12782 SHOBLEY FOREST OAKS RESUME

The OV said this continues. It has been suggested the NFNPA could assist as the fence may be construed as obstructing legitimate public access under the CROW Act. Miss Sevier suggested contacting Adam Vasey, who is the NFNPA's Access Ranger to see if he can assist.

Natural England has written to advise that it is now working to help resolve this issue.

2023/12783 ENCROACHMENTS GROUP DISCHARGE

The Official Verderer said that this group is still in existence but since Julie Melin-Stubbs left last year, there is no-one to undertake the administration.

Miss Sevier said the NFNPA has a new Enforcement Officer

MATTERS ARISING

2023/12784 EMPLOYMENT POLICIES DISCHARGE

The Clerk left the meeting whilst these matters were discussed.

Working from Home Policy

The Court approved a working from home policy for the office staff.

The wording is to be finalised, taking into account the comments received.

Action
OV/RD/MG

Equal Opportunities Policy and Harassment & Bullying Policy

The Court also approved an Equal Opportunities Policy and a Harassment and Bullying Policy which will be presented at the next. RD and MG will present this at the next Staff Committee meeting.

Action
RD/MG

OTHER AGENDA ITEMS

- 2023/12785 NEOSPORA – LETTER FROM THE NEW FOREST COMMONERS' DEFENCE ASSOCIATION (CDA) DISCHARGE
- A great deal of research has already been carried out over many years. For this reason, the Court decided against funding further studies. Action OV
- The Court did, however, agree to contribute towards the purchase of a quantity of biodegradable dog poo bags at a cost of £108.
- 2023/12786 VERDERERS' VETERINARY ADVISOR RESUME
- It is hoped that Mr Alex Crook MRCVS will become the Verderers' veterinary advisor as Mr Dave Coombs is no longer working in the Forest. Action RM
- 2023/12787 PUBLIC SPACE PROTECTION ORDERS RESUME
- Training days are being arranged by NFDC for those staff who will assist with enforcement.

EXTERNAL COMMITTEES & WORKING GROUPS

- 2023/12788 CAMPING NEW FOREST (CNF) ADVISORY GROUP DISCHARGE
- Mr Chatters will represent the Court on the Advisory Group. Mr Deakin stressed the importance of ensuring that the interests of commoning are considered as well as conservation.
- 2023/12789 VGS CONSULTATIVE GROUP RESUME
- The group has met and had a constructive discussion. It will reconvene in April. Action OV
- 2023/12790 RMS MANAGEMENT COMMITTEE DISCHARGE
- Forestry England is considering ways of tackling the problem of verge parking.
- 2023/12791 PSPO GROUP DISCHARGE
- Mr Gammon will sit on this group.
- 2023/12792 RMS ADVISORY GROUP DISCHARGE
- The group has an important role so that the RMS Management Committee can take soundings on changes including the more contentious issues, such as possibly closing car parks and the cycle network.

2023/12793 STALLION COMMITTEE DISCHARGE

The stallion committee has met. 20 stallions will go out for 8 weeks from Monday 8th May until Monday 10th July. As in previous years, stallions may come in a week before, on the 3rd July.

The stallion inspections will take place on Saturday 1st April at Beaulieu Road.

2023/12794 WHITE TAILED EAGLE PROJECT DISCHARGE

Mr Gammon said that there is nothing to report that affects the Forest.

2023/12795 CYCLING GROUP DISCHARGE

Mr Manley said there is nothing to report at present.

STAFF MATTERS

2023/12796 STAFF COMMITTEE RESUME

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

OTHER ADMINISTRATIVE MATTERS

2023/12797 FINANCIAL STATEMENT RESUME

The Financial Statement was noted.

TRAINING & HEALTH & SAFETY

2023/12798 HUMANE SLAUGHTER ASSOCIATION VISIT DISCHARGE

This visit took place on Thursday 2nd March. Mr Deakin attended along with the Agisters. It proved to be a useful refresher and it is understood Attendance Certificates will be issued.

2023/12799 NEW FOREST HOUNDS DISCHARGE

A new huntsman has been appointed but he has yet to obtain his firearms licence.

2023/12800 STOCK MANAGEMENT DISCHARGE

Managing stock in the presence of increasing numbers of people on the Forest is becoming ever more difficult. Weekends have been a no-go for catching animals for some time but even on weekdays it is now extremely difficult to drive in stock safely.

2023/12801 MOTORBIKES ON THE COMMONS DISCHARGE

Reports have been received of motorcyclists chasing stock on the northern commons. The Clerk will contact the Police.

Action Clerk

2023/12802	THERMAL IMAGING EQUIPMENT	DISCHARGE
	The Court agreed the purchase of thermal imaging equipment to assist the Agisters in finding injured animals at night.	Action RD
ANY OTHER BUSINESS		
2023/12803	VERDERERS' POLICIES	DISCHARGE
	Some further amendments to the draft are required. The OV will work with Mr Pasmore and the Clerk to finalise the document.	Action OV/AHP/Clerk
2023/12804	WELFARE TOUR OF THE FOREST	RESUME May
	The Welfare Tour will take place on Friday 12 th May.	
2023/12805	BRAMSHAW CELEBRATORY TREE	RESUME
	A response from the Parish Council to the Court's letter objecting to the design and size of the tree guard that has been constructed is awaited.	
2023/12806	HYDE CELEBRATORY TREE	RESUME
	A letter is expected from Hyde Parish Council regarding its tree guard.	
2023/12807	COMMONERS' DWELLING SCHEME	RESUME
	Mr Chatters sits on the advisory group. Mr Deakin said that a young commoner has reported having serious difficulties in obtaining planning permission for a house under the Commoners Dwelling Scheme. Mr Deakin asked the OV to arrange a high-level meeting with the NPA.	Action OV
2023/12808	FUNDING FOR THE NEW FOREST	RESUME
	The OV said that a feasibility study is intended to look at support for the whole Forest, not just the Crown Lands and a Capital Grant may be available to fund this work.	Action OV

The meeting ended at 13:00 hrs

Julian Mansel
19 April 2023