

**Minutes of the Court of Verderers held on 15th November 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
	Miss A Sevier MBE	National Park Appointed Verderer
IN ATTENDANCE	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister

IN COMMITTEE in the Library

2023/13178 NATIONAL PARK APPOINTED VERDERER RESUME

The Official Verderer welcomed Miss Ann Sevier back to the Court as the New Forest National Park's Appointed Verderer.

2023/13179 MINUTES OF THE LAST MEETING RESUME

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

2023/13180 NEW DECLARATIONS OF INTEREST RESUME

Miss Sevier will complete a new declaration of interests form. It will be published on the Verderers' Website.

2023/13181 CONDITION OF STOCK – REPORT BY THE HEAD AGISTER RESUME

Overall, the condition of stock is good going into winter although the continuing wet weather is beginning to have an effect, especially on mares with foals, of which there are quite a few. The Agisters and Commoners will organise removing them where possible.

A lot of cattle have now gone home and TB testing has commenced.

2023/13182 STRANGLES DISCHARGE

The strangles outbreak is ongoing. It is not following the usual pattern where large numbers of animals catch the virus. This time, it is moving very slowly through the herd. There has been approximately 2 years of this now. It is predominantly affecting young animals. Animals usually develop some immunity once they have had the virus. Members of the public often report animals when the abscesses have burst, because that is when the animals look at their worst. However, at that point the animals start to feel better and recover quite quickly. Veterinary advice is to leave animals with strangles where they are, unless their condition is such that to do so would cause unnecessary suffering. Chasing an animal with the virus to catch it, risks spreading the virus internally and when that happens, it is often fatal. Removing animals with strangles and

putting them into private land risks spreading the virus to other, non-Forest equines.

The Head Agister left the meeting.

2023/13183 NOISY DRIFTS

DISCHARGE

A letter in the Lymington Times complained that those partaking in the pony drifts make too much noise. The correspondent claims that in the past drifts were quieter.

Efforts will be made to improve the education of local Council members, many of whom sadly seem to have little understanding of how the Forest works. It was suggested that greater engagement takes place with local Councillors and Parish Councillors. Miss Sevier said she intends to write an information paper for National Park members. Mr Deakin said when he and the Head Agister talk to groups, it is often disappointing to discover how little local people know about the Forest.

Action AS

2023/13184 MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR

RESUME

	<u>2023</u>	<u>2022</u>
Forest Ponies	4880	4737
Forest Cattle	2870	2836
Forest Donkeys	119	125
Forest Pigs	287	309
Forest Sheep	0	0
Total Forest Stock	8156	8007
Common Ponies	603	644
Common Cattle	1197	909
Common Donkeys	106	107
Common Pigs	35	36
Common Sheep	163	162
Total Common Stock	2104	1858
Ponies, Cattle & Donkeys on the Forest	7869	7698
Ponies, Cattle & Donkeys on the Commons	1906	1660
Total Ponies, Cattle & Donkeys	9775	9358
Total Stock – Forest & Commons	10260	9865

2023/13185 BREACHES OF THE BYELAWS

RESUME

Mr Deakin reported that a bull calf has been at large. He said he needs to find out more in order for a decision to be made whether to consider a penalty under the VGS.

Action RD

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

2023/13186 NATIONAL PARK APPOINTED VERDERER

We are delighted to announce that Miss Ann Sevier has been re-appointed by the New Forest National Park Authority to serve as its representative on this Court. Welcome back Ann.

2023/13187 ASHURST HOSPITAL

The Court has been aware for some years that the NHS would like to redevelop the Ashurst Hospital site and we have been in correspondence with NHS Property Services. We are looking carefully at the details contained in Mr Reeves presentment and we may be making further representations to the NHS.

2023/13188 GRASS CUTTING RISKS WITHIN CRICKET GROUNDS

Following Mrs Jacquie Vanderhoek's presentment at our last Court, Forestry England has reminded the Sports Clubs which have the privilege of being able to operate facilities on the Open Forest, of their responsibility to ensure the safety of the stock at all times.

2023/13189 THE NATIONAL TRUST

The Court recognises the CDA's concerns and we have written to the National Trust, encouraging it to engage locally and reminding it of its responsibility as respects the managements of its New Forest commons. We will also be inviting a National Trust representative to join us a couple of times a year to discuss relevant issues.

2023/13190 CLAYPITS BOTTOM

The Court wishes to correct its announcement made at the October Court in response to Mrs Farrand's July presentment. It is now understood that while the proposals for Claypits Bottom were advised to the May meeting of the New Forest Freshwater and Wetlands Restoration Forum as part of the proposed repair and maintenance programme for 2023, this was for information only. Forestry England has written to Mrs Farrand in response to the points raised in her October presentment.

2023/13191 VERDERERS' ELECTION 2024

A Verderers' Election will take place at the end of November 2024. There will be 2 vacancies. Persons wishing to vote, must register again and all those who were included in 2021's register will be sent forms. Anyone else who believes they are eligible and who would like to vote are invited to contact our office to register their interest. Further announcements will be made next year. We hope that as many people as possible with the entitlement to vote will register and come along on the date which will be confirmed nearer the time.

2023/13192 THE COMMONS AGREEMENT 1964

In November 2022, we reminded Commoners that the Commons Agreement which was entered into by the Verderers of the New Forest and the commoners of certain Adjacent Commons, while the New Forest Bill of 1964 was before Parliament, expires at the end of December 2025.

We feel it is right to periodically remind commoners who have benefitted from the concessionary rates of marking fees, that from 1st January 2026, full (Forest) rates of marking fee will be due.

2023/13193 TWO YEAR OLD COLTS

We would like to remind commoners that the Verderers' Byelaws require uncastrated colts which were born in 2022 or earlier, to be removed from the Forest by 1st February 2024.

We know there are a number of colts currently at large in the Forest which fall into this category and we ask their owners to make arrangements for them to be removed in good time. If such a colt is found to be on the Forest after 1st February next year, the owner will be in breach of the Verderers' byelaws and could be prosecuted. In addition, the owner may forfeit some or all of any Verderers' Grazing Scheme entitlement to which they would otherwise be entitled.

ANIMAL ACCIDENT REPORT

2023/13194 THE ANIMAL ACCIDENT REPORT FOR OCTOBER 2023

The Agisters attended 11 accidents in October this year compared with 15 in the same period last year.

2 ponies and 2 cattle died.

3 ponies and a pig were injured.

1 cow was uninjured.

Two animals, a pony and a cow, which were reported to have been involved in accidents, could not be found.

2 accidents happened in daylight, 1 at twilight and 8 in the dark.

All the accidents were reported by the drivers involved.

The total number of animals killed and injured in the year to date is 43, compared with 45 in the same period last year.

PRESENTMENTS BY THE PUBLIC

2023/13195 CAMPSITE FENCES

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

'Good morning official Verderer, Verderers and court members. The CDA takes its responsibility of protecting Commoners very seriously and the growing trend of litigation against livestock farmers is a worrying trend. The CDA committee would welcome seasonal fencing to the forest campsites, removing interaction between

stock and campers in peak times, although ultimately our preference would be the reduction or removal of some these sites off the Forest.

Camping in the New Forest has been a vast improvement on the previous organisation, a willingness to engage with the Commoning community is a very positive step and they are aware of our concerns.

As the Forest sees more and more visitors each year the risk rises continuously of public incidents with our stock. The Commoners need sufficient measures implemented by the Forest organisations to try and mitigate against financial claims but also to prevent the sad occurrence of an injury to a member of the public.

We ask the Verderers to consider seasonal fencing, although we understand the potential problems this could entail. To work alongside the CDA, with a commitment to engage on a frequent basis, with Camping in the New Forest. To help educate and advise on best practices, and to ensure that the stock and campers can co exist with the minimum risk to the Commoners and the public.

Thank you.'

2023/13196 ANIMAL ACCIDENTS

Presentment by Mrs Gilly Jones, Commoner and lead in the New Forest Roads Awareness Social Media Group

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

Here I am again, to bring to your attention the recent spate of animal road deaths on Forest roads.

We are all fully aware that there is normally a spike in accidents after the clock change, I would like to note the bravery of Agister Robert Maton, who has had to phone me after each of the 3 accidents in the last week.

I have, in my wisdom offered to put out the accident signs. The Agisters have enough to do while attending these accidents, and at some, having to dispatch the animal, dealing with the police and the drivers involved, then having to notify the Commoner who has lost an animal.

Two of these incidents were around Marlpit Oak area. I was also up in that area on Thursday changing the slogan signs that sit underneath the running pony signs, and yes before anyone thinks it, I have a sign fetish. I want to do everything I can to get the messages across, not only on social media, but by physical signage too. Luckily, the Young Commoners are also changing the signs as well, and for that, I would like to officially thank them and Tony Vanderhoek who is coordinating it all.

While changing the signs it was noticeable the speeds that some people were travelling along those roads, with a total disregard to stock on the road sides. Heavens knows why two drivers felt it was acceptable to shake their fists and swear at me.

My takeaway from this though, was that it was on the days when the A31 was down to one lane and a 90 minute delay. I would say most people were blindly following their Sat Navs or going the route that google maps send them. Since we do not have 40 mph repeater signs, a lot of sat navs and google maps think that on some roads the speed limit is 60. For some drivers, the big yellows 40s on the roads are just street art and mean nothing. The computer algorithms do not allow for livestock being on the roads.

Speed is not always the reason for an accident. As I have said before, we regularly hear 'oh I know where the animals are on the roads'. The thing is, the last time I looked, the livestock don't wear watches, they don't know the clocks have changed and now they are crossing roads at main commuter times. Also, with the huge amount of water on the Open Forest, stock is having to use the roads to get around to their normal haunts.

We are, along with other members the Animal Accident Reduction Group, working hard to find other ways of getting the message across.

We have had to spin some things if I'm honest. Some people do not give a flying doodah about the stock. So, we remind them of the damage that can happen to their vehicle. The trauma it can cause to a driver and their passengers. Will people not think about the children and others they have in the car?

I, as always, want to end on a positive note. I have been out delivering animal accident cards and car stickers to companies who want to help promote safer driving across the New Forest. The response has been amazing, and hopefully, with the CDA, we will relaunch the Shared Forest Business group which has been successful in previous years.

This will reach staff and customers in and outside of the Forest. With this kind of support, we may be able to reduce roads deaths during the next few dark and dismal months.

2023/13197 NEW FOREST FARMING SUBSIDIES
Presentment by Mrs Immy Bickford-Smith

'Good morning. My name is Immy Bickford-Smith. Following my presentment to the September Court about the impact of previous unique New Forest farm subsidy arrangements - the response from the Verderers included:

"Possible future schemes are under careful consideration by a group set up for the purpose."

However – considering the confusion last time there was a significant change to farm subsidy policy it is understandable there are concerns.

For example - following their confidential negotiations with Defra the Verderers announced: (Court minutes of October 2007 - item 2007/33510)

"We have been working closely with the CDA and the NPA for well over a year and a half in order to get Defra to acknowledge that those who farm the open Forest using their common rights are entitled to the same level of single farm payment as those who farm privately owned enclosed land in England. This has not been an easy task but our efforts have at last born fruit.

I am very pleased to announce that the payments due to commoners will be increased threefold with immediate effect."

That statement was extraordinary. Not only were New Forest registered rights of common irrelevant to claims for a share of New Forest common land farm subsidy but also successful claimants were already getting the same level of payment as for "privately owned enclosed land in England". i.e. the Non-SDA Entitlement to payments for the "flat rate" part of the Single Payment Scheme that was phased in between 2005 and 2012.

What those confidential negotiations actually provided was - instead of one eligible hectare of common land and one Non-SDA Entitlement to payment per Livestock Unit (LU) worth well over £200 per LU p.a. from 2012 the (relatively small number of) successful applicants would now get 3.03 hectares of common land and 3.03 Non SDA flat rate entitlements to payments per LU - worth up to £800 plus per LU p.a. (cow = 1 LU and pony = 0.60 LU) In fact this was the subsidy unallocated in 2005. And more subsidy could be obtained each year with additional ponies or cattle.

It is surprising that such exceptionally confusing and significant errors were apparently overlooked when this announcement was approved by the Verderers for publication in those October 2007 Court minutes.

Therefore, may I ask that this time the Court provides the names of the individual members of the group set up to consider future subsidy schemes and that minutes of their meetings are also made available. Transparency and accountability are essential. Thank you.'

2023/13198 EFFECT OF THE HARVESTLADE STREAM RESTORATION WORKS
Presentment by Jane Oatley, a Commoner

'We have lived at Narrow Water from 2009. The stream, which runs round the back of our property, dividing, one branch entering a large pond which flows over a weir and into a branch of the stream, and the other branch passing round the periphery of the property to rejoin just before the ford on Fores Road, was a vibrant ecosystem with Brown Trout, Sea Trout, eels and Kingfishers.

The Wetlands Restoration Project to replace the meander at the source in 2015, altered the ecosystem completely. There are no fish in the stream, no Trout migrate up the stream to spawn (we used to see them resting in the deep pool beneath the weir before leaping up into the pond) so we have excessive reed and horsetail growth, and an island was visible in the centre this summer indicating that the deposits are now at least 8ft deep. Dredging of the pond will be needed this at a cost of £10,000+. The water has an altered pH which has resulted in the migratory Sea Trout being unable to identify the stream (measured and advice given by Fiona Macdonald, veterinary fish expert). There used to be newts and eels in the stream, easily visible as the stream was so clear. No evidence of this life can now be found. We had regular Kingfisher sightings in our garden and when walking along the stream. They disappeared completely and have only been seen on very few occasions in the last 12 months.

Restoring the meander at the source and infilling the deep channel should have resulted in more bogland at the source and less flooding downstream as run off should have been slower. We have seen immense flooding and damage to paths and garden at our property every year.

The works did not improve the landscape amenity of the Forest. The rainwater still washes straight off, significantly flooding our garden and rapidly raising the level of the ford on Forest Road. The increase in bogland has reduced land available for grazing. The works have destroyed habitats for endangered species such as Sea Trout, Kingfishers and newts.

No positive effects have resulted from the stream works as witnessed by a resident who views the stream in the SSSI environment every day. It has been an ecological disaster, changing a thriving living stream to a barren, silted-silted up waterway. Please do not allow this to happen elsewhere and learn from mistakes.'

2023/13199 ROAMING ROADS (ANIMAL RTAS)
Presentment by Mr Brian Tarnoff, local resident

I'm increasingly of the opinion that the range of issues exemplified by animal road accidents in the Forest will require a legislative solution to address roads in all areas of the country that include free roaming livestock and wildlife.

Roads are planned to support greater development, with absolutely no thought of their impact on protected habitat. Authorities are stymied to control the use of roads for recreational events that ignore both their capacity and use by livestock and the working forest. The degradation of habitat and unfocussed disturbance from verge parking continues. Speeds cannot be set or adequately enforced where animals lives have legally little or no value, and just wait and see how well the algorithms of self driving cars prioritise them.

Even where we believe that the laws should give our concerns succour, we are told, "the county (insert appropriate authority) council doesn't cover that", "the policy interprets the law differently", "this is a Nationally important initiative", "you're clutching at straws," ; Time and time again, we collectively throw our hands up. Existing law and guidance fails us.

Legislation for livestock roaming roads could usefully stipulate:

- Penalties for animal involved RTA's that would demand prosecution for animal cruelty for delays in reporting, no longer reasonable given today's technology.
- Funding model for enforcement that would allow speed cameras to (both)
 - be justified by non-human casualties (and)
 - self fund (with excess to a general road fund – to safeguard against purely revenue generation fines)
- Verge parking penalty without the need for yellow lines.
- Allow local authority, safety boards, and representatives of animal owners greater say in the use
- Ban on driverless cars (to pertain even if allowed elsewhere in legislation).
- This all could be represented through minimal peripheral signage in the style of congestion charge / ULEZ / urban parking zones.

As I've said, this is my personal notion, and I aim to promote it, including within the association I've often represented here. I appreciate that proposing legislative change is a slog, but I feel that every other route (forgive overegging the theme) has us running to a standstill.

The Verderers and the Commoners are at many of the sharper ends of these problems in the New Forest, I'm hoping that you have the appetite to add this to the discussion, which may eventually give momentum towards action.

In other parts of the world, where the scale of roads disturbance to wilderness is just beginning to be understood: obvious barriers to land migration, the staggering devastation to species populations, indiscriminate wildlife fatalities do not naturally select as nothing has evolved to evade herds of solid metal at high speed. I mention this not because we need further study in our context, but because it is that apt example of how our unsustainable growth impacts nature. As we develop more land, or simply wipe the dead off our windscreens, we're relatively blithe to our impact. We mustn't allow either development, or this raft of issues we face locally with roads to indicate an end to our free roaming areas, vital for landscape, habitat and wilderness.

The Head Agister closed the Court**IN COMMITTEE (in the Library)****CONSIDERATION OF PRESENTMENTS**

2023/13200	CAMPSITE FENCES	RESUME January
	<p>The OV will be writing to the DS. They will be meeting in advance of the December Court. Mr Deakin said that on three separate occasions the Agisters have now raised concerns about mixing campers and animals and the potential for the Agisters to be drawn into litigation if a member of the public is hurt or worse. No one wants to see that happen and a plan is needed to try to reduce the risks. The DS said FE shares the Court's concerns and that we should look at what is already done to minimise livestock/camper interaction and all look at what more could be done to reduce this risk.</p> <p>It was pointed out that health and safety legislation trumps ecological legislation and a case involving the Hampstead Heath Dams Project was quoted. Mr Grugeon will send Mr Gammon a copy of the judgement.</p>	Action PG
2023/13201	ANIMAL ACCIDENTS / ROAMING ROADS	DISCHARGE
	<p>Mrs Jones' presentment was noted. The Court extended its thanks to Agister Robert Maton.</p> <p>As respects Mr Tarnoff's presentment, the OV declared an interest due to his involvement with the County Council. He said that whilst there isn't a published strategy, there are already policies in place covering how highway maintenance works in the Forest are undertaken. The Court feels there isn't a need for a specific strategy, which would take up valuable HCC resources to produce, as it is unlikely to add to what is already in place.</p>	
2023/13202	NEW FOREST FARMING SUBSIDIES	DISCHARGE
	<p>Mrs Bickford-Smith's presentment was noted. The minutes of the HLS Board meetings are published on the HLS website.</p> <p>The NFNPA provides secretarial support to the Forest Farming Group and the OV will ask whether minutes of the group's meetings are taken. It is thought not.</p>	Action OV
2023/13203	EFFECTS OF THE HARVESTLADE STREAM RESTORATION PROJECT	DISCHARGE
	<p>Stream Restoration works are monitored by the Environment Agency. It is thought the exceptionally heavy rain this year may have contributed to changes in the water quality in the pond which is on Mrs Oatley's private property. Those members of the Court who know the area, are of the opinion that the upper reaches of the stream are in an acceptable condition.</p>	

MATTERS ARISING

2023/13204 ASHURST HOSPITAL RESUME

Another letter has been written, via email, to NHS Property Services setting out the Court's views on the proposed redevelopment. A delivery receipt for the email has been received. It is understood there is a Listed Building Application in progress.

2023/13205 BIG FEAT / LARGE RECREATIONAL EVENTS DISCHARGE

Mr Pasmore believes that FE is exploiting the tranquil areas and permitting too many events. The DS explained that an extensive process is undertaken to ensure no damage will be caused to sensitive habitats before any consents for recreational activities are issued.

Mr Pasmore would not accept what the DS said, and added that he believes FE is targeting the tranquil areas for large events. The DS said no targeting of tranquil areas is taking place.

2023/13206 DENNY LODGE WATER SUPPLY DISCHARGE

A new proposal has been submitted and is broadly acceptable. Mr Deakin, however, commented that in his view when solutions are sought for this type of work, the Forest is always the first place that is looked at, when it should be private land. A letter will be written to Mr Grugeon setting out the conditions for approval of this project.

Action Clerk

2023/13207 CADNAM CRICKET PITCH ARTIFICIAL WICKET & OUTFIELD BOUNDARY FENCE DISCHARGE

Mr Grugeon will bring proposals to the Court.

Action PG

UTILITY PROPOSALS

2023/13208 DE-MINIMIS-CONSENTS - UTILITY PROPOSALS AGREED BY THE DE-MINIMIS COMMITTEE DISCHARGE

DM0181 Openreach -1 Pole Renewal on Manor Waste, 1 on private land at North Hollow, Toms Lane, Ringwood

2023/13209 UTILITY PROPOSALS FALLING OUTSIDE THE SCOPE OF THE DE-MINIMIS COMMITTEE DISCHARGE

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

BT Openreach alternative proposal to remove their infrastructure from poles carrying a high voltage electricity supply from The Bungalow, Bramshaw, Lyndhurst, SO43 7JG to land at Bramble Hill Hotel, Bramshaw, Lyndhurst, SO43 7JG. 434m duct & x 2 boxes.

CAMPSITES

2023/13210 CAMPSITES – END OF SEASON TIDY UP DISCHARGE

Mr Grugeon said he understands Camping in the New Forest has finished tidying up the campsites. He added, if anyone knows any different, can they please let him know.

2023/13211 FENCE ROUND ROUNDHILL CAMPSITE WARDEN'S Paddock DISCHARGE

The Court is concerned that there will be more requests for additional infrastructure on the campsites. The way the 'temporary' fence has been constructed makes it look like it was intended to be permanent although it is accepted that to be stockproof a fence must be robust. The request for the fence to remain was discussed at length and consent was eventually given by the Court for the fence to remain in situ for one more year.

SSSI RESTORATION WORKS

2023/13212 THE REPAIR & MAINTENANCE/ENHANCEMENT LIST RESUME

The list was noted.

2023/13213 ANSES WOOD RESTORATION PROPOSALS RESUME

The proposals were considered.

Several concerns were expressed by Mr Pasmore:

- Water being diverted across what is an important track/route. The corner by Holly Hatch Inclosure needs clearing up.
- The suggestion that cut trees should be left is not acceptable. They should be removed.
- There will be a lot more dead trees due to flooding.
- The line of erosion will move.

Mr Pasmore said he feels the proposals are flawed and before approving them, he would want guarantees of future maintenance.

Mr Deakin and Mr Gammon had also visited the site and they did not share Mr Pasmore's concerns. They felt the water is already flowing along a new course. They don't think erosion will increase. Removing the man-made drain will create a much more natural habitat. The overflow will be in the old drain and the new water course doesn't have a gradient and should improve the situation. The area is already very wet.

Mr Pasmore said he wants a guarantee that the track will be maintained so that it continues to be usable by horse riders. The DS said he will check the implications for the track and report back.

Action DS

The OV asked for a show of hands to decide whether the Court accepts or refuses to consent to the proposals.

Mr Pasmore asked for it to be recorded that he will not approve the works. The OV abstained. The remaining members of the Court were happy with the proposals and therefore, consent for the works was given.

ENCROACHMENTS

2023/13214 ENCROACHMENTS LIST RESUME

The list was noted.

2023/13215 ILLEGAL ENCROACHMENT AT A COTTAGE AT BARTLEY RESUME

Mr Grugeon explained the position regarding an encroachment that has been identified at Bartley. A conservatory has been built on an area that is under licence from FE for car parking. The occupier of the cottage has received two letters requiring him to abate the encroachment and in reply, he has offered a land exchange. FE is not minded to agree as land exchanges are only approved if there is a public benefit. Land exchanges in respect of water, gas, highways and other utilities may occasionally be agreed but not usually for private dwellings.

2023/13216 COVEN OF WITCHES, BURLEY DISCHARGE

Mr Stride reported what he believes is a new encroachment behind the Coven of Witches (shop) in Burley. A previously enclosed area appears to have been enlarged and FE is asked to investigate and take any necessary action.

Action PG

ITEMS REQUIRING ACTION BY FORESTRY ENGLAND

2023/13217 ACTION LIST DISCHARGE

The list was noted.

2023/13218 WIRE AT BURLEY LODGE DISCHARGE

FE was advised that there are heaps of old wire behind Burley Lodge. It is in the inclosure but it is dangerous and unsightly and the Court asked that it be removed.

Action DS

2023/13219 BRIDGES DISCHARGE

Mr Pasmore reported that a bridge over Bartley Water at Busketts is broken and has been railed off for some time. Mr Stride replied, saying that he repaired it last week!

The DS reported an increase in vandalism of its structures. There was a horse fatality at Kings Hat bridge that is being investigated. The DS said that the recent extreme wet weather has increased the number of bridge and road/track issues, and given its limited resources, FE is having to prioritise repairs and ask for some patience. FE routinely blocks known damage for H&S reasons until repairs can be undertaken, but those barriers are regularly pulled down by the public. The OV asked if FE would consult with the Verderers regarding priorities, to which Mr Stride replied that that is already happening.

Action FE

ANY OTHER BUSINESS INVOLVING FORESTRY ENGLAND

2023/13220 HALE PURLIEU PYLON REFURBISHMENT DISCHARGE

Mr Chatters reported that the works by National Grid's contractors to refurbish the pylons created a great deal of mess and he felt that in future, much more consideration needs to be given to how such major works are carried out. The DS said FE is very aware of what has happened and that there have been meetings with National Grid already to ensure similar issues don't occur in future. He asked for any comments members of the Court would like to make to be sent to him as soon as possible.

Action All

2023/13221 FORESTRY ENGLAND ADVERTISING SIGNS DISCHARGE

Mr Pasmore reminded the DS that there are a number of large information/interpretation signs and donation request signs which are inappropriately sited. A sign at Sloden, for example, could be put inside the inclosure. It was suggested FE should talk to the Court when it wishes to erect large new signs.

The DS reconfirmed his commitment to sign repositioning or removal, but had not been done yet due to capacity issues. He said in an earlier meeting that he was going to arrange for their repositioning or removal but that hasn't happened. He committed to resolving this before January Court as suggested by the OV

Action DS

2023/13222 EVENT CATERING VANS RESUME

Mr Deakin queried whether the catering vans and merchandise stalls at large events require the Court's permission. It was suggested that agreement is needed as to exactly what is and is not permitted at these events.

Action FE

The Deputy Surveyor and the Land Agent left the meeting

Mr Gammon also gave his apologies and left the meeting.

ENCROACHMENTS NOT INVOLVING FORESTRY ENGLAND

2023/13223 SHOBLEY/FOREST OAKS DISCHARGE

This matter is progressing and the Official Verderer will keep the Court up to date as and when there is something to report.

Action OV

MATTERS ARISING

2023/13224 A326 UPGRADE DISCHARGE

Discussions with HCC continue. Mr Chatters will report back to the Court as the project progresses.

Action CC

2023/13225 STALLION GRAZING RESUME

The meeting was cancelled because of Storm Ciaran.

Action RD

2023/13226 THE NATIONAL TRUST RESUME
February
Mr Chatters spoke to Natural England regarding the management of the National Trust's Commons in the Forest. The OV is writing to the National Trust. Action OV

2023/13227 REPORTING OF RTC'S BY DRIVERS DISCHARGE
Hampshire Constabulary has confirmed it will consider taking action against drivers who delay reporting collisions with commoners' animals.

2023/13228 MEETING WITH THE APHA DISCHARGE
The APHA is in touch with the Head Agister and Mrs Woodley.

OTHER AGENDA ITEMS

2023/13229 PA2 FEASIBILITY STUDY FUNDING DISCHARGE
The Court approved the Forest Farming Group's request from the RPA for an accountant's letter confirming the Verderers' Court will bankroll (pay and reclaim) the costs of approximately £100,000 in support of the PA2 feasibility study application already submitted by the Court on behalf of the FFG. Mrs Woodley, the VGS administrator will be monitoring the project. Action TW

2023/13230 SPEED CAMERA VAN – CONTINUED PART FUNDING RESUME
The Court agreed to continue to part-fund the speed camera van for a further year. A review of the operation of the van will be undertaken before next October. It was suggested the VGS might be able to take on this funding in future years and the proposal will be discussed at the next VGS Committee meeting next week. Action RD

HIGHER LEVEL STEWARDSHIP SCHEME & THE VERDERERS GRAZING SCHEME

2023/13231 VGS COMMITTEE RESUME
The VGS committee meets on Wednesday 22nd November 2023.

STAFF MATTERS

2023/13232 STAFF COMMITTEE RESUME
The minutes of the last Staff Committee meeting had been circulated.
A drift washup meeting needs to be arranged. Action RD

2023/13233 AGISTERS' AREAS DISCHARGE
The agisters' areas will change before the end of the year. Action RD

OTHER ADMINISTRATIVE MATTERS

2023/13234 FINANCIAL STATEMENT RESUME

The Financial Statement was noted.

2023/13235 EXPENDITURE RESUME

The Court's participation at 2024's New Forest Show needs to be considered. The Clerk will advise the cost of this year's Show. Action Clerk

TRAINING & HEALTH & SAFETY

2023/13236 DRIFTS AND THE HAZARDS INVOLVED IN WORKING IN THE POUNDS DISCHARGE


Mr Deakin (and several others, both staff and helpers) were kicked by ponies in the holding pens this year. Mr Deakin said he got too close to a pony but he felt he would not have been kicked had he been carrying a stick. He explained he had stopped carrying a stick some years ago because of the public's perception of how sticks may be used. Mr Deakin suggested that placing a flag on the end of a stick may help to reassure the public that they are used simply to assist with moving animals around in the holding pen. The Court agreed that if a stick is needed for personal protection, they should be carried.

ANY OTHER BUSINESS

2023/13237 MARKING FEES DISCHARGE

After much deliberation, it was agreed that regrettably marking fees must be increased again in 2024. The new rates will be communicated to commoners.

The meeting ended at 14:32 hrs


20th December '23