

**Minutes of the Court of Verderers held on Wednesday 18<sup>th</sup> September 2024 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 A H Pasmore	Senior 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
	Mr R Manley	DEFRA Appointed Verderer
	Mr D Readhead	Elected Verderer
IN ATTENDANCE	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister
APOLOGIES	None	

**IN COMMITTEE in the Library**

2024/13618	MINUTES OF THE LAST MEETING	RESUME
	The minutes of the last Court, held on Wednesday 17 <sup>th</sup> July 2024 were approved, and signed by the Official Verderer.	
2024/13619	NEW DECLARATIONS OF INTEREST	RESUME
	There were no new declarations of interest.	
2024/13620	CONDITION OF STOCK	RESUME
	The Head Agister reported that overall, the condition of stock this year is exceptionally good with just the occasional mare with a foal needing to come off. Drifts in the south of the Forest have been going well. The Agisters and Commoners have worked hard on several long days. The Head Agister said he commends the Agisters for their hard work.	
2024/13621	STRANGLES	RESUME
	Strangles is ongoing and has resulted in several drifts in the north of the Forest being cancelled. Strangles has been reported in private yards at Godshill as well as on the Forest. The pattern is different to the past when strangles would sweep through the pony herd. In more recent years it has been more sporadic. The stallion scheme has resulted in there being fewer large herds of mares and the ponies seem to travel round the Forest more. Also, there have been no really cold winters, to kill off the bugs. The inability to hold some drifts will mean there may be problems as the winter progresses.	
	The New Forest Draghounds has been very good and has rearranged its northern meets. They are not planning any in the north of the Forest until mid- October.	

There is some concern that large recreational events, of which there have been several, disturb the ponies and that won't help animals which are sick. Not all the ponies show classic strangles symptoms with some having a cough and nasal discharge with laboured breathing but no abscesses. Others are exhibiting the usual symptoms of strangles.

2024/13622 BOVINE TB

RESUME

Mr Gammon, the Head Agister and the VGS Administrator, met with APHA and Defra vets together with a representative from Hampshire County Council's Trading Standards Animal Health department. They ran through the procedures which may be used in the event of a positive TB case being identified. Communication has improved which is helpful. TB cases are considered on an individual basis and that determines the testing regime which may be needed. As a result, radial testing is not always considered necessary. The holding near Brockenhurst which had a confirmed case of TB is now clear.

The Animal Diseases Contingency Plan for the New Forest was reviewed last year with Dave Morris and Mike Pittock of Forestry England. It is Forestry England's Plan. Blue Tongue is not felt to be a significant issue at present. African Swine Fever is always a concern if people feed pigs or leave human food where stock can access it.

2024/13623 DONKEYS' FEET

DISCHARGE

The Official Verderer commented that he has received complaints from residents local to him about long feet on donkeys. He said it is important that the Agisters are robust with commoners whose donkeys regularly are repeatedly reported with long feet. Mr Deakin said that commoners whose donkeys have excessively long feet are told to remove their animals from the Forest if they cannot be trimmed. An example is when a Jenny is heavily in foal.

The Clerk expressed concerns about long feet on donkeys and said she receives complaints from the public every year. She asked why commoners who are members of the VGS are not penalised.

2024/13624 MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR

RESUME

	<u>2024</u>	<u>2023</u>
Forest Ponies	4837	4877
Forest Cattle	2396	2895
Forest Donkeys	118	104
Forest Pigs	20	148
Forest Sheep	0	0
Total Forest Stock	7371	8024
Common Ponies	601	603
Common Cattle	418	1197
Common Donkeys	93	106
Common Pigs	17	35

Common Sheep	121	163
Total Common Stock	1250	2104
Ponies, Cattle & Donkeys on the Forest	7351	7876
Ponies, Cattle & Donkeys on the Commons	1112	1906
Total Ponies, Cattle & Donkeys	8463	9782
Total Stock – Forest & Commons	8621	10128

2024/13625 STOCK NUMBERS

DISCHARGE

Marking fees for cattle are lower than in previous years. However, the general view is that there is a now a good balance of stock on the Forest.

2024/13626 BREACHES OF THE BYELAWS

RESUME

There are no new byelaw breaches

### OPEN COURT

**IN ATTENDANCE: Mr Craig Harrison, Deputy Surveyor  
Mr Sean Marsh, Assistant Land Agent, South East England**

**The Head Agister opened the Court with the usual proclamation.**

### ANNOUNCEMENTS & DECISIONS

2024/13627 OPERATION MOUNTIE

The Court is grateful for the work of the Police, particularly the Country Watch and local neighbourhood teams, who along with partners and volunteers, particularly Gilly Jones, undertake these operations. While it is disappointing to hear the excuses offered, the evidence shows that Operation Mountie, along with the work of the Animal Accident Reduction Group and the additional speed camera van deployments supported by the Court, are having an impact in reducing animal casualties.

Donna Jones, the Police and Crime Commissioner, visited the Verderers stand at the New Forest Show where I had an opportunity to raise Court's continuing concerns regarding speed on the unfenced roads within the Forest with her. Donna kindly agreed to attend another Operation Mountie, having attended a few years ago. This will also be an opportunity to discuss how we can continue to work together to tackle issues such as speeding, hit and runs and other areas of concern.

2024/13628 FUTURE FOR YOUNG COMMONERS

The Court shares the concerns expressed by Will Parry-Norton in his presentment. Issues such as the affordability of housing, access to back up grazing, the impact of increasing recreational activity and the financial sustainability of Commoning are not new, but they are becoming increasingly acute.

Working with partners, the Court is doing what it can to address these. From working with the National Park Authority, as they begin preparing their new Local Plan, to encourage an enhanced Commoners Dwelling Scheme that takes account of the need to secure mortgage to fund the purchase and development of holdings, to working with the CDA and others through the Forest Farming Group to secure vital financial support for Commoning following the end of BPS and the current HLS.

2024/13629 STALLIONS AND GELDINGS

The Court agrees that geldings can cause problems when the stallions are turned out and an announcement will be made next March advising gelding owners that they will be asked to remove any gelding that is identified as interfering with a stallion.

**ANIMAL ACCIDENT REPORT**

2024/13630 THE ANIMAL ACCIDENT REPORT FOR AUGUST 2024

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

A pony, a cow and a donkey died

A pony and a donkey were injured

2 accidents occurred in daylight, 1 at twilight the other 5 in the dark.

2 drivers have failed to come forward.

The total number of commoners animals killed and injured this year is 19. That compares with 22 in the same period last year.

**PRESENTMENT BY THE DEPUTY SURVEYOR**

2024/13631 FORESTRY ENGLAND PRESENTMENT TO THE VERDERERS COURT 18/09/2024 – A PROPOSAL FOR PROMOTING RESPONSIBLE CYCLING AND IMPROVING THE NEW FOREST OFF ROAD CYCLE NETWORK

The management of cycling in the New Forest has been a widely debated subject for many decades. Much has been written and said, and at times views have been polarised. However, less has been done to address the fundamental issues.

There is now considerable evidence that cycling in the New Forest can be difficult due to the existing network being hard to navigate and disconnected. Many routes simply don't make sense and do not connect to the key routes in and out of the forest. As a result, people simply get lost or end up creating more effective routes of their own, often using apps that do this for them. Others simply choose to bypass the network completely. It is clear that the current nature of the cycle network greatly exacerbates these issues.

Alongside this, there is a major focus across the wider area on more sustainable transport that will benefit public health and the environment. Anyone trying to get around this summer and struggled with road traffic, will know how busy the area can get. There is a real need to find alternative ways for people to travel.

We want to address these issues and the growing tensions around cycling in the Forest. In November 2022 Richard Taylor, as chair of the New Forest Cycle Working Group, made a presentment to this court. He asked the Verderers to engage with other stakeholders to move forward the agreed actions in the Recreation Management Strategy to improve the off-road cycle network in the New Forest, and in so doing, promote and encourage protection of the special qualities of the New Forest by responsible cycling and adherence to the network.

Following that presentment, a joint working group was set up to inform discussion of the issues involved from all points of view. This group includes representatives of the Verderers, Cycle Working Group members (from local and national cycle organisations, cycle businesses, local sustainable travel groups and those with environmental concerns), Forestry England, and the New Forest National Park Authority.

A great deal of work and commitment has been put in by all those parties to find a shared solution. Robust discussions from all have created a more rounded understanding of the issues and helped to shape this proposal. I would like to take this opportunity to thank the team from the Verderers and all other parties for their commitment to informing the proposal that we can share with you today.

This proposal has been developed using the principles and objectives of the New Forest Recreation Management Strategy and the New Forest Partnership Plan. It also considers wider long-term discussions with landowners regarding strategic routes, and complements the Local Cycling and Walking Infrastructure Plan currently being developed for the New Forest by Hampshire County Council and partners.

The proposal provides an ongoing long-term strategic approach to the issue of off-road cycling in the Forest regarding network mapping, waymarking, and maintenance. Its focus on sustainable, robust and better-connected routes also offers benefits to the other users who spend time in the Forest including walkers and those using mobility vehicles.

The effect of the proposal on commoning, and protection of the designated sites of the New Forest has been central at all times. Input and advice from the joint working group has been vital in this process. It has the support of the New Forest Cycle Working Group, local cycling organisations, Cycling UK, Forestry England, and the New Forest National Park Authority who will all provide key supporting actions and resources should this proposal be approved.

Full details of the proposal are included in the additional information supplied with this presentment. The proposal must be viewed as a complete package – not a series of options. I'd like to set out 7 key points, referenced A -G in the full proposal.

- A) An improved off-road cycle network giving better connectivity and useability. This will reduce the number of cyclists who get lost on the existing network or who choose to venture off it, in order to connect to key destinations. Most of the new routes are on existing forestry gravel tracks and would require no additional work to be used. A few would need a degree of upgrading and assessment of their impact on designated sites. The new routes would be introduced in phases reflecting the ease with which they can be added to the network. More detail of the phased introduction and possible timeframes can be found in the additional information supplied.
- B) Improved digital mapping of the off-road cycle routes. The majority of cyclists and other recreational groups use digital maps from various different providers. Investigations by the Cycle Working Group have shown that the open-source base information used by many digital mapping apps has significant errors in it. The Cycle Working Group will correct this data for the whole of the New Forest, maintain the accuracy during the phased introduction of the new routes, and monitor the situation going forwards.
- C) A revised and improved waymarking system for cycle routes and regular updating of paper mapping to help avoid people getting lost.

- D) A revised New Forest Cycle Guide that aligns with the New Forest Code.
- E) The recruitment of volunteer New Forest Cycle Ambassadors from local cycle groups. With suitable training, provided with help from Forestry England and the National Park Authority, they will actively patrol the Forest on bikes. They will provide information on where and how to cycle in the New Forest and how to protect and respect this special place. They will also help provide information on the state of repair of the network.
- F) Communicating the revised network in phases as it is introduced. Forestry England and New Forest National Park Authority communications teams will use their significant expertise to facilitate this process. National and local cycle organisations will assist in getting the news to the cycling audience. The message will emphasise the benefits of the revised network and the importance of sticking to it to protect the special qualities of the New Forest and all users of it.
- G) Ongoing review and monitoring of this process by the joint working group to allow evaluation of the improved network, compliance with it, and possible improvements. This will include further work and discussion around additional key strategic routes to improve connectivity across the A31 for all users, and East to West connectivity from the Waterside.

Collectively, these measures represent a considerable investment in the Forest and the way recreation is managed. Many require collaborative working and funding. There is real engagement and commitment by local partners to work together and achieve the benefits this proposal offers - for the Forest landscape, and for more sustainable recreation and travel.

We're seeking Verderers consent and welcome discussing this proposal with them.

In conclusion, this proposal represents a once in a generation opportunity, involving all stakeholders, to improve adherence to the network and enhance the off-road cycling experience in the New Forest. It provides an effective way to increase understanding of the need, and how to preserve the special qualities of the New Forest and we believe it will result in real benefits for the Forest and all those who use it.

Thank you.

## **PRESENTMENTS BY THE PUBLIC**

2024/13632 VERGES AND RAGWORT – FORESTRY ENGLAND & THE NATIONAL TRUST  
Presentment by Mr Andrew Parry-Norton, Chairman, New Forest Commoners' Defence Association (CDA)

'It can become very easy to focus on the negative issues in the Forest and sometimes we lose sight of the positive. Forestry England has had their fair share of criticism lately from the CDA but when good work has been done it should be acknowledged. The CDA would like to thank the staff of the FE and the Deputy surveyor, for the work they have put in keeping the verges trimmed back and the mammoth effort of pulling Ragwort.

This work helps keep our stock from being funnelled on to the roads; it also gives drivers clear sight of any crossing animals. The Ragwort, unless controlled can spread quickly, being highly poisonous to our stock especially when it dies back.

The FE has set an example the CDA wishes the National Trust would follow. Little or no Ragwort pulling has taken place on the Commons this year, the verges, especially in the vicinity of Blackhill, are thick with Bramble, Gorse and Bracken. During the last drift it forced ponies into the road to face oncoming traffic.

The NT when requested to cut the verges, thought the Reptile habitat to be of greater importance. They also considered pulling Ragwort increased the density of the plants the following year.

The CDA ask that the Verderers to engage in talks with the National Trust to persuade them to trim back the verges and pull their Ragwort, although the Ecology is extremely important the public and our stocks safety must be a first priority.'

2024/13633 CYCLING

Presentment by Mr Richard Taylor, New Forest Cycle Working Group

'Good morning Verderers. My name is Richard Taylor, and I make this presentment as chair of the New Forest Cycle Working Group.

The Cycle Working Group is an independent group established for many years. Its aim is to promote, and contribute to the delivery of, cycling-related objectives in local strategic plans, and to promote opportunities to improve cycle infrastructure. Our membership includes local cycle groups, local cycle businesses, national cycling organisations, sustainable transport groups, environmental groups, local councils at all levels, Forestry England and the New Forest National Park Authority.

In November 2022 I made a presentment to this court asking for the Verderers to engage with other stakeholders to improve the off-road cycling network in the New Forest and promote responsible cycling practices as the existing network was, and still is, difficult to follow and difficult to use. We asked for people to come together to find practical ways to improve cycling provision and management, for the benefit of the Forest in line with the Recreation Management Strategy and New Forest Partnership Plan.

Following my November 2022 presentment a joint working group with the Verderers was set up. The Cycle Working Group have been key members of this group.

The reason for this presentment today is to provide important supporting information to the earlier presentment you have heard from Forestry England regarding a proposal for an improved off-road cycle network.

The New Forest Cycle Working Group have done a great deal of work to assist in the development of this proposal using extensive survey data, and our detailed local knowledge of cycling issues in the New Forest to help inform the process. We are there to provide significant levels of supporting actions should you approve the network improvements.

New Forest Cycle Working Group members are ready and willing to give their time and energy to help with digital mapping data correction, and recruit volunteer cycle ambassadors to inform and educate should the proposed improved network be approved. We have provided input in producing the revised New Forest Cycle Guide and will use our extensive network of connections within the cycling community, both local and national, to promote the new network and the importance of staying on it if approved.

The vast majority of cyclists in the New Forest want to cycle responsibly and we want to make this as simple as possible to encourage behaviour change where necessary.

The success of this process and the shared goal of promoting responsible cycling, depends on the local cycling community seeing credible improvement in the off-road network, and to the current situation.

Discussions within the joint working group have been robust at times. Every route was considered individually and many we would like to have seen included have not been due to their possible adverse effects. The key driver in this decision making always being the protection of the New Forest and the commoning activities on which it relies, in line with the New Forest Recreation Management Strategy and the New Forest Partnership Plan. The joint working group with the Verderers has provided invaluable insight and advice in this decision-making process.

We believe that this proposal represents the best opportunity for decades to move the issue of off-road cycling in the New Forest forward in a positive way. It provides benefits to all parties allowing better connected and useable cycle routes, and a better understanding of how to cycle responsibly. Protecting the New Forest and all those who use it.

I would like to thank all involved for the significant amount of time and effort they have committed to this process.

We ask that you approve the proposal made by Forestry England.

Thank you.'

2024/13634 CYCLING  
Presentment by Mr Andrew Parry-Norton, Chairman, New Forest Commoners' Defence Association

Mr Parry-Norton commented that the list of people and organisations on the Cycle Working Group is impressive. However, it does not include the CDA. He asked Forestry England to ensure the proper process is followed, in respect of habitats and risk assessments.

2024/13635 PENNY MOOR RESTORATION  
Presentment by Alison Tilbury on behalf of herself and Margaret Travers

'I am making this presentment on behalf of myself and Margaret Travers who is also a commoner of many years, about recent works which have been carried out on the Open Forest in an area known as Penny Moor. This is only a short distance from Woodfidley Pound. I was quite appalled at the result of the completed works where a bridge has been removed.

There has now been a ford created by using large hoggin. On either side of this ford there is a newly fenced off area of about half an acre. The fencing around the site is wooden post and rail, one rail of which is already down on one corner.

The livestock seem to be ignoring the gravelled area and trying to squeeze through the area either side of this new ford which will create a quagmire during winter. Also there is no way any access can be made on the other side of this newly created ford. If there should be a casualty further out I cannot see there will be any access now, in my opinion, as you could not even ride a horse through this area now.



I would also like to ask why such a large area of Open Forest grazing area has now been fenced off and was any consideration given when allowing these works to the welfare of Forest livestock and the conducting of a round up in that area.

I would encourage members of the Court to visit the area to see these works.' (Photographs provided).

2024/13636 FORESTRY ENGLAND BRIDGES

Presentment by Hilary Harper on behalf of the New Forest Commoners' Defence Association

'Good morning, Official Verderer, Verderers, and members of the Court. Hilary Harper, on behalf of the CDA.

In recent months a number of discussions have taken place about bridges on the Crown Lands, following Forestry England's announcement that it has plans to reclassify bridge capacity weights, restricting some to pedestrian access only and the complete removal of others.

Fords have been suggested as an alternative but with increasing rainfall often combined with clay, this could make any alternative crossing completely impassable during the winter months.

The CDA have asked for details about which bridges these restrictions will be applied to, but has not had a response. Our concerns will be the impact on the welfare of our stock during the winter months; Commoners and Agisters not being able to access areas of the Forest, Drifts being restricted, and importantly it could result in failing to get medical or veterinary assistance to a problem.

These bridges are vital infrastructure of the Forest and need to be well maintained. The CDA understands that the FE finances are difficult, but a culture of litigation and fault finding is becoming more common and the reclassification plan needs very careful consideration before implementing.

We ask, beg, the Verderers to ensure that the FE supply a map of the proposed changes, conduct a full consultation with yourselves, the Commoners and Agisters. We are sure a compromise can be reached but it needs proper discussions with all parties please.

Thank you.'

2024/13637 FOREST MAINTENANCE

Presentment by Brian Ingram

'I am concerned the way the Forest is being maintained at this time. Forestry England has put many signs on the bridges asking riders to stop using them. It is essential that these bridges are kept open so that the Agisters and Commoners can check livestock for welfare and also when the pony drifts take place.

When you look around the Forest you can see old overgrown gorse, way past its best, seedling firs and birch taking over the Forest, all getting out of hand.

I was born in the Forest and during my life the Forest was always classed as a working forest but that has now been lost. It makes me wonder what the young commoner has to look forward to. Commoning is the backbone of the Forest. It is essential that this continues so that everyone can enjoy it.'

2024/13638 FORESTRY ENGLAND BRIDGES

Presentment by Ailsa Farrand, representing the New Forest Equestrian Association

'We have been contacted by a number of members concerning the fact that some bridges are having a "No riding" sign displayed. On enquiring, one member was told that the bridge was not strong enough for a horse and rider but these bridges are accessed constantly by stock which would frequently weigh more. One of the "no riding" signs is at Moonhills – parallel to the Exbury Road. Also the bridge at Busketts Lawn has been blocked with nailed timber and a "do not use" sign for a long time. Many of these bridges do not have an alternative route.

We ask for your help in ensuring a regular programme of maintenance is carried out and non slip strips applied to all bridges for the safety of all users including stock and that no bridges are removed.

There is also a concern about any possible new cycle routes – there appear to be no maps available yet to view, only the maps for the roads. We ask that there should be no routes through the "Tranquil Areas". The areas designated as such are very small and are so important for quiet peace and the non-disturbance of the wildlife.

Riders have not been consulted at any time.

Thank you.'

2024/13639 OP MOUNTIE

Presentment by Gilly Jones

'Good morning Official Verderer, Verderers and Members of the Public. Gilly Jones, Commoner and lead on New Forest Roads Awareness.

I would like to take this opportunity to update you all on the September Operation Mountie session which we did on Monday 16th.

We are pleased to say we have a new member of the Op Mountie family. PCSO Tracy Cooper has joined us from Ringwood Police station, which means we can now cover a much larger area. This includes the Northern end of Roger Penny Way and Burley and Bransgore.

Tracy has joined the multi-agency team that includes Hampshire Police, Forestry England and the National Park Authority and Myself.

We did another 6.30 am start on RPW and were surprised and pleased only to catch 4 drivers. All of them receiving education, as no one was going over 49mph. We moved on once the flashing started and aimed to go to Vererley, only to find out that the Speed Camera Van had beaten us to that spot.

So off to Goatspen, where we caught 3 other drivers, one of which was a motorcycle, who received a ticket.

We then went to Horseshoe Bottom, as requested by local residents, and we are pleased to say we didn't catch anyone.

We are hoping that this trend continues, I think you are all bored of me standing here and telling you about huge speeds, drugs and other offences.

The only constant we have is people still not knowing who to call if they are unlucky enough to witness or are involved in an accident. There is only one answer to that question, and that is 999. Calling Agisters directly is unfair on them as they need time off too, especially now we are in drift season.

In a small way to help this, I have animal accident cards with me, and if anyone wants some to hand out, please see me later.

I will, next week be having a meeting with Gloucestershire County Council, who have contacted us and Hampshire County Council for help and advise on how they can reduce animal accidents on their commons.

With work we are also doing with Dartmoor and the Gowers commons, it shows how the New Forest are leading the way in promoting safer driving and reducing needless livestock deaths.

We are also one step closer to relaunching the Shared Forest Business Group. This will be a Commoner Defence Association lead project, where companies sign up to promote safer driving across the New Forest, not only for their own drivers, but their customers too.

Let's all hope that the majority of drivers are now getting the message about speeding, and with work by everyone, we can get more people to know what to do if the worst happens.'

2024/13640 GELDINGS ON THE FOREST WHILST STALLIONS ARE OUT  
Presentment by Eloise Cavanna, Young Commoner

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

My name is Eloise Cavanna, I am a young commoner.

I have a proposal that I would like considered regarding geldings, staying out on the forest whilst the stallions are turned out.

I wish to propose that any gelding over the age of four; that cannot be easily removed by their owner, or kept in throughout the short duration of the stallion turn out, are permanently ordered off the forest.

A minority of commoners do already remove their geldings during this time, and a few geldings make bachelor herds and stay out the way. Unfortunately, in my recent experience, this has not been the case.

The stallion list is readily available, and even public information on social media platforms a couple of weeks before the turn out date. In response to this I had spoken with a commoner who has a gelding running in our area. To ask whether they could remove their gelding as my mare runs with him and the years previous, the gelding was only, kept in for three days before being turned out again! Resulting in the stallion being pushed off, which prevented my mare, as well as other commoner's mares from being in foal.

This gelding changed his haunt this year to an area where a stallion was known to be running, being seen in a completely new area a week or so after the stallion was put out there. This stallion was removed early. My mare is now old and a blood line I would like to breed from.

We are not the only commoners who have offered to help bring in geldings, but currently this offer is often ignored.

My fear for the near future, is that commoners will be reluctant or refuse to turn out their stallion because of the risk of running with geldings.

The risk of commoners stallions sustaining an injury, whilst benefiting the wider community of commoners is a financial burden many will not want to risk. It also causes unnecessary stress for the stallion, a gelding trying to prevent the stallion from doing its job also increases the risk to the public.

Without these commoners offering their stallions to the verderers scheme it reduces others from building up their forest run herds; This will have a detrimental effect on bloodlines.

I am sure that we can all agree that the stallions have more than enough work to do whilst out!

Competing with geldings over mares should not be one.

Thank you for listening.'

**The Head Agister closed the Court**

**IN COMMITTEE (in the Library)**

**In Attendance: Mr Richard Burke, District Recreation Manager/ Recreation Management Strategy - New Forest - South England Forest District joined the meeting for Minute No. 13641**

## **CONSIDERATION OF PRESENTMENTS**

2024/13641 CYCLING

RESUME

Presentments by the Deputy Surveyor, Mr Richard Taylor, New Forest Cycle Working Group and Mr Andrew Parry-Norton, CDA

A detailed discussion took place regarding the Deputy Surveyor's presentment and the proposals for extending the waymarked cycle network. No decision will be made until at least after the following Open Court, to allow an opportunity to hear counter or supporting presentments.

Mr Burke explained this is the first step in the process of seeking consent for the additional cycle routes. Further information will be provided including Habitats Regulations Assessments and Risk Assessments. He said Forestry England will enquire whether any of the works to upgrade some tracks require planning permission. It was pointed out that two routes go through tranquil areas which is not ideal. There is a query regarding responsibility for waymarked routes if they go through road underpasses.

The Official Verderer said the Court will write to Natural England asking for comments and any concerns.

- 2024/13642 VERGES AND RAGWORT – FORESTRY ENGLAND & THE NATIONAL TRUST Presentment by Mr Andrew Parry-Norton, Chairman, New Forest Commoners' Defence Association (CDA) DISCHARGE
- The Court also thanked Forestry England for its work clearing ragwort and verges.
- The Clerk will ask the National Trust to undertake similar works. Action Clerk
- 2024/13643 PENNY MOOR RESTORATION RESUME  
Presentment by Alison Tilbury on behalf of herself and Margaret Travers
- Mr Deakin said that he had asked for the restored areas in this location to be fenced as he considers that in their present condition, they are a hazard to stock. Forestry England's ecologists had already suggested that should be done.
- Mr Stride said the fords are unsatisfactory as they are. There was already a hole in one. The use of rejects in a crossing used by horses and stock is totally unsuitable.
- Mr Chatters suggested OFAC should consider the design of fords to ensure they are suitable for all users.
- 17 pits were dug to provide material for the work on the Bishops Dyke and they are very dangerous when commoners are colt hunting. They would bring down a horse if it stepped in one.
- Stock cannot be managed in the area since the work was carried out.
- The Deputy Surveyor said he will respond to the Court as soon as he can with details of how these issues can be addressed and resolved. Action DS
- 2024/13644 FORESTRY ENGLAND BRIDGES RESUME  
Presentment by Hilary Harper on behalf of the New Forest Commoners' Defence Association and Ailsa Farrand on behalf of the New Forest Equestrian Association
- The Deputy Surveyor said there are two processes in progress relating to bridges.
- One is a strategic review of all the bridge assets. This will ensure that the bridge assets are properly located to meet ours and our partners needs now and in the future as the management of the Forest has and will continue to evolve.
- As part of this process we are reviewing weight limits on all vehicle bridges, to ensure that key routes used for operations are safe and fit for purpose. We are working to understand which bridges are required for timber extraction, haulage and other operations carried out by, or on behalf of, Forestry England. As well as this consideration is being given to the needs of other operational users such as the Agisters, commoners, their livestock. We will also consider the needs of horse riders, walkers and cyclists.

The other process relates to the use of pedestrian bridges as we are aware that they are being used by equestrians despite their design being outside the correct specification for equestrians due to their load capacity, surfacing, handrail height and approach angles. Two incidents have occurred in the last 12 months that have brought this issue to our attention and we have had to take measures to draw users attention to the unsuitability of pedestrian bridges for use by equestrians and the risk that this involves.

Action DS

Timber bridges are deteriorating faster than their design lifespan due to modern timber preservation treatments not being as effective as they were in the past. As part of the work to replace timber bridge decks we have changed the specification of the deck timber and have started to procure thicker timber that lasts longer and gives better value.

Mr Deakin said that the current FE bridge strategy is causing real difficulties with holding some drifts, and also with catching individual animals on horseback. Many routes to the permanent pounds cross essential bridges, which are often in poor repair or sign posted as not suitable for horse riders. Drifts are a vital part of pony welfare management. Mr Deakin repeated his request, first made in the June Court, to see a copy of the FE bridge classification, to allow a compatibility with stock management assessment to be made.

The Court asked Forestry England to provide an update as soon as possible.

2024/13645 FOREST MAINTENANCE  
Presentment by Brian Ingram

DISCHARGE

Forestry England's lack of resources, both financial and in terms of the reduced number of staff, means that maintenance work has to be prioritised.

2024/13646 OP MOUNTIE  
Presentment by Gilly Jones

DISCHARGE

The Court noted Ms Jones' presentment.

2024/13647 GELDINGS  
Presentment by Eloise Cavanna

DISCHARGE

The Court commended Miss Cavanna for taking the time to come to Court to make her presentment.

Unfortunately, the Court does not have the power to order geldings off the Forest unless their behaviour is such that breach the Verderers' Byelaws.

**Mr Burke left the meeting**

**MATTERS ARISING**

2024/13648	PROCEDURES	RESUME
	Members of the Court confirmed their agreement with the paper presented by the Official Verderer and expressed their thanks to Mr Chatters, Mr Gammon & Mr Pasmore for their work in drafting the document. The Deputy Surveyor is seeking advice.	Action DS
2024/13649	CAMPING – CNF FOOTPRINT ECOLOGY REPORT	RESUME
	It is felt the Footprint Ecology Report does not give adequate consideration to commoning.	
	Non-reporting of incidents because there is a belief that mischievous animals are culled is a concern. It is important that mischievous animals are reported in order that consideration can be given to what, if any, action should be taken. In some cases, animals may be moved or removed, if it is felt they are exhibiting bad behaviour which may escalate.	
	It is believed ice cream sales may be taking place on campsites, including ice cream for dogs! The Deputy Surveyor will investigate.	Action DS

**UTILITY PROPOSALS – DE-MINIMIS CONSENTS**

2024/13650	DE-MINIMIS-CONSENTS - UTILITY PROPOSALS AGREED BY THE DE-MINIMIS COMMITTEE	DISCHARGE
	DM0203 Clancy for Southern Water, Oaks Villa, Balmer Lawn Road, Brockenhurst – Repair leaking water pipe between main and property boundary.	
	DM0204 Keir for SW Water Royal Oak, Hilltop Beaulieu - Remove an existing meter and cap off the connection to an existing 150mm D.I. water main and secondly, an existing Wash Out Hydrant (WOH) within a chamber will be removed and replaced with a new WHO on an existing 3 Inch C.I. water main.	
	DM0205 Forestry England for Soton Uni - Installation of 4 water monitoring gauges for 2 years. Assurance given by Leanne Sergeant, Snr Ecologist Forestry England that they will be removed after this period. One is inside Burley Outer Rails inclosure. Three on the open forest, one at Highland water (just down from the bridge), the last two are near Queens meadow.	
	DM0206 Openreach - Installation of 1.5m of new ducting. This is to provide fibre to the Pumping Station, Moorhill, Burley, Ringwood, BH24 4AH.	
	DM0207 Kier for SW Water – Vicinity of East End Bridge, East End, Lymington Road, East Boldre, Hampshire, SO41 5SY Proposed new connection. the stop/tap meter box will be installed within the applicant's property.	

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

2024/13651 WESSEX INTERNET PROPOSAL AT PICKET HILL DISCHARGE

Insufficient detail has been provided. NOTE – This proposal has been withdrawn.

**SSSI RESTORATION WORKS**

2024/13652 SSSI REPAIR & MAINTENANCE LIST RESUME

There have been no changes to the list.

2024/13653 WATER MONITORING GAUGES DISCHARGE

Proposals to install three water monitoring gauges at Burley Outer Rails Inclosure, on the Open Forest, one at Highland Water (just down from the bridge) and two near Queen's Meadow are approved. Approval is conditional on the gauges being removed at the end of the projects with a date for removal being confirmed by Forestry England. Action DS

**ITEMS REQUIRING ACTION BY FORESTRY ENGLAND**

2024/13654 ACTION LIST RESUME

The list was noted.

The boards at Denny and Standing Hat have still not been removed. The Court asked that they are taken away. Action DS

2024/13655 REPTILE MATS RESUME

Mr Stride reported that there are a number of mats on the Withybeds side of the A31, along to Andrews Mare. They need to be removed before the drift. Their position makes them dangerous as it is likely they will cause riding horses to shy. Additionally, the mats have blown into the heather. Action DS

2024/13656 COWS EATING PLASTIC SIGNS AND RED & WHITE TAPE DISCHARGE

Several instances of cows eating Forestry England and other (Marathon) signs have been reported. In addition, cows have been seen chewing the red and white plastic tape which is now being used on the Forest. The Deputy Surveyor said he has asked his team to give careful thought as to when signs and tape are used.

**ANY OTHER BUSINESS INVOLVING FORESTRY ENGLAND**

2024/13657 VERDERERS' HALL SOUND SYSTEM DISCHARGE

Mr Pasmore said he struggled to hear the presentments this morning and asked if the sound / PA system can be checked. The Deputy Surveyor said he will investigate. Action DS



2024/13658	DENNY LODGE WATER SUPPLY	DISCHARGE
	<p>The final proposal involves laying a new pipe which will be done by directional drilling. The work will be undertaken in line with Natural England's Pipe and Cable Laying Method Statement.</p> <p>The tanks which were originally proposed are no longer required. The current system will be decommissioned with as much infrastructure as possible removed. The existing tanks will be imploded, capped, and allowed to grass over. The campsite closes on 30<sup>th</sup> October and work is due to commence on 6<sup>th</sup> October. There will be a pre-commencement meeting to which members of the Court will be invited.</p> <p>The Official Verderer thanked Forestry England for devising a solution to the water supply problem which will involve minimal disturbance and long term impact on the Forest.</p>	
		Action SM
2024/13659	ROADSIDE VEGETATION CLEARANCE	DISCHARGE
	<p>Miss Sevier thanked Forestry England for clearing roadside vegetation. She added that there are a number of very dead looking Ash Trees on the roadside between Roundhill Car Park and Brook. It is understood some of the land belongs to Canterton Manor and the risk has been flagged.</p>	
2024/13660	LODGE HILL TRACK	DISCHARGE
	<p>Mr Stride reported that the trench at Lodge Hill has been removed and the track repaired.</p>	
2024/13661	TREE CLEARANCE AT HOLMSLEY	DISCHARGE
	<p>Mr Deakin thanked Forestry England for tree clearance work in advance of the Holmsley Drift.</p>	
2024/13662	ACCESS LICENCE TO NEW COMMONERS' DWELLING	RESUME
	<p>A commoner who provides significant assistance to the Agisters has obtained planning permission to build an agricultural-workers dwelling, but upon applying for an access licence from Forestry England the fee is unaffordable and will mean the dwelling won't be built.</p> <p>The Official Verderer said he is pleased Forestry England sets commercial levels of fees for new accesses to high value property, but he said he feels a modest dwelling with a commoning or agricultural tie should be treated differently. The Deputy Surveyor said the concerns were noted and would be considered.</p>	
		Action DS
2024/13663	FILMING & OTHER ISSUES ON THE DAY OF THE WILVERLEY DRIFT	RESUME
	<p>A film company arrived at the Wilverley Drift without permission although it transpired that Forestry England had licenced some filming in nearby Wilverley Inclosure.</p>	

On the same morning, the Forestry England firing range at Markway was in use and some car park maintenance was being undertaken in Wilverley Car Park using a grader.

Action DS

The Deputy Surveyor was asked to find out exactly what the permission for the filming covered.

As respects the other matters, the Court is dismayed that Forestry England staff feel it is alright to cause such disturbance in the vicinity of a drift. The firing and grader inevitably upset the ponies and could have caused the drift to fail. The Court is concerned that some Forestry England staff do not appear to understand the importance of the drifts and the Deputy Surveyor was asked to take steps to avoid a repeat.

Action DS

**There being no other business involving Forestry England, the Deputy Surveyor and Assistant Land Agent left the meeting**

### **ENCROACHMENTS NOT INVOLVING FORESTRY ENGLAND**

2024/13664 ENCROACHMENTS

DISCHARGE

Mr Deakin reported that the New Forest Commoners' Defence Association is dealing with several encroachments, including a fairly longstanding one in Woodlands Road, Ashurst. Trees which were planted outside a property fence have been moved inside the fence but the fence is not in the correct position. In principle, this constitutes an illegal encroachment on common land, although in this case, there is minimal loss of grazing.

### **OTHER AGENDA ITEMS**

2024/13665 VERDERERS' ELECTION

DISCHARGE

The Clerk reported that there are only in the region of 500 names on the Electoral Register. This is disappointing given that there are upwards of 700 practising commoners. Everything possible was done to publicise the election and encourage anyone eligible to return their forms to be included on the register.

**Mr Gammon gave his apologies and left the meeting**

### **HIGHER LEVEL STEWARDSHIP SCHEME & THE VERDERERS' GRAZING SCHEME**

2024/13666 HLS BOARD MEETING

DISCHARGE

The HLS Board meets on Monday. The Official Verderer reported that in the interests of transparency, more papers are being published online.

### **REPORTS FROM EXTERNAL COMMITTEES AND WORKING GROUPS**

2024/13667 NEW FOREST DOG GROUP

DISCHARGE

Mr Manley reported that unfortunately the meeting scheduled for Friday has had to be cancelled as a number of people are unable to attend. A new date will be set.

2024/13668 OPEN FOREST ADVISORY COMMITTEE (OFAC) DISCHARGE

Some Verderers who usually attend OFAC are unable to join the next meeting which is on 17<sup>th</sup> October.

2024/13669 FOREST FARMING GROUP DISCHARGE

170 people attended the recent commoning consultation meeting. A number of questions were asked, including who would administer a new scheme. The Official Verderer said that at the moment, no one knows what Government will require, or what commoners will have to agree to if they wish to join. Such information will hopefully become clearer once PA2 project is completed.

#### OTHER ADMINISTRATIVE MATTERS

2024/13670 FINANCIAL MATTERS INCLUDING THE FINANCIAL STATEMENT RESUME

The Financial Statement was noted.

The Clerk was asked to find out why the Court is paying Corporation Tax when the accounts show a deficit for last year. Action Clerk

#### HEALTH & SAFETY

2024/13671 RIDER FALL AND INJURY ON THE NEWBRIDGE DRIFT DISCHARGE

A young lady (13 yrs old) fell off her pony at this drift and broke her leg. It was an accident caused by a fresh pony which unfortunately became excited and unseated its rider. The incident has been recorded in the Accident Book. No further action is required except to remind Agisters to make sure that young persons assisting on the drifts are always accompanied by a responsible adult, and of course, known to the Agister in charge of the drift.

#### ANY OTHER BUSINESS

2024/13672 AIR AMBULANCE DISCHARGE

On 9<sup>th</sup> September, the Clerk circulated an email from the Hampshire & Isle of Wight Air Ambulance explaining that they have launched their "Operation Airbase Appeal, save time, save lives." It said....

'Today marks the launch of our Operation Airbase Appeal, save time, save lives.

After extensive planning and talks with Southampton Airport, we have received approval to purchase a building.

This will mean that if we move, we will be able to reach almost everyone within Hampshire and Isle of Wight within ten minutes, saving those critical minutes when it matters most. Not only this, but it will also mean that we can improve crew wellbeing, provide better aftercare services, and reduce our emissions.

However, as we are a charity and receive no government or NHS funding, as you know, we will not be able to do this without extra support.

For more information here is the link to our website page:

Operation Airbase | Hampshire and Isle of Wight Air Ambulance ([www.hiowaa.org](http://www.hiowaa.org)).

Also as discussed, if anyone has been a patient of ours, they can now reach out to our aftercare service, free of charge. This supports people who have used the service but also family members and bystanders. If any of the Verderers have used our service, and would like to get in touch to discuss what happened and why some decisions were made they can email [HEMSaftercare@uhs.nhs.uk](mailto:HEMSaftercare@uhs.nhs.uk) or call 023 8120 1443.

For more information about our aftercare service, here is the link to the webpage: Patient & Family Support | Hampshire and Isle of Wight Air Ambulance ([hiowaa.org](http://hiowaa.org))

Finally, as promised, I would love to invite any Verderers who might be interested to get to know the charity more on an airbase tour of our current airbase in Thruxton. I can accommodate groups up to 12 people, but can take more than one group, if you have more than 12 people. Tours usually start at around 10am and are during the week, but I am happy to be flexible!

The Clerk advised the Air Ambulance that as a statutory body, the Verderers Court is unfortunately not able to donate to charities but that does not preclude individual Verderers doing so on a personal basis if they so wish.

2024/13673 SOLENT CO2 PIPELINE PROJECT

DISCHARGE

One of the three proposed routes for the pipeline impacts the Forest. It just clips the Crown Lands in the vicinity of Norley Wood. The proposers have been advised that Verderers' consent will be required if this route is chosen. The Official Verderer said that the New Forest National Park Authority, Hampshire County Council and New Forest District Council will all support the Court in engaging with the Significant Infrastructure Projects (NSIP) process should a proposed route crossing any common land within the New Forest be progressed.

2024/13674 STOCK SIGNAGE ON BEAULIEU ESTATE

RESUME

Mr Deakin said he recently approached a family petting stock in Beaulieu to warn them of the dangers and was told they had not seen any signs. The Estate does not like signage within the village but the Court thinks perhaps it is needed.

The Clerk will contact the Estate to explain why the Court and commoners feel such signs are important and should be allowed.

2024/13675 BOVINE VIRAL DIARRHOEA (BVD) VACCINATION RESUME

The New Forest Commoners' Defence Association has approached the Court, asking if the Agisters would be able to assist with vaccinating cattle against Bovine Viral Diarrhoea (BVD) at the time they attend commoners' holdings to mark cattle. The Official Verderer has spoken to the Head Agister who wants to understand more about what is involved. If the request is agreed, there are clear health and safety implications to address.

Action SLC

The Court agreed this matter should be delegated to the Staff Liaison Committee for consideration.

2024/13676 A31 PROPOSED PLASTIC FENCING DISCHARGE

National Highways is exploring replacing some of the A31's wooden post and rail fencing with plastic fencing. A trial has been suggested, to take place in the vicinity of Andrews Mare where the fence is in an appalling condition. However, it appears the posts will have to be concreted-in and Natural England no longer permits the use of concrete on the Forest. It has been suggested that the alternative is to drive the posts in but there seems to be some debate as to whether that is feasible.

#### STAFF MATTERS

2024/13677 STAFF LIAISON COMMITTEE MINUTES DISCHARGE

The Court noted the Minutes of the September Staff Liaison Committee meeting.

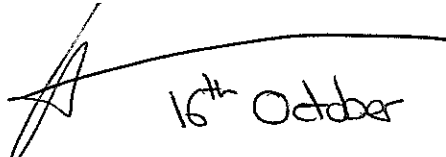
#### The Clerk was asked to leave the meeting for this final item

2024/13678 HR / REMUNERATION COMMITTEE RESUME

The Terms of Reference of this Committee are agreed.

The Official Verderer gave an oral report of the recent HR Committee meeting.

There being no further business, the meeting ended at 14:46 hrs

 16<sup>th</sup> October 2024