

## MINUTES of the Court of Verderers – Wednesday 17<sup>th</sup> February 2021

At the time of this Court, the UK outbreak of novel Coronavirus, known as Covid-19 continues. Government advises the population to avoid meetings where the disease could potentially be passed from person to person and homeworking is recommended wherever practical. Once again, the Verderers did not meet in Open Court or in person in Committee.

Items included in these minutes were discussed in a virtual online meeting via 'Zoom'.

The following is a record of proceedings.

PRESENT ONLINE	Lord Manners Mr R Deakin Mr A B Dowsett Dr G Ferris Mr J Greenwood Mr R Manley Mr A H Pasmore Mr D Readhead Mrs D Westerhoff	Official Verderer Elected Verderer & Staff Committee Chairman Forestry Commission Appointed Verderer Co-opted Elected Verderer Elected Verderer DEFRA Appointed Verderer Senior Elected Verderer Elected Verderer Natural England Appointed Verderer
IN ATTENDANCE ONLINE	Miss S Westwood Mr B Rothnie	Clerk to the Verderers Deputy Surveyor of the New Forest
APOLOGIES	Cllr E Heron Mr P Grugeon	National Park Appointed Verderer Forestry England Land Agent (New Forest)

### 2021/11479 MINUTES OF THE LAST MEETING

The minutes of the last Court held on Wednesday, 20<sup>th</sup> January 2021 were approved and will be signed by the Official Verderer at the earliest opportunity.

### 2021/11480 DECLARATIONS OF INTEREST

Declarations of Interest can be found on the Verderers' website [www.verderers.org.uk](http://www.verderers.org.uk). Dr Ferris's declarations of interest will be published on the website immediately following this meeting.

### ANNOUNCEMENTS & DECISIONS FOR PUBLICATION

The Announcements & Decisions, as followed, were approved.

#### 2021/11481 HATCHET POND & PARKING ON THE FOREST BY TRADESPEOPLE

The court received a presentment in December from the Deputy Surveyor and in January from Mr Thomas and Mrs Bolton about the changes to Hatchet Pond.

The Court was unhappy with the removal of the toilet block and expressed that concern to the Deputy Surveyor. However, it had already been removed. So far as the balance of the proposals are concerned, the Court does not object to them. Whilst the car parking will be more visible, on balance we agree that it is better to move the parking further away from the pond itself.

Mr Thomas and Mrs Bolton both raised the issue of verge parking. When appropriate, Forestry England's Verge Protection Officer tackles the issue of verge parking with the use of dragon's teeth or ditching and banking. However, the Verderers are keen to see a more effective and Forest wide prohibition of verge parking. This is something that is being actively pursued through the Recreation Management Strategy steering group of which the Verderers are active members.

Mrs Bolton expressed concern that the restoration of the existing car park and track will have little effect on the ecology. We have asked Forestry England's ecologist to respond direct to Mrs Bolton on that point.

Mr Thomas also raised the issue of vehicles being parked on the open Forest during construction works on properties adjoining the open Forest. This is not permitted and Forestry England is proactive in managing these situations. When planning permissions are granted for construction work, we understand that the National Park authority draws this issue to the attention of applicants.

#### 2021/11482 HIGHER LEVEL STEWARDSHIP SCHEME

I am delighted to announce that the Verderers of the New Forest Higher Level Stewardship Scheme, England's largest agri-environment scheme has again been extended for another year, meaning important conservation projects and support for the unique commoning system which shapes the New Forest will continue into the future.

The HLS helps to protect the New Forest's internationally-important wildlife and habitats.

Launched in 2010 as a 10-year agreement with Natural England, it's managed by the Verderers in partnership with the New Forest National Park Authority and Forestry England. The scheme works to increase the New Forest's resilience in the face of habitat loss and the impacts of climate change. It has been a rare opportunity to conserve fragile habitats and support commoners and the rollover is welcome news as Britain has now left the EU and is working on a new domestic agricultural programme which is scheduled to come into effect in 2024.

#### 2021/11483 FEEDING OF FOREST ANIMALS BY THE PUBLIC

I am saddened to report that a pony is dead as a result of eating food left on the Forest by a member of the public. The pony was found choking on carrots and died two days later. Another Commoner has been left with a significant vet bill after her pony was found choking, having eating savoury pies that someone had left on the Forest for the animals.

No matter how well intentioned, feeding the ponies is forbidden in the Forest for very good reasons. Not only does it change the ponies foraging behaviours, but it may cause choke and can and does kill. Fed ponies can become aggressive, they learn to approach people and demand food if they think someone has some to offer. A pony who displays this learned behaviour cannot stay on the Forest and has to be removed for the safety of the public, the same public who fed it. The animal will then face a very uncertain future through no fault of its own.

After listening to me, you may still ask what harm can a carrot do? Well, we can this month tell you, with certainty, that a carrot can kill.

If you are concerned about the condition of animals on the Forest do not feed them, but call us on 02380 282052. An Agister will check the animal and if he feels it is necessary, he will arrange for it to be taken home by its owner. Please, **DO NOT FEED THE ANIMALS.**

## PRESENTMENTS

### 2021/11484 CYCLISTS ON THE FOREST

Presentment by the New Forest Equestrian Association

The NFEA is delighted to learn that the Verderers have approached FE regarding the increasing problems with cyclists using the Forest.

#### Current Situation

There has been a substantial increase in the number of cyclists on the Forest, both training groups on the roads and mountain bikers, pleasure cyclists and electric bikes on the tracks/paths.

This increase has been boosted both by the general popularity of cycling and the lockdown emphasis on 'taking exercise' leaving many with the opportunity to exercise for longer whilst the gyms/sports clubs are shut.

#### Effect on the Forest

This has created serious damage to the fabric of the Forest and difficulties with other Forest users due to the erosion of paths, and cyclists spooking horses (ridden and de-pastured). We have had reports of groups of cyclists travelling at speed, who have become rude and abusive to walkers and riders alike.

Electric bikes enable those riders to cover more ground and demanding terrain at much higher speeds, whilst being almost silent, creating a danger to walkers, riders and stock grazing.

Many, particularly mountain bike enthusiasts, seek puddles, wet ground and unstable surfaces for the 'full outdoor experience', this further exacerbates the damage to tracks. We have also had reports of cyclists in the inclosures at night, this has a highly detrimental effect on the wildlife.

We are anxious not to 'tar' all cyclists with the same brush! There are many who do stick to the gravel tracks, are courteous and observe regulations and restrictions, but there are many cyclists who clearly do not. There has become an increasing number of reports of unsavoury and dangerous exchanges/incidents between horse riders and cyclists to the extent that serious accidents and narrow escapes are becoming a common occurrence. Clashes between cyclists and Forest ponies remain unrecorded.

#### Education

When approached, we have had very positive responses to Cycling Clubs organising events on the Forest, with respect to approaching/passing horses, both ridden and grazing. Poor decisions and 'bad' behaviour is usually the result of ignorance rather than malice. Many cyclists express surprise that silence is not the best option when passing horses, particularly on the road. Basic measures, supported by the police, of making your presence known and leaving sufficient room, are not difficult to carry out, but education is vital.

Local businesses hiring out bikes could be made responsible for ensuring customers know where they can and cannot go, with a brief explanation as to why, which always helps. A comprehensive leaflet with specific code of practice and details of routes for cyclist as mandatory when hiring?

There seems to be a complete lack of knowledge in this area, of where and why there are no 'official' cycle tracks, no consistent, visible signage, and overall, no enforcement, which we appreciate is very difficult in practice.

#### Solutions

We would hope a more consistent approach to signs would start to make a difference, these should be at all access areas to the Forest (car parks, pub access points, and known paths illegally used). Please see attached photo of 7 signs on one gate representing differing parties but act only to confuse and likely to be ignored. One sign would be preferable with some authority attached.

We would suggest a large sign exactly the same on each and every gate adjacent to a cattle grid which denotes entry to the Forest, very much like those on entry to a Safari Park which draw attention to the fact that this is a special area preserved with its own rules and regulations that are a requirement on entry and not optional.

#### Highlighting

- No parking on the verges
- No cycling other than designated paths
- Do not feed or approach cattle, ponies or donkeys
- Shut all gates when passing through
- No fires, barbeques or camping
- Please respect other Forest users

#### BY ORDER OF THE VERDERERS

Making the public fully aware may help alleviate other issues such as parking on the verges and speeding, also prevent idiotic behaviour such as trying to catch or ride a Forest pony. Warning signs and reference to the designated authority could be significant in any legal dispute regarding behaviour on the Forest. Each car park should have a map on a noticeboard showing designated routes where cycling is permitted, and further relevant information such as where ground nesting birds are found, so dogs must be kept on a lead. If cycle routes were clearly marked, horse riders would then have a choice of whether to ride on the track or avoid it.

Specific signs on the inclosure gates, which clearly states no admittance after dark would be welcome.

Temporary closure notices to those paths currently suffering extensive damage.

Working with cycle clubs/event organisers to put together approved 'circuits or routes' with information regarding starting points, accessibility, required fitness and of varying length. Encouragement in the right way, and education have to be the initial measures to curb this blight and prevent further damage and more serious accidents.

There is no reason why cyclists and horses cannot both enjoy the Forest, but this requires cooperation, and a concerted effort to educate all users before some form of enforcement.'

2021/11485 B3078 – THE OLD WORRY, TRAFFIC CALMING  
Presentment by Mrs Mary Gray, Commoner

My Presentment, concerning the 'Old Worry'. Traffic calming, particularly the B3078 Roger Penny Way

I believe the only absolute, ideally would be fencing. My swan song many times. Hesitation cost, out of the question, I understand. Blanket speed limit throughout Forest unfenced roads. 30 mph. Not the whole answer, hopefully curb those who think 40 mph. 50-60 and more Fine!

30 mph hopefully would, draw back speed, injuries, death deterrent, a little!

∴ as with a child in a sweet shop "you may have one more my dear" . Stamping of feet!  
"I would like more." Every little effort helps!

Must add “congratulations to Graham Ferris, co-opted to Court of Verderers”, such an asset, much experience!

Realising a difficult task, you All have!

p.s. Apologies my ‘old fashioned’ way of writing. Presentment not at all technology minded!

2021/11486 DO NOT FEED THE PONIES  
Presentment by Mrs Gilly Jones

‘Good morning Official Verderer, Verderers,

As you all know, I work hard on two sides. To try and reduce the amount of animal accidents, and to stop the culture of petting and feeding stock. As we all know, they go hand in hand.

If we learned anything from last year (2020) we know when lockdown is lifted, the New Forest is going to get walloped. I would ask the verderers to, in the next few days, ask all the agencies to get organised and get all the print work they need in place before Easter. Be that copies of the New Forest Code, to, as a minimum size A3 posters (Corex or permanent) signage.

I have talked today to the owner of the pony who was photographed choking after eating carrots. That pony passed away two days later. She is not the only one, and we have to think about the ones who are not found, and go off to die.

The ‘Don’t feed the ponies/ donkeys’ is key, be that to locals or visitors.

Social media works to a degree, but I think it’s gotten to the stage to say NO or DON’T. It is difficult for me, as I have a good working relationship with the NPA and FE, but I am only me. Most people I know back the idea, but they are not quite so vocal.

We are at a turning point, unless someone in officialdom stands up and says no to the fluffy ‘Come to the Forest and do what you want’ messages we, will lose the Forest as it is. There will be more cases of children/adults being hurt by stock. I fail to see why we shouldn’t say NO. We used to do it and have a penalty. The Verderers byelaws 3.1.1, 3.1.2, 3.1.5, 11.1 in my mind, cover all this. Who is being led by who now?

There is a massive requirement for education, from the moment you cross a cattle grid, to every pub, B&B or shop. Either the information is not getting to them, or the will to get it to them is lacking. I try as hard as I can, but without the leaflets etc., I cannot cover everywhere. I know that some think that everything should be on websites etc., but with the blackspots we have within the Forest, that’s not the best idea. We need this now, not in the normal 3-year time frame.

Education is the key and we all have to work together. The CDA has put some members through engagement training, only to be stymied by FE, who will not let them put a horse trailer in car parks in high footfall areas.

I ask the Verderers to take the lead on this, and get everyone to be ready for the influx and support anyone, whether that is someone going solo to other agencies who are willing to work to support the Rangers.

I will carry on doing what I’m doing, but would love some official support from the Verderers and once that happens, I know others will follow.’

**CONSIDERATION OF PRESENTMENTS**

2021/11487 CYCLISTS ON THE FOREST

RESUME

The Clerk said that in several emails she has received lately, as well as in a letter received by one of the local MP's, it was suggested that cyclists are not damaging the Open Forest. It was agreed that it will not be difficult to obtain photographic evidence of damage. The Deputy Surveyor responded, saying that areas can be targeted for both taking photographs and also potentially making examples of cyclists who are not on the waymarked cycle network.

Action DS

The Official Verderer asked whether the Court would support, in principle, additional signage. Mrs Westerhoff reluctantly conceded that more signs are needed, but added they should be temporary. It should be erected in lots of places at times when there is extra pressure and removed again afterwards.

Mr Deakin felt strongly that a taskforce is required which should contain representatives of every organisation which has powers to manage recreation. That taskforce should create an action plan for the Forest for this coming tourist season. Signs can be part of that plan. People must be deployed, on the ground, to engage with visitors. The Official Verderer responded by saying that the Leadership Group, on which he sits, is working on this. Mr Anthony Climpson of Go New Forest has re-convened the group he set up last year and he has invited the OV to join it. The Deputy Surveyor confirmed that he is also part of the group, as are representatives of many other bodies. He added he has seen some plans this week.

Action  
DS/OV

The Official Verderer pointed out that Mr Climpson provides valuable input in the form of good communications and networking within the tourism industry.

Mr Dowsett is keen that electronic signage is given proper consideration. He suggested signs at the main gateways to the Forest would be extremely helpful in publicising important messages. The use of motorway signage on the approach to the Forest was considered last year but decided against but that decision can be reviewed for this year. .

2021/11488 B3078, THE OLD WORRY, TRAFFIC CALMING

DISCHARGE

A reduction in the speed limit to 30mph has been suggested before but dismissed by the Police as unenforceable.

Fencing is a contentious issue. Once the two worst roads (for RTAs) were fenced, more would become 'the worst roads' and calls would then be made for those to be fenced as well. Fencing would change the character of the Forest forever.

The Covid lockdowns have resulted in fewer accidents in 2020, doubtless because as well as less traffic generally, there have been fewer commuters crossing the Forest, especially in the dark. In future, more people may continue to work from home.

Average speed cameras need to be trialled to see if they have any effect. Obtaining them is a slow process but it is being pursued.

2021/11489 DO NOT FEED THE PONIES DISCHARGE

It was agreed that prosecuting byelaws is long winded and expensive and obtaining the desired result is by no-means guaranteed.

Mr Dowsett commented that the old posts that used to carry the 'Do Not Feed the Ponies – Fine £20' signs are, in places, still in situ but with nothing on them. The signs related to an old, repealed HCC byelaw. Those posts could possibly be used again for signage.

The Official Verderer asked if the Court is willing to delegate authority to him, to contribute towards the costs of new signage if necessary. This was agreed. Action OV

#### DE-MINIMIS CONSENTS TO BE RECORDED AT THIS COURT

2021/11490 DE-MINIMIS CONSENTS DISCHARGE

- DM0110 BT Openreach duct clearances in Palace Lane, Beaulieu
- DM0111 BT Openreach 1mtr duct to Brock Farm, Football Green Minstead
- DM0109 BT Openreach duct clearances and new cables in existing duct, Fantastic Ideas Ltd, Broadthorn, Armstrong Lane, Brockenhurst
- DM0112 Southern Water, repair to stop cock in Balmer Lawn Road, Brockenhurst

#### MATTERS ARISING FROM PREVIOUS COURTS OF CONCERN TO FORESTRY ENGLAND

2021/11491 BOVINE TB DISCHARGE

Mr Deakin updated the Court on the TB breakdown in two herds of cattle which share a holding near Brockenhurst. Several cattle in one of the herds were found to be TB positive on retest. The other herd was tested clear. The herds are managed separately. Radial testing is being arranged which will be fairly extensive as one of the herds ranges over several different parts of the Forest.

2021/11492 DOGS ON LEADS DISCHARGE

The Deputy Surveyor updated the Court on the position regarding Public Space Protection Orders (PSPOs). To date, PSPOs have not been applied to an area the size of the New Forest. Work on this is continuing.

2021/11493 MINSTAD CRICKET CLUB LICENCE RENEWAL RESUME

There is nothing further to report at this time. Action PG

2021/11494 RTAS INCLUDING THE B3078 – PROVISION OF SALT/MINERAL BLOCKS ON THE FOREST DISCHARGE

Mr Deakin updated the Court. The CDA is looking for suitable containers which meet Natural England's requirement to prevent leaching into the surrounding soil. Mr Pasmore questioned why NE would object when road gritting spreads salt everywhere! Mrs Westerhoff pointed out that NE must carry out its duty to protect the SSSI.

If agreement can be reached and it can be funded, this will be an initiative for next winter.

### SSSI RESTORATION WORKS INCLUDING THE ENHANCEMENT LIST

2021/11495 ENHANCEMENT LIST RESUME

The Court commented that the layout of the list is much improved.

### ENCROACHMENTS ON FORESTRY ENGLAND LAND INCLUDING THE ENCROACHMENTS LIST

2021/11496 ENCROACHMENT LIST RESUME

Noted. Nothing to add.

### ISSUES REPORTED TO FORESTRY ENGLAND (ACTION LIST)

2021/11497 VEHICLES PARKING ON GRAZING NEAR PILLEY POUND RESUME

This should soon be finally resolved.

### OTHER AGENDA ITEMS INVOLVING FORESTRY ENGLAND

2021/11498 EAST BOLDRE ALLOTMENTS DISCHARGE

Historically, there were three sets of allotments at East Boldre. The middle set has not been used as allotments for a number of years. They will be thrown open this year. A discussion took place regarding the fencing and hedges. It is proposed that only the roadside fence will remain in place, in order to prevent stock appearing without warning into the path of passing vehicles. All other fencing will be removed. Two gaps will be created in the high bank on the boundary opposite the road to allow stock to enter and exist easily. The remainder of the bank will be left in situ as it is considered to be of historical interest.

Action PG

2021/11499 ELLINGHAM SPORTS CLUB LICENCE RENEWAL DISCHARGE

The Deputy Surveyor passed on the request from Mr Grugeon for comments to be sent to him, prior to commencing the re-negotiation of this club's licence.

Mrs Westerhoff reported a number of items are being stored behind the Pavilion that should not be there. It is understood the Club has access to a private area behind the garage which, if tidied up, would provide adequate space for the items currently stored on the Open Forest. The Court will, therefore, require the new licence to stipulate that nothing is to be stored on the Forest. This will be relayed to Mr Grugeon who will bring the matter back to the Court in due course.

Action  
DW/PG

2021/11500 BT OPENREACH – CIVILS WORKS AT THORNEY HILL, BRANSGORE. BRANSGORE V31 FIBRE TO THE PREMISES PROJECT DISCHARGE

This project fell outside the remit of the de-minimis sub-committee.

Several Verderers attended a site visit with BT Openreach. No objection was raised to the proposals. The Clerk will advise BT Openreach.

Action Clerk



2021/11501 BT OPENREACH – CIVILS WORKS IN PILLEY (LYMINGTON V8117 FTTTP PROJECT) DISCHARGE

These proposals also fell outside the remit of the de-minimis sub-committee.

Mr Deakin and Mr Dowsett made a site visit. Their only comment was that in some places the route runs close to some Oak trees but it is understood that hand digging will ensure the roots are not damaged.

The Court approved the proposals and the Clerk will advise BT Openreach. Action

2021/11502 THE DE-MINIMIS SUB-COMMITTEE AND SUBMISSIONS FOR WORKS WHICH EXTEND BEYOND ITS REMIT DISCHARGE

Mrs Westerhoff commended Mr Deakin and Mr Dowsett for their excellent work in ensuring the interests of the Forest are given top priority when they consider submissions from the various utilities. In view of this, Mrs Westerhoff suggested the remit of the de-minimis sub-committee should be extended.

Mr Deakin and Mr Dowsett thanked members of the Court for their confidence in them.

After a short discussion, it was decided that proposals which exceed the de-minimis limit of 100m but which are otherwise non-contentious, will be advised to all members of the Court and invitations extended to any site meetings that may be arranged. Members of the Court are always at liberty to undertake site visits by themselves and report any concerns. In the absence of any concerns or objections being received, the de-minimis committee will approve the proposals. If concerns are raised, the proposals will be brought to the whole Court for discussion. The Clerk will update the Delegated Authority paper.

Action Clerk

2021/11503 RECREATIONAL PRESSURES – THE OFFICIAL VERDERER'S LETTER TO THE CHAIRMAN OF THE NFNPA DISCHARGE

The Official Verderer referred to the letter he wrote to the Chairman of the NFNPA, setting out the Court's concerns at the highly detrimental effect increasing recreational use of the Forest is having on the Forest, its management and in particular, the Agisters' ability to undertake their duties, including ensuring the welfare of stock. A response was received, in which examples of the problems were requested. The Head Agister wrote an extremely good paper, setting out the concerns and day to day issues that the Agister team is facing.

The Chairman's letter was considered to be disappointing. It appeared to ignore the Recreation Management Strategy.

The Court recognises that the NPA has conflicting duties. It is supposed to conserve the Forest but at the same time promote recreation and social and economic growth.

Mr Greenwood said he is interested in how the USA manages its National Parks. Mr Pasmore pointed out that in the USA, the rules are enforced much more strictly.

The interpretation of the word 'park' was discussed again and reference made to a recent letter from a local resident, Mrs Susan Smorfitt. Mrs Smorfitt suggested the New Forest should be renamed, as calling it a 'National Park' is slightly misleading for many visitors. 'National' suggests it belongs to the nation, i.e. everyone. 'Park' means recreation to most people. Neither word accurately describes the New Forest. Mrs Smorfitt's proposal is to simply change the name, and only the name, to something like 'New Forest Nature Reserve'. This would more accurately reflect the value of the New Forest and may help to change the public's perception of a unique environment and encourage respect for what they have come to enjoy. It will still be designated the New Forest National Park, but with a more relevant name that the public can easily recognise. The OV will respond to the Chairman of the NPA.

The Official Verderer said that the Special by Design group has tried but failed to come up with a phrase to be used on the new gateway signs that better conveys the nature of their Forest. .

Concern was again expressed at the effect 10,000 new homes is going to have on the Forest, at present with no evidence that sufficient mitigation in the form of NEW areas for recreation will be insisted upon. Simply moving people around the Forest will do nothing to mitigate the inevitable increased pressure new developments will create. A new country park is suggested for the Eastleigh area but land ownership constraints make this difficult to deliver. Ideas for another Moors Valley in this area have been considered but the Verderers' view is that more such areas are desperately needed and quickly.

The proposals to change some of the Forest car parks has also stalled as Natural England is insisting that any expansion of car parks will need individual Habitat Risk Assessments (HRAs) and therefore planning permission.

2021/11504 IPLEY CROSSROADS REALIGNMENT UPDATE DISCHARGE

Natural England wants the work completed by the end of April. Work is due to start on 1<sup>st</sup> March. Traffic will be officially diverted via North Gate.

2021/11505 DAMAGE CAUSED BY PARKING AT DENNY WOOD CAMPSITE DISCHARGE

Mr Deakin said that significant damage has been done to grazing on Denny Wood Campsite due to a barrier being left unlocked. Mr Readhead said he too has inspected the campsite with Keeper Alan Stride. All the barriers have now been locked shut.

2021/11506 FORESTRY ENGLAND'S SIGNAGE DISCHARGE

The Deputy Surveyor explained the newly designed signs are the same size as the current ones and are made of the same material. The signs reflect Forestry England's re-branding in 2019 and are being rolled out throughout the Country. The new signs will be like for like with no further boards being added at this time other than where specific messages already exist, such as "No overnight camping". Mr Pasmore felt the modern design is not in keeping with the New Forest. He felt some words telling people that they may only cycle on the waymarked cycle network should be added.

2021/11507 SOUTHERN WATER – WATER QUALITY MONITORING EQUIPMENT DISCHARGE  
PROTECTIVE FENCING

The water monitoring equipment was approved at the last Court. However, a request has now been made for post and rail fencing to protect the equipment. Subject to agreeing the specification for the fencing, the request was agreed. Dr Ferris and the Clerk will liaise with Southern Water.

Action  
GF/Clerk

As respects the old brick water monitoring structures on Highland Water, Sean Marsh (FE) had planned to walk the Highland water and map the existing sites, but he was delayed by flooding in the area and other commitments. There are potentially several structures, which were installed by different groups, one being from Southampton University. Mapping will be completed before the next Verderers' Court with a view to ensuring the structures are removed as soon as possible.

Action SM  
(FE)

2021/11508 SOUTHERN WATER, WATER FOR LIFE – HAMPSHIRE PROGRAMME RESUME  
OF WORKS

Southern Water is pumping hundreds of millions of pounds into Hampshire and the Isle of Wight to help keep rivers and taps flowing during periods of drought. The Water for Life – Hampshire programme is intended to revolutionise the way water is sourced, treated and supplied across Hampshire and the Isle of Wight over the next decade.

Central to the plans, is a desalination plant which will take water from the Solent and turn it into drinking water. Southern Water is considering a possible site for this plant at Fawley, and it has identified possible corridors for pipelines running to and from the desalination plant. Some of the works will require Verderers' consent.

A final decision on the location of the desalination plant and associated pipeline routes is some way away. In the meantime, Southern Water needs to understand the issues and concerns of those potentially affected, as part of the wider consultation process. Mr Greenwood undertook to look at the proposals with a view to responding to the consultation on behalf of the Court.

Action JG

**ANY OTHER BUSINESS INVOLVING FORESTRY ENGLAND**

2021/11509 BURLEY CRICKET CLUB DISCHARGE

It is thought Burley CC is looking to replace the barriers around its square. At Lyndhurst CC, new barriers made from bright galvanised steel, were considered to be out of character with the Forest environment and the Court insisted they be painted. It took several years for this to be achieved although it has now been completed. The Deputy Surveyor was asked to let Mr Grugeon know that the Court will impose the same condition on any similar new barriers that Burley CC wishes to install.

Action DS

2021/11510 FALLEN TREES DISCHARGE

Recently, a pony had to be cut out of the head of a fallen tree. It is thought this tree had not been flagged as hazardous but the Court asked that Forestry England ensures similar trees, which are identified, are cut up. Mr Deakin told the Court that in the past, a pony of his died as it was trapped in a fallen tree and was not found in time.

2021/11511 MANAGEMENT OF FALLEN TREES WHICH BLOCK PUBLIC HIGHWAYS DISCHARGE

At Pennerley, a tree which came down across the road, was cut up and the arisings stacked on the verge. This resulted in stock being forced to walk out into the road to get past. It has previously been agreed that such arisings would be removed promptly by Forestry England and the Court asked that this be done. The Deputy Surveyor responded, saying that it is likely that contractors had cut up the tree and their priority would be to clear the road as quickly as possible.

Action DS

2021/11512 A35 HOLMSLEY BRIDGE REPLACEMENT DISCHARGE

In response to a query as to when the work to replace the bridge will be undertaken, the Official Verderer advised that work should start in August this year, with completion due by June 2022.

2021/11513 'TALLY HO' SITE ON THE A31 DISCHARGE

The site of the old restaurant is currently subject to an incursion by Travellers. The former restaurant owners are bankrupt and the site will revert to the Crown Estate. Consideration is being given to whether the land can be purchased by the New Forest National Park Authority or New Forest District Council and then transferred to Forestry England and incorporated into the Forest. In the interim, as soon as the travellers have left, Highways England will make the area secure. The traveller encampment is a significant highway safety concern.

2021/11514 NETWORK RAIL PROPOSED WORKS ON LOVELY HILL, PIGNAL & CROOK HILL RAILWAY BRIDGES DISCHARGE

A virtual conference took place recently to discuss Network Rail's proposals to undertake work on Lovely Hill, Pignal and Crook Hill Bridges. In addition, several Verderers visited the bridges by themselves.

The plans for Crook Hill need looking at again because the proposed new approaches are too steep for what is a widely used bridge. The proposals for Lovely Hill and Pignal are agreed. Pignal is a pedestrian/horse bridge with no access for vehicles.

No discussion took place on the nearby level crossings.

**The Deputy Surveyor left the meeting**

**MATTERS ARISING FROM PREVIOUS COURTS**

2021/11515 RESTORATION OF TURF HILL RESUME

Mr Pasmore said he is not happy with Forestry England's explanation of why it does not wish to complete the restoration work at Turf Hill. The Official Verderer said he is minded to pursue FC to complete restoration on the 6 acres which have not yet been worked. He and Mr Pasmore feel there is no archaeological justification for not carrying out the works on an area which has already been damaged by earlier ploughing.

As the land has already been ploughed, it seems a shame to leave it now, especially when such a beautiful job has been done in restoring the majority of the area. The Official Verderer will write to the Deputy Surveyor.

Action OV

2021/11516 CATTLE - ADVICE TO OWNERS RESUME

An additional paragraph asking cattle owners not to turn out their animals too early will be added. The letter will be amended, following some constructive advice obtained from Veterinary Surgeon, Dave Coombes.

Action OV

The Official Verderer said that once the Court is happy with the letter, he wishes to consult with the CDA prior to the letter being issued.

#### ENCROACHMENTS NOT INVOLVING FORESTRY ENGLAND

2021/11517 ENCROACHMENT AT PICKET HILL/SHOBLEY RESUME

The Court approved the CDA's request for a contribution of £1,500 + VAT towards legal fees which will be incurred in trying to ensure this encroachment is abated.

Action OV

The area constitutes a public hazard with stock hanging around hoping to be fed. One of the ponies that is standing waiting, is in poor condition and the owner will be asked to remove her.

#### HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2021/11518 HLS BOARD MEETING DISCHARGE

The HLS Board met a couple of weeks ago. The Official Verderer updated the Court on the matters which were discussed and on the achievements of the past year.

Mr Deakin commented that in his opinion, when installing car free defences, ditch and bank is preferable to dragon's teeth. Mr Dowsett commented that the Verge Restoration Officer, Mrs Jayne Albery, usually makes the final decision, based on practicalities and the likelihood of a ditch and bank being driven over by people in 4x4s. In some areas a ditch and bank has failed and dragon's teeth are the only other option.

2021/11519 VERDERERS' GRAZING SCHEME (VGS) RESUME

The money has now been received and payments to commoners in respect of 2020 are underway.

A meeting of the VGS Committee will take place to consider possible breaches of the rules. Letters have been sent to those commoners affected, explaining that their payments have been deferred, pending a final decision.

Action OV

#### REPORTS FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2021/11520 VERDERERS' REPRESENTATION ON EXTERNAL COMMITTEES AND WORKING GROUPS DISCHARGE

The list is being updated and it will be circulated once the alterations have been made.

Action Clerk

**GENERAL REPORTS AND ADMINISTRATIVE MATTERS**

2021/11521 STALLIONS

DISCHARGE

Stallion inspections will not take place again this year due to Covid-19.

Mr Deakin expressed concern that we could lose a generation of colts and in order to avoid that, he suggested that the colts licenced by the NFPB&CS at 2 years of age last year, should be looked at by the Stallion Sub-Committee, in the field in which they are currently grazing. Any which are of interest and are available will then be considered, along with the remaining stallions, when a decision is made about turning stallions out on the Forest this spring.

Action RD

2021/11522 CATTLE FEEDING

DISCHARGE

The cattle which were the subject of a presentment in January concerning their feeding area, are due for TB testing, commencing Monday 22<sup>nd</sup> February. The owner is catching his animals with the assistance of Agister Mike Lovell. As respects any cattle being fed in the wrong place, detailed evidence must be available if a prosecution under the Verderers' Byelaws is to be considered.

2021/11523 FINANCIAL STATEMENT

RESUME

The Financial Statement was noted.

2021/11524 REPORT ON MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR

RESUME

	<u>2021</u>	<u>2020</u>
Forest Ponies	342	817
Forest Cattle	381	498
Forest Donkeys	35	78
Forest Pigs	0	0
Forest Sheep	0	0
Total Forest Stock	758	1393
Common Ponies	53	141
Common Cattle	723	396
Common Donkeys	0	6
Common Pigs	60	2
Common Sheep	0	0
Total Common Stock	836	569
Ponies, Cattle & Donkeys on the Forest	758	1393
Ponies, Cattle & Donkeys on the Commons	776	543
Total Ponies, Cattle & Donkeys	1534	1936
Total Stock – Forest & Commons	1594	1962

2021/11525 CONDITION OF STOCK – REPORT FROM THE HEAD AGISTER

RESUME

The cold wet weather of the last month is starting to have an impact on the condition of the stock.

The majority of the cattle are still in at the moment, and the ones out are being fed and overall look OK. We shall continue to check the herds that are out and ask for the removal of any animals that are falling below our

accepted standard. The inspections we have done of particular herds with some of the Verderers are proving very helpful to the Agisters.

The majority of the ponies are looking quite good, and it's noticeable how much they are feeding on the gorse and holly now the weather has turned much colder. Cutting holly and maintaining good brakes of gorse through burning and swiping is so important. We are removing some poor ponies and I am starting to see some of the young ponies, two and three year olds in particular, beginning to go back in condition, but at the moment we are keeping up with the situation.

All the two year old colts have been removed and marking fees are starting to come in. I personally haven't been riding much since Christmas after injuring my back and then my ankle and Andrew had last week off as he had hurt his knee.

Both of us are now on the mend. Robert is now riding again after his serious injury last year.

As Raymond Bennett used to say, 'it's a young man's game!'

2021/11526 THE ANIMAL ACCIDENT REPORT FOR JANUARY 2021

RESUME

The Agisters attended 7 accidents in January, compared with 17 in the same period last year.

3 ponies and 1 donkey were killed.

1 accident occurred in daylight, 1 at twilight and the other 5 in the dark.

All the drivers reported having been involved in an accident.

The total number of commoners' animals killed and injured in 2021 to date is 4, compared with 10 in the same period last year.

2021/11527 HEALTH & SAFETY

DISCHARGE

The Agisters continue to work in two separate teams, with minimal contact between them to ensure compliance with the Covid-19 precautions which were introduced some months ago.

Difficulties catching poor stock because of the sheer number of people in the Forest are not diminishing and as the weather improves, the situation is expected to become much worse.

There being no further business, the video conference ended at 12:52 hrs.

*Julianne*  
17 March 2021