

MINUTES of the Court of Verderers – Wednesday 17th March 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.

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|----------------------|--|---|
| PRESENT ONLINE | Lord Manners | Official Verderer |
| | Mr R Deakin | Elected Verderer & Staff Committee Chairman |
| | Mr A B Dowsett | Forestry Commission Appointed Verderer |
| | Dr G Ferris | Co-opted Elected Verderer |
| | Mr J Greenwood | Elected Verderer |
| | Cllr E Heron | National Park Appointed Verderer |
| | Mr R Manley | DEFRA Appointed Verderer |
| | Mr A H Pasmore | Senior Elected Verderer |
| | Mr D Readhead | Elected Verderer |
| Mrs D Westerhoff | Natural England Appointed Verderer | |
| IN ATTENDANCE ONLINE | Miss S Westwood | Clerk to the Verderers |
| | Mr B Rothnie | Deputy Surveyor of the New Forest |
| | *Mr P Grugeon | Forestry England Land Agent (New Forest) |
| | Mr Grugeon experienced technical difficulties with his broadband connection at the start of the meeting and left. He re-joined the meeting during Minute No. 11598 | |

2021/11582 MINUTES OF THE LAST MEETING

The minutes of the last Court held on Wednesday, 17th February 2021 were approved and will be signed by the Official Verderer at the earliest opportunity.

2021/11583 DECLARATIONS OF INTEREST

Declarations of Interest can be found on the Verderers' website www.verderers.org.uk. Dr Ferris advised the Court that he is Joint Master of the New Forest Hounds.

ANNOUNCEMENTS & DECISIONS FOR PUBLICATION

The Announcements & Decisions, as followed, were approved.

2021/11584 DOGS ON LEADS

At our January court we received a presentment from Lucy Rowe on the subject of dogs in The New Forest.

Miss Rowe correctly identifies two Forestry England bylaws which cover the behaviour of dogs in the Forest. There is, in addition, specific criminal legislation in the form of the Dogs (Protection of Livestock) Act 1953 which provides that the owner or person in charge of the dog commits a criminal offence if the dog worries livestock on agricultural land.

Whilst the Verderers believe that there are many responsible owners who keep their dogs under proper control, there is an increasing number who do not. The Verderers applaud the efforts of NF Dog to promote responsible dog walking in the Forest. Many others, such as the Forestry England and National Park Rangers, do what they can to encourage responsible dog walking.

I should also say that when the owner of a dog that has been seen chasing or attacking stock has been identified we have found the Police very supportive.

Ms Rowe suggested Forestry England should amend its bylaws so that all dogs should be kept on leads at all times. The Verderers have long thought it anomalous that under the Countryside and Rights of Way ("CROW") Act dogs have to be on short leads during the bird nesting season which runs from 1 March To 31 July and at all times near livestock but that Act does not apply to the New Forest. The Verderers would support a similar provision applying to the New Forest, as we believe it would significantly improve the breeding results of ground nesting birds.

2021/11585 AVERAGE SPEED CAMERAS

We support the introduction of average speed cameras on Roger Penny Way and indeed I wrote again to the Hampshire Police and Crime Commissioner shortly before receiving Gilly Jones's January presentment urging this. Regrettably I have received no reply to my letter and I will chase for a response. As noted in my January announcement when the candidates for the post of PCC are known for the May election, we will lobby them to support this proposal and we urge others to do likewise.

2021/11586 CATTLE FEEDING

A limited number of areas are allocated to commoners, allowing them to feed their cattle on the Forest. Feeding cattle outside an allocated feeding area is a breach of the Verderers' bylaws. The Agisters monitor the use of feeding areas and in the light of Mr Ingram's presentment at our January court we have asked the Agisters to be particularly vigilant. If evidence to the required standard can be obtained, the Verderers will prosecute any breach of our bylaw 16.

Details of anyone driving across the roadside ditches instead of using a barrier or gate should be passed to Forestry England.

2021/11587 HIT & RUN RTA

On the morning of 3rd June last year, a pony was found dead by the roadside at Hilltop, Beaulieu. The pony had been killed some time the night before by a driver who failed to stop and report the collision. A vehicle with front end damage was later spotted in Holbury and following an investigation by the Police, Mr Oliver Attack admitted he was the driver and that he had been involved in an accident with a Forest pony. Mr Attack was taken to court and convicted of the offences of failing to stop and failing to report. He was given 10 points on his driving licence, a community order of 100 hours of supervised unpaid work to be completed over the next 12 months and was required to pay £85.00 court costs and £95.00 victim surcharge. Had Mr Attack reported the accident at the time it occurred, the owner of the pony would have claimed for her losses from the driver's insurance and that would have been the end of the matter.

2021/11588 NOT JUST CARROTS

In our February Court, I explained the potential dangers of feeding carrots to ponies. It seems that some members of the public have now decided that rather than feed carrots, it is a good idea to buy and feed the small bales of hay that can be purchased from pet shops. Feeding such small quantities of fodder encourages ponies to fight for the meagre offering or hang around hoping for more instead of foraging naturally. Such ponies often then lose condition.

We are coming to the time of year when people will start cutting their lawns. We expect this will be the next problem for the Forest stock. Grass cuttings heat up when left in heaps. If ponies or donkeys eat that grass, it causes excruciatingly painful colic and the animal often dies.

The other foodstuff we regularly see put out on the Forest in the spring and early summer, is bales of old hay. Those responsible are often horse-owners who have hay that they deem unfit for their own animals because it is mouldy or excessively dusty, so they think a good way of disposing of it is to feed it to the Forest animals. This again risks the health of the animals which eat it and encourages aggression.

At the risk of sounding like a stuck record, I want to stress once again, that members of the public, including residents, should never feed the Forest animals or put out on the Forest anything which the stock may eat. The animals have all they need on the Forest. Those which lose condition are taken home by their owners and provided with supplementary feed.

PLEASE DO NOT FEED THE ANIMALS OR LEAVE ANYTHING ON THE FOREST FOR THEM.

PRESENTMENTS

2021/11589 **CONCERNS OVER THE LEVEL OF CYCLING IN THE NEW FOREST**
Presentment by Mr Peter Rejchrt, resident of Hyde

This is a summary of my concerns about the level of cycling in the northern New Forest. I am resident in Hyde and have observed the increased level of cycling off permitted tracks. I fear that without any obvious enforcement or visible deterrents this will only increase during the warmer months as visitor numbers increased, emboldened by local cyclists disobeying the good conduct code.

I have attached a photo from Ocknell Plain where I recently saw damage to the open Forest. I can provide details of the exact location if needed, but I feel this a good example of cycling illegally across open terrain and destroying the habitat, happy to clarify on particular locations, etc.

Not only is there destruction to the habitat for wildlife, in the wet winter conditions cycling off permitted paths also causes such damage as to make pedestrian life harder with gouged out tracks in mud, sand and wet gravel, e.g. along Ditchend Brook towards Newgrounds and Pitts Wood.

Cycling at speed on gravel in bends (e.g. the steep track off Hampton Ridge along the back of Blissford/Chilly Hill to Ditchend Brook).

Many cyclists do obey the code, yet there is a significant number that do not and become abusive towards other users when challenged.

In the recent wet weather conditions, I am coming across bike tracks alongside paths not on the cycle network where the gravel paths are flooded and cyclists then destroy the surrounding heathland.

It appears there is a small, but nevertheless significant, local and 'near local' cohort of cyclists that feel the code does not apply, as the problem, whilst significantly worse in the summer, persists throughout the year.

Technology allows cyclists to conduct races blatantly and flagrantly using apps like Strava, e.g. the gravel track down from Abbotswell Millennium Stone car park to Latchmore Brook.

The commons, particularly Ibsley, Gorley and Rockford seem particularly favoured for destructive cycling, or it may simply be more evident in the sandy terrain, and it seems there is particular appeal in these for the off-road MTB crowd.

Certain routes seem popular 'short cuts' by cyclists on longer tours, e.g., cutting across from Ocknell Plain via Broomy, Hasley and Abbotswell to rejoin the track to Fordingbridge, thus eliminating the loop via Moyles Court and Mockbeggar and again causing particular damage in the sandy track from Broomy to Hasley.

2021/11590 PLEASE USE THE HELP WHEN OFFERED!
Presentment by Mrs Gilly Jones

Good Morning Official Verderer, Verderers,

As you are all aware, I have a major concern for the Forest and stock when the lockdown is eased.

I want to ask the Verderers to encourage Forestry England to work more closely with others that are offering to help educate visitors to the Forest.

One of the first things the new Chair of the CDA did when she took over was to offer engagement training to members, partly for the OPOF mobile exhibition, but also for members to feel comfortable to talk to members of the public using the Forest.

This training was the same, if not better than, what the FE staff had been put through. A small group has been trained to train others.

The issue we now have is a group of willing volunteers, happy to give up their time to help FE and NPA rangers and staff, unable to do this as there is no permission from FE to do this. I understand lockdown has made it difficult, but 2020 showed that we have to hit the ground running, and in my mind, we need every boot we can get on the ground.

Social media is being used, with limited results. Unless you get to people and actually talk to them, some will think they can use and abuse the Forest. Stock is being put at risk, just for that Instagram photo, that, 'my child wants to feed a donkey a doughnut' experience. Our animals are not out there for that, they should be allowed to do the job they do and not be harassed by the public.

There is a wonderful Facebook group, Litter Pickers of the New Forest, with over 1000 members, started by Stephen Green. They have collected hundreds, if not thousands of bags of litter, which is stunning work, and they are, I'm sure, being appreciated for the work they do. What I am asking for is the chance to do the same for the Forest stock.

Surely, now, there is a huge need to get as many knowledgeable people out there as we can. If not, I hate to think what this summer will bring, and what consequences it will have for the Forest. Unless we all stand together now, work together, we will slip further into the Petting Zoo. That only seems ok, until someone, probably a child, gets seriously hurt.

So, I ask for the Verderers to put pressure on FE to ease the red tape, and work closely with those who are trained, ready and waiting to help and protect the Forest we all know and love.

2021/11591 CATTLE, STALLIONS, RECREATIONAL PRESSURES
Presentment by Mrs Mary Gray, commoner from Bramshaw

My presentment concerning Commoners' letter dated 8th March 2021

We understand cows when calving are protective, naturally, as all mothers are!!

A very big mistake was made when our 'small Forest' became National Park. Park means a space for recreation etc., not for Crown Land, animals to be the architects, leading their natural lives.

I do agree, de-horning of stock, excepting those whose characteristics are quite natural to have horns.

Having said this, the next issue, Highlands etc., no longer allowed to graze open commons of Forest?

Also stallions, short time on Forest doing their job. Herding up their mares “Oh dear little Johnie, in the way, knocked over, cry”, will no longer be stallions out for their season? “Johnie should be out of the way”. More education needed in that light.”

Forestry England and Natural England, get their heads together, take example, Dibden Inclosure, opened up for dog walkers, under discussion. Likewise for campers. Keep Open Forest for Commoning not a National Park!

2021/11592 **UNSUSTAINABLE RECREATIONAL PRESSURES ON THE NEW FOREST**
Presentment by John Ward, Chairman of the Friends of the New Forest

The Friends of the New Forest wholeheartedly agree with the comments of the Official Verderer, as reported in this week’s Lymington Times (Friday 12th March). We agree with the premise that the uncontrolled, unmitigated growth of informal recreation is imperilling the working of the rural economy upon which the character of the Forest depends.

We have provided your clerk with addresses on social media where the abuse of the Forest is celebrated through the flagrant flouting of standards of reasonable behaviour. We ask the Court to review these examples of abuse of the Forest, and if members of the Court share our sense of outrage, to press Forestry England to challenge this unacceptable behaviour. If such behaviour does not result in Forestry England enforcing its bylaws, then what will?

Members of the Court, we don’t intend to name these addresses in open Court as we don’t want to offer these abusers the oxygen of publicity.

Members of the Court will be aware of growing concerns in the Forest that the re-branded Forestry England are undergoing a fundamental cultural shift in which the sound management of the special qualities of the Forest are of secondary interest to reducing costs and increasing revenues. We are concerned that the unwillingness of Forestry England to invest in the effective management of recreation is symptomatic of this change. We offer Forestry England this opportunity to prove us wrong.

The Friends of the New Forest thank the Official Verderer for showing leadership in this matter. Sir, through this presentment we urge you to follow this matter through and to press for a step change in the management of informal recreation on the Forest. We believe that such a step change is needed – now - not only to curtail abuse, but to manage increasing pressure and ensure that everyone can continue to respectfully enjoy this exceptional place.

2021/11593 **COMMONING AND THE PUBLIC**
Presentment by Mark, Nicola and Katie Ferrett, Practising New Forest Commoners

Dear Verderers

May I take this opportunity to thank you for the letter sent by the Official Verderer on the 8th March 2021.

I would like to raise some points which I feel would be a benefit to the commoners, verderers and the public, with the ongoing worry of animal attacks reference cattle. I believe that all cattle depastured on the Forest and commons should be dehorned with no exception of the breed. This I know will be controversial, but the commoners have to compromise and have a conscience about reducing the possibility of a human being, being gored by a horn. This

will show good intent from the commoning community and also will improve the value of their stock.

I feel that there are a lot of requests to the commoners about altering their way of practicing commoning and I appreciate that there is an ever-growing population wishing to visit our wonderful Forest, but absolutely nothing is being done to advise them as they enter the Forest that they are entering The New Forest National Park and must not touch and interfere with the livestock which roam and have the right of way. This could be achieved with a sign at every cattle grid entering the New Forest, hence making them aware of their responsibilities and this would be on a par with other National Parks around the world. More certainly has to be done by the National Park Authority and Forestry England to protect the ancient practice of commoning. While we request compromises by the commoners, we need help back urgently from National Park Authority.

Finally, I understand your concerns about animals in early spring accessing private properties and your request for the commoner to withhold his cattle for a few weeks longer. I am sorry to say as you know, it is not the commoners' responsibility to worry about private fences and landowners' boundaries on the Forest. It is their responsibility to fence against and we must not give way in any form on this subject. Again, if an animal is known to be jumping and is identified by our agisters then that commoners should compromise and remove that animal.

CONSIDERATION OF PRESENTMENTS

2021/11594 CYCLING

RESUME

The presentment evidences the current widespread and damaging extent of cycling off the waymarked cycle network, particularly, at present, in the north of the Forest.

In addition to the presentment, information has recently been received from another person, concerning an individual who is promoting off track cycling on his Facebook page. His 'posts' include films of him cycling through the mires and other extremely sensitive areas. Apart from innumerable films of cycle trespass across the Forest, the individual also records the use of drones with his Forest cycling. There are several films of wild camping in the Forest and in one film he sets up a gas burner and operates it in a bed of dry bracken. The whole thing is extremely worrying as he clearly has a following of people undertaking similar illegal activities. The Deputy Surveyor confirmed he is actively working to identify the individual involved, with a view to potentially taking action against him. His activities are in breach of various Forestry England byelaws.

Action DS

2021/11595 PLEASE USE THE HELP WHEN OFFERED!

DISCHARGE

The Deputy Surveyor expressed surprise at this presentment as he said a meeting is due this week with the Commoners' Defence Association. Mr Manley asked that the DS ensure Gilly Jones is invited to the meeting and this he said he would do.

Action DS

2021/11596 CATTLE, STALLIONS AND RECREATIONAL PRESSURES

DISCHARGE

The Court agrees with the sentiments expressed by Mrs Gray.

2021/11597 UNSUSTAINABLE RECREATIONAL PRESSURES ON THE NEW FOREST

DISCHARGE

The Court agrees that the present level of recreational pressure on the New Forest is not sustainable.

2021/11598 COMMONING AND THE PUBLIC

RESUME

FENCING – The standard of private property fencing in the Forest is often poor. That, in combination with some cattle being turned out too early, means there are problems with stock gaining access to private land through fences which are not stockproof. However, the Commoners have the right to depasture their animals and it is not their fault if landowners fail to maintain their fences.

EDUCATION OF THE PUBLIC THROUGH SIGNAGE – There is a lot of ignorance or lack of knowledge about livestock amongst the general public and a minority of people simply don't care about the animals. It is felt, however, that a significant number of people would behave differently if they were better informed. Such information is disseminated via social media and by Forestry England and National Park Authority Staff on the ground, but signage has a place as well, and in light of the present pressures on the Forest it was felt that the time has come to look at increasing the number of signs.

Signs urbanise the landscape, but so does poor behaviour. The impact signage has on the Forest, is probably less than that of poor behaviour caused by a lack of information.

It was agreed that additional signage, which is more intrusive and with more robust messages, should be trialled and the effects monitored. Signs should also vary according to the seasons and they need to correspond with the threat at the time.

Mr Dowsett is keen that variable messaging electronic signage sited at main entrance points to the Forest, is also considered. He would also welcome the increased use of mobile A-board signs.

Mr Deakin pointed out that the Verderers already have a significant number of A-boards which were purchased and used on the drifts and those boards could be used.

The Deputy Surveyor confirmed he is happy to consider additional signage and to this end, a group will meet comprising of Mr Dowsett, Mr Manley and the Clerk. Any other Verderer who wishes to join the group is most welcome. It was agreed that it is important to liaise with the CDA and that someone from the CDA should also be invited. To this end, during today's lunchbreak, Mr Manley contacted the CDA and confirmed that Mr Tony Vanderhoek will be very pleased to join the group.

Action
BD/RM/Clerk

2021/11599 CYCLING

DISCHARGE

The discussion returned to cycling.

The Deputy Surveyor repeated that he is aware of the videos posted on social media. He went on to say that his team is gathering information on hotspots where the worst cycle trespass is taking place. Patrols are planned but they will also deal with other pressures such as verge parking and out of control dogs. The Police are assisting. The plan is to target key areas and seek media coverage. The Deputy Surveyor said that if anyone wishes to help and to go out with the team they are very welcome.

Action DS &
FE Staff

Four new Rangers are being employed by FE this summer. The DS was asked when will the Volunteer Ranger Team be re-activated. In reply, the

DS explained that it is usual for the volunteers to travel and patrol in pairs, but due to Covid-19 protocols, that has not been possible. He stressed the need for the volunteers to work in pairs to ensure their personal safety and as soon as the regulations permit, they will be out and about again. It was suggested that to avoid the travel issues, volunteers could be stationed in pairs at hotspots to which they could travel independently.

DE-MINIMIS CONSENTS TO BE RECORDED AT THIS COURT

| | | |
|------------|---|-----------|
| 2021/11600 | DE-MINIMIS CONSENTS | DISCHARGE |
| DM0113 | SSE New electricity connection to Newtown Lane Farmhouse, Mockbeggar | |
| DM0115 | Matley Cottage temporary fence | |
| DM0116 | BT Openreach urgent safety works between Hazel Hill Cottage and Perry's Farm, London Minstead | |
| DM0117 | SSE provision of electricity supply to the Old Stables, Pikes Hill | |

MATTERS ARISING FROM PREVIOUS COURTS OF CONCERN TO FORESTRY ENGLAND

| | | |
|------------|--|-----------|
| 2021/11601 | POSSIBLE RE-FENCING OF DIBDEN INCLOSURE | DISCHARGE |
| | The sub-committee tasked with taking this forward is looking at the options and discussing those with Natural England. A detailed proposal is expected soon. | |
| 2021/11602 | ACCESS FORUM | DISCHARGE |
| | In response to a query regarding the operation of the Forum, the Deputy Surveyor explained that the Access Forum is managed by the NFNPA. Output from the meetings should be on the Forum's website but a video from the last meeting has still not been put on the site. Cllr Heron was asked to chase this up. | Action EH |
| 2021/11603 | VEHICLES PARKED ON GRAZING NEAR PILLEY POUND | DISCHARGE |
| | The matter has resolved itself. Dragon's teeth are in situ. | |
| 2021/11604 | SOUTHERN WATER, WATER FOR LIFE – HAMPSHIRE PROGRAMME OF WORKS | DISCHARGE |
| | There has been a certain amount of media coverage, not all of which is positive. To date there have been no further details from Southern Water. Mr Greenwood will monitor progress. | Action JG |

SSSI RESTORATION WORKS INCLUDING THE ENHANCEMENT LIST

| | | |
|------------|--|-----------|
| 2021/11605 | ENHANCEMENT LIST | RESUME |
| | Noted. | |
| 2021/11606 | RESTORATION OF TURF HILL | RESUME |
| | A proposal will be brought to the next Court. Meanwhile, it is on the HLS Board Agenda for its next meeting. It is hoped further information will be available in April. | Action OV |

ENCROACHMENTS ON FORESTRY ENGLAND LAND INCLUDING THE ENCROACHMENTS LIST

2021/11607 ENCROACHMENT LIST RESUME

Noted. Nothing to add.

Mr Manley left the meeting

ISSUES REPORTED TO FORESTRY ENGLAND (ACTION LIST)

2021/11608 Noted. Nothing to add. RESUME

OTHER AGENDA ITEMS INVOLVING FORESTRY ENGLAND

2021/11609 INCIDENT ON ASHURST CAMPSITE IN AUGUST 2019 DISCHARGE

The Official Verderer gave a brief update on this incident.

No further discussion on this topic took place. The Official Verderer said he will provide further information as and when it is appropriate to do so.

Action OV

2021/11610 BURLEY CRICKET CLUB RAILINGS REPLACEMENT DISCHARGE

Approval was given for the new railings, subject to the same conditions as those imposed on Lyndhurst CC, i.e. the new galvanised railings may be left for one year to weather, before being repainted. Mr Grugeon was asked to find out whether railings can be obtained already painted. If so, that option is preferred.

Action PG

Mr Manley returned to the meeting

2021/11611 BRAMSHAW GOLF CLUB RESUME

Various issues were reported and it was agreed a site meeting with the Club Management should be arranged. Several Verderers said they would like to attend.

Action PG

The damage by the animals is consistent with the weather conditions this winter. Mr Deakin remarked that a tee and green have been moved in order to try to reduce the effect of the animals accessing and exiting the nearby farm.

ANY OTHER BUSINESS INVOLVING FORESTRY ENGLAND

2021/11612 HOME WOOD DISCHARGE

Home Wood is a woodland near Eastleigh, which is leased to Forestry England (FE). The lease conditions have never permitted FE to allow and manage recreation opportunities in the woodland. But with housing being developed adjacent to the wood, developer contributions have allowed FE to negotiate access provision with the landlord and Eastleigh Borough Council. This funding will support improvements for public access and their maintenance for the next 80 years

FE continues to seek opportunities through further developer contributions, to open up access to other leased woodlands to help divert some pressure away from the New Forest. In addition, Test Valley Borough Council has

agreed some 81 hectares of extra greenspace across different land ownerships and that should help in taking some pressure off the Forest.

2021/11613 RECREATIONAL PRESSURES ACTION PLAN DISCHARGE

Local organisations have come together to plan for the large numbers of visitors to the Forest which are expected again this summer. FE, NFDC, the NFNPA, Go New Forest, the Police and Fire Authorities are working together. A lot of communications work is being carried out and the plan is being launched the day after this Court. It will be an evolving, reactive plan, with consistent messaging.

2021/11614 HOUSING DEVELOPMENTS AND MITIGATION DISCHARGE

Discussion returned to this subject. The DS said that in the region of 1.5M people pass through Moors Valley Country Park annually. Unfortunately, the potential for a similar facility east of the Forest is constrained by the leases FE holds for its sites. It was agreed that Moors Valley is an excellent resource. House builders are obliged to provide recreational facilities and where they can, most do so within their developments.

2021/11615 EXBURY BASED CYCLE EVENT DISCHARGE

The DS advised that FE is aware of this proposed event and has told the organisers that it will not be sanctioned. Unfortunately, the organisers do not understand the negative effect and problems their event would cause. FE's permissions team is handling the matter as robustly as possible. Mr Grugeon said that legal advice is being taken. It was suggested that if the organisers intend their event to cross Open Forest, it will constitute a breach of FE's Byelaws and an injunction should be sought to prevent it taking place.

2021/11616 CREOSOTE LEACHING FROM SSE ELECTRICITY POLES DISCHARGE

SSE and FE is aware of this problem and are working to resolve the issue. Natural England has been informed.

The Deputy Surveyor, Mr Grugeon and Mr Greenwood left the meeting

MATTERS ARISING FROM PREVIOUS COURTS

2021/11617 ADVICE TO CATTLE OWNERS DISCHARGE

The recent letter to cattle owners has resulted in vociferous objection from a number of commoners who have unfortunately misinterpreted some of its content.

Action OV

ENCROACHMENTS NOT INVOLVING FORESTRY ENGLAND

2021/11618 ENCROACHMENT AT PICKET HILL/SHOBLEY RESUME

The NFCDA is liaising with Counsel. Natural England and the CDA have been asked for their views on the 'invisible (underground) electric fence that the owner of the common is suggesting could be used to contain his animals without affecting the free movement of Forest stock which has a right to graze the area. The Court has already explained the reasons why it disagrees with the proposal.

Statements from commoners can be obtained, providing evidence that their animals have grazed Shobley Common for many years. The area is, in any case, part of the Added Areas brought into the New Forest under the 1964 New Forest Act and there is no doubt it is common land, subject to common rights.

Mr Pasmore said there are other examples of occasions when people have tried to enclose parts of the Forest and therefore evidence will not be difficult to produce.

OTHER AGENDA ITEMS

2021/11619 VERDERERS' LIVESTOCK MANAGEMENT OFFICER

RESUME

Mr Deakin said he would support further exploration of the potential role and usefulness of such an additional officer. With so many more people visiting the Forest, as has already been reported, the Agisters are finding it increasingly difficult to catch stock, particularly outside the drift season. A person employed to work with the Agisters by talking to the public, educating and explaining what is going on and why, could be useful.

The Official Verderer said he felt the Court can afford to fund such a position, which would be part time, for a trial period of 6 months. Section 23 of the 1877 New Forest Act, empowers the Verderers 'to appoint such officers and servants as they deem necessary for the purpose of carrying into effect their duties as Verderers'.

The Court is broadly in agreement that the proposal should be developed and costed.

Action
OV/RD/Clerk

2021/11620 CATTLE AT HILLTOP

DISCHARGE

A letter has been received from the CDA complaining about a herd of cattle at Hilltop. The issues raised were discussed and the basis of a response agreed.

Action OV

2021/11621 REVIEW OF THE PARTNERSHIP PLAN

DISCHARGE

The Official Verderer said he will circulate the draft actions from the Plan.

Action OV

HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2021/11622 FRESHWATER RESTORATION FORUM

DISCHARGE

A template is being developed by Footprint Ecology which will be used for monitoring before and after restoration works are carried out.

VERDERERS GRAZING SCHEME (VGS)

2021/11623 VGS PAYMENTS

DISCHARGE

Penalties have been imposed on a small number of commoners who have contravened the rules of the VGS and where the committee felt sufficient evidence is available.

REPORTS FROM EXTERNAL COMMITTEES AND WORKING GROUPS

- 2021/11624 FOREST FARMING GROUP DISCHARGE
 Work on developing a scheme to hopefully replace BPS/HLS/VGS continues. Action OV

GENERAL REPORTS AND ADMINISTRATIVE MATTERS

- 2021/11625 NEW FOREST HUNT FLESH ROUND DISCHARGE
 Dr Ferris declared an interest. He explained that whilst it is not an immediate concern, with Forestry England withholding the Hunt's licence, the future of the flesh round could be in jeopardy. The Hunt may seek statements from the Court and the NFCDA, explaining the essential role the fallen stock collection service provides to the Forest.
- 2021/11626 FINANCIAL STATEMENT RESUME
 The Financial Statement was noted.
- 2021/11627 REPORT ON MARKING FEES RECEIVED TO DATE AND COMPARISON WITH PREVIOUS YEAR RESUME

| | <u>2021</u> | <u>2020</u> |
|---|-------------|-------------|
| Forest Ponies | 742 | 3876 |
| Forest Cattle | 504 | 2451 |
| Forest Donkeys | 52 | 125 |
| Forest Pigs | 0 | 0 |
| Forest Sheep | 0 | 0 |
| Total Forest Stock | 1298 | 6643 |
| Common Ponies | 206 | 371 |
| Common Cattle | 821 | 865 |
| Common Donkeys | 15 | 8 |
| Common Pigs | 62 | 2 |
| Common Sheep | 0 | 37 |
| Total Common Stock | 1104 | 1283 |
| Ponies, Cattle & Donkeys on the Forest | 1298 | 6443 |
| Ponies, Cattle & Donkeys on the Commons | 1042 | 1244 |
| Total Ponies, Cattle & Donkeys | 2340 | 7687 |
| Total Stock – Forest & Commons | 2402 | 7726 |

- 2021/11628 CONDITION OF STOCK – REPORT FROM THE HEAD AGISTER RESUME
 Since my last report the weather has gone through several changes, from very wet, to very cold and then almost Spring like! The cold and wet combined is always something that impacts on the stock's condition, and it has led to a few of the ponies that were just about OK, slipping below what is acceptable, and so we have been removing some animals. Not huge numbers, probably about an average year, so far. The wet and then freezing did lead to some aborted foals however.

The continuing volume of people out on the Forest, at all times, has made the catching of some of these ponies more difficult.

Overall, the few herds of cattle that are out, look OK.

There were 3 cows at Hilltop amongst the herd of Charolais cattle that were ordered off after an inspection by myself and several Verderers, and these have been removed, as have the herd, as this tied in with TB testing.

One concern I have at this time is that with a bit of sunshine some commoners may think they can start turning things out. This would be a big mistake, particularly with cattle, as there is very little forage out there at the moment, and the animals will just wander and lose condition. Unfortunately, I have been told one commoner has already done this. Just because your lawn might grow, there's nothing out on the Forest!

2021/11629 SPRING WELFARE TOUR OF THE FOREST DISCHARGE

Due to the continuing impact of the Covid-19 Pandemic, it will not be possible to hold the Spring Welfare Tour. It is hoped a Tour in the autumn will be possible.

2021/11630 THE ANIMAL ACCIDENT REPORT FOR FEBRUARY 2021 RESUME

The Agisters attended 5 accidents in February, compared with 4 in the same period last year.

1 pony was killed, 1 was uninjured and 2 ponies reportedly involved in accidents could not be found. Additionally, 1 donkey involved in an accident was uninjured.

3 accidents occurred in daylight, and the other 2 in the dark.

3 drivers failed to report having been involved in an accident.

The total number of commoners' animals killed and injured in 2021 to date is 5, compared with 12 in the same period last year.

2021/11631 HEALTH & SAFETY RESUME

There are no current health and safety concerns in respect of the Court's staff.

The feeding of stock by the public continues to create serious problems. A report was received recently of a child having been bitten by a pony at Ashurst, where it is known that members of the public frequently hand feed stock, despite large warning notices advising people to keep away from the animals.

ANY OTHER BUSINESS

2021/11632 NEW FOREST TOUR BUS ADVERT DISCHARGE

The Court approved the expenditure of a further £1,000 towards the cost of the animal safety advertisement on the back of the NF Tour Bus.

Mr Pasmore wished it to be recorded that he does not support this expenditure.

2021/11633 STALLIONS

DISCHARGE

Mr Deakin said he requested input from the CDA regarding stallions this year and received a variety of different views. The likelihood is that 10-20 stallions will be turned out for a longer period. The Stallion Committee will meet soon to make a decision.

Action RD

2021/11634 LETTER FROM BEAULIEU ESTATE REGARDING CATTLE AND FENCES

RESUME

A letter has been sent to the Clerk, alleging that cattle turned out too early are once again breaking into Estate property. Mr Deakin said that the Estate has replaced miles of fencing but it is all on woodland boundaries where grants are probably available and stock is unlikely to try to get in. Very little fencing has been replaced on the farmland or where recreational horses are grazed. A response will be sent to the Estate.

Action
RD/Clerk

2021/11635 VERDERERS' ELECTION 2021

RESUME
May

This is an election year and preparations are in hand. The possibility of postal votes being permitted is being investigated but if a change is possible it is unlikely to be achieved in time for this year's election.

There being no further business, the video conference ended at 15:40 hrs.

John Marshall
21 April 2021