



Verderers

of The New Forest



Who are they?
What do they do?



WHO ARE THEY?

The Court of Verderers is a corporate body set up under the New Forest Act of 1877. It is the last remnant of the old form of Forest government which was at one time found in many parts of the country. Although greatly modified since the days when the Forest Law fulfilled its original purpose, the Court's authority is based on an unusual blend of ancient and modern statutory powers. It was reconstituted in 1877 and again in 1949. The Verderers are charged with regulating commoning on the Forest and inquiring into unlawful inclosures. Subsequent Acts have added to the Verderers' powers and they now have wide responsibilities in respect of development control and conservation. The present Court, which has the same status as a Magistrates' Court, consists of ten Verderers. Five are elected by those commoners whose names appear in the Forest's own electoral register. The qualification for inclusion on the register is the occupation of not less than one acre of land to which rights of common over the Forest attach; and for a candidate, the occupation of not less than one acre to which a right of pasture attaches. Elections take place every three years, with two Verderers being elected at one time and three at the next. The office is entirely unpaid. They serve on the Court for six years. The other five Verderers are appointed, one each by the Department of the Environment Food and Rural Affairs, Forestry England, the National Park Authority and Natural England. The Official Verderer is the Chairman of the Court

and is appointed by the King. Appointed Verderers serve for periods determined by their appointing authorities.

WHAT DO THEY DO?

The Verderers of the New Forest regulate development on the Forest as well as overseeing commoning. They work in conjunction with Natural England and Forestry England which manages the Forest on behalf of the Crown, as well as with owners of other areas of common land within the perambulation. Any proposed development which will affect the Forest has to be considered and approved by the Verderers before it can go ahead. The Court has to consider proposals for new roads, telephone and electricity lines, car parks, exchanges of land, camping sites, recreational facilities, improvement of the grazing, timber inclosures, playing fields and numerous other matters. Different sections of the various Acts of Parliament govern each of these matters and the complexity of the Verderers' affairs increases annually. Much of the work of the Verderers is connected with ensuring the health and welfare of the commoners' animals. The Verderers have a set of byelaws which can be enforced in the local Magistrates' Courts. The byelaws help to ensure that commoners act in a responsible manner in the exercise of their rights.



A Verderer needs to possess not only an intimate knowledge of the Forest itself with



its thousands of place-names, but also a complete understanding of more than ten major Acts of Parliament relating to the Forest. In addition, Verderers need to be familiar with traditional Forest Law and, increasingly, European and National Park legislation. In the commoners' eyes a Verderer should ride regularly in the Forest in order that he may comprehend the fundamental problems of forest farming. Someone who has fallen through a broken bridge or become bogged in a track feels much more strongly about such matters than his office-bound colleagues!

In order to assist them to carry out their duties the Verderers employ five Agisters who ride the Forest and supervise the day to day welfare of the commoners' stock. In addition the Verderers employ three administrative staff. They comprise the Clerk and assistant to the Clerk and an administrator who runs the Verderers' Grazing Scheme.

WHEN DO THEY MEET?

The Court of Verderers meets on the third Wednesday of each month in public session, at which 'presentments' may be made. The Open Court is followed by a private committee. Exceptions to this are August and December. There is no meeting in August and in December the Verderers meet in committee only. A 'presentment' is a verbal statement made to the Court (which must be accompanied by a written note) in which concern is expressed, a complaint made or a question asked about a matter relevant to the Forest. If the presentment

relates to a contentious matter it will not normally be considered by the Verderers at the time but only after the subsequent Open Court in order that counter-presentments on the subject may be heard. Open Courts generally last three quarters of an hour or so.

Much of the business is of an administrative nature and requires close co-operation with Forestry England. To further this end and by invitation, the Deputy Surveyor of the New Forest (Forestry England's chief officer in the area) and his Land Agent usually attend.

On Court days the Agisters are dressed in their green livery with gold buttons bearing the Crown and Stirrup symbol of the New Forest. It is the task of the Head Agister to perform the duty of Crier of the Court (an office long since abandoned) by announcing the following opening words from the ancient oak dock:- "Oyez, Oyez! All manner of persons who have any presentment to make or matter or thing to do at this Court of Verderers, let them come forward and they shall be heard. God save the King".

The 'presentment' referred to in this opening is a relic of the time when the forest officers would present offenses before the Court of Attachment, although today it has a rather different significance. Any commoner or other person wishing to make a statement or complaint in public on matters affecting the Forest is permitted to do so before the Court.

WHY DO THEY DO IT?

The New Forest Acts of 1877 to 1970 together with other legislation such as the Countryside Act of 1968, the European Union Habitats Directive of 1992 and more recently the New Forest National Park Authority (Establishment) Order 2004, govern what can and cannot be done in the Forest. The essence of this is that although the land is in state ownership (it is still usually called Crown land), the rights of the commoners must be taken into account, together with wildlife and conservation.

The Verderers' primary objective is to regulate and protect the commoners' interests and to preserve the natural beauty and traditional character of the Forest. They do not profit from their office and indeed, by law, they are not permitted to do so.



“ Oyez, Oyez!. All manner of persons who have any presentment to make or matter or thing to do at this Court of Verderers, let them come forward and they shall be heard. God save the King. ”

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