



Official Verderer
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If you are carrying out a search to discover whether or not property in the new Forest is subject to (i.e. burdened by the exercise of) rights of common, please note that the Clerk to the Verderers holds no records which can assist you. To the best of the Verderers' knowledge, no such records exist.

The note below sets out the position in detail.

COMMONS REGISTRATION ACT 1965 & THE NEW FOREST

By Section 11 of the Commons Registration Act 1965 the New Forest is excluded from the registration provisions of that Act. This has led to some difficulties for solicitors and others carrying out searches and frequently results in enquiries being addressed to the Verderers of the New Forest which their Clerk is not in a position to answer.

The present boundary or perambulation of the New Forest was laid down by the New Forest Act 1964 (section 1). There are significant differences between the area now within the Forest and its extent before 1964. The definitive maps of the boundary on a scale of 1:10560 may be inspected at the Verderers' Office. It is regretted that copies and extracts cannot be supplied. However, the line of this boundary is shown on the Ordnance Survey 1:50000 Landranger Map and the 1:25000 Outdoor Leisure Map of the New Forest. It should be noted that the Ordnance Survey's plotting of this boundary is imprecise in some areas, particularly around Cadnam. Please note that the current Ordnance Survey Explorer OL22 Map does not show the perambulation of the New Forest. The perambulation has been replaced by the Access Land boundary which closely follows the perambulation, but is not identical. The New Forest National Park boundary is shown on the latter publication.

There has been no judicial interpretation of Section 11 of the Commons Registration Act 1965, but it is believed that the registration authority refused to accept registration of common rights exercisable over any land within the boundary of the Forest as defined by the New Forest Act 1964.

There is no definitive register showing what lands within the Forest are subject to common rights. The Clerk to the Verderers may in many cases be able to give an informed opinion as to the likelihood of particular pieces of land being subject to rights, but this will be no more than general guidance. Persons investigating the title of land within the Forest will, in the final resort, have to rely on their own researches.

As to rights of common exercisable over land within the New Forest, the Clerk to the Verderers holds two statutory atlases. Full details of all rights exercisable over land in the ownership of the Minister of the Department for Environment, Food and Rural Affairs (DEFRA) or acquired from him subject to common rights will be provided on payment of the appropriate fee. These rights may be attached to land either inside or outside the 1964 boundary.

The second atlas deals only with common of pasture. It shows those lands inside or outside the boundary to which are attached rights of common of pasture over certain commons within the boundary of 1964 but outside the boundary of 1801. Maps showing this latter boundary may be inspected at the Verderers' Office but are not generally available elsewhere. Again, no copies or extracts can be supplied. There is no definitive record of other rights over this land and the Clerk to the Verderers can supply no information on such rights. Details are likely to be obtained only from local research and enquiry. Interested persons are referred to Dr Tavener's "The Common Lands of Hampshire" but it must be remembered that this book pre-dates the New Forest Act 1964 and the Commons Registration Act 1965. Some of his conclusions as to common rights in the New Forest and the extent of surviving commons are open to question. The Clerk holds no information as to rights exercisable over common land within the 1801 boundary of the Forest except where it is in the ownership of the Minister of the Department for Environment, Food & Rural Affairs (DEFRA) or has been acquired from him subject to common rights. Except in the parish of Minstead, however, the extent of such other commonable land (not in or formerly in the ownership of the Minister) is very limited.