

MINUTES of the Court of Verderers held on Wednesday 19th February 2014 at 9.30 a.m. in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

PRESENT:	Mr Dominic May	Official Verderer
	Mr R Deakin	Elected Verderer & Staff Committee Chairman
	Mr B Dowsett	Forestry Commission Appointed Verderer
	Mr A Gerrelli	Elected Verderer
	Miss D Macnair MBE	Senior Elected Verderer
	Mr D Readhead	Elected Verderer
	Mr R Stride	Co-opted Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister (to 7046)
ABSENT:	Mr C Maton	National Park Appointed Verderer
	Mr G M H Mills	DEFRA Appointed Verderer

IN COMMITTEE in the Library

2014/7088 MINUTES OF THE LAST MEETING RESUME

The Minutes of the Court held on Wednesday, 15th January 2014 were agreed and signed.

2014/7089 DECLARATIONS OF INTEREST RESUME

The Official Verderer, the Elected Verderers, and Mr Stride declared an interest in the New Forest Higher Level Stewardship Scheme and the Verderers Grazing Scheme.

Mr Dowsett advised the Court that he is a Forestry Commission Voluntary Ranger.

Mr Stride reminded the Court that he is an employee of the Forestry Commission.

The Official Verderer, Mr Deakin, Miss Macnair, Mr Readhead and Mr Stride are all members of the New Forest Pony Breeding and Cattle Society.

Mr Deakin and Mr Readhead are members of the New Forest Stallion Syndicate.

2014/7090 CONDITION OF STOCK RESUME

The Head Agister reported that the horrendous weather has taken its toll and the ponies in particular are losing condition. The Agisters and commoners are busy taking ponies off the Forest. Fortunately it has been relatively mild and so conditions are not as bad as they might be. There are still some acorns about and the grass has continued to grow a little. A few acorns seem to put condition on ponies even though they are toxic. Some cattle have also been seen eating acorns. As a result of the mild conditions it is thought there may be a greater problem than usual with lice in due course. Miss Macnair remarked that she believes after approximately eight generations, ponies develop some immunity not only to the local parasites but also to the effects of acorns.

2014/7091 STRANGLES RESUME

The Head Agister also advised the Court that unfortunately it appears there is Strangles on the Forest at Pilley and on Beaulieu Aerodrome. Some of the Shetlands running in those areas have become ill resulting in a number having to be put down. The symptoms have not been typical and so the Verderers' veterinary advisor, Mr Philip Hughes from Priory Veterinary Hospital in Christchurch was asked to examine several ponies. He has taken samples for analysis. Only one pony subsequently showed the typical sign of strangles – an abscess under the jaw. The results of the tests will take approximately a week to come through.

Action
JRG

As usual, the veterinary advice is to leave the animals alone unless they are very sick as moving them not only causes stress which may worsen the illness, but also increases the risk of spreading the disease around the Forest.

Because there are fewer young ponies on the Forest now, it is hoped the strangles outbreak won't become a widespread problem.

2014/7092 STOCK LOSING CONDITION AND REMOVED FROM THE FOREST RESUME

The total removed last month was 53 compared with 91 in the same period last year.

2014/7093 MARKING FEES RECEIVED TO DATE RESUME

	Forest	Common	Total
Ponies	449	52	501
Cattle	84	104	188
Donkeys	8	3	11
Pigs	0	1	1
Sheep	0	0	0
Total	541	159	701

Ponies, cattle and donkeys on the Forest – 541
Ponies, cattle and donkeys on the Common – 159
Total Ponies, Cattle and Donkeys – 700

2014/7094 BYELAW ENFORCEMENT RESUME

No new byelaw infringements have been reported.

The Head Agister left the meeting

2014/7095 ANNOUNCEMENTS AND DECISIONS RESUME

The news of the Official Verderer's continuation in office, which is the subject of today's sole announcement, was warmly welcomed.

OPEN COURT – 10.00 a.m. in the Verderers' Hall

IN ATTENDANCE: Mr Mark Street, Area Land Agent (New Forest)
Miss Mellissa Jones, Assistant Land Agent (New Forest)

APOLOGIES: Mr Mike Seddon, Deputy Surveyor of the New Forest

ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER

2014/7096 APPOINTMENT OF OFFICIAL VERDERER

My appointment as Official Verderer in 2011 was for three years. Before Christmas, I expressed my willingness to carry on for another three years, and it has now been confirmed that I shall continue in the role until 2017.

ANIMAL ACCIDENT REPORT

2014/7097 THE ANIMAL ACCIDENT REPORT FOR JANUARY 2014

The Agisters attended 10 accidents in January. This compares with 16 in January last year.

5 ponies and 1 cow were killed or had to be destroyed, 1 of the ponies was wearing a collar.

1 pony and a cow were injured, and 2 ponies which were reportedly involved in accidents weren't found.

All the accidents bar one occurred in the dark.

7 of the vehicles involved were cars or light commercials,

5 motorists were local. 2 accidents which I will mention later in this report were not reported.

As most people will have heard, one of January's accidents involved a Forest pony which had got onto the westbound side of the A31 near Handy Cross. This accident tragically resulted in the death of one of the two motorcyclists involved. We offer our sincere condolences to the family and friends of Mr Daniel Robbins, the motorcyclist who died, and we hope that Mr Ian Woolgar who was injured, will make a full recovery. The accident remains under investigation by Hampshire Constabulary's Road Death Investigation Team.

The total number of animals killed and injured at the end of January was 8 - the same as in January last year.

According to the information we have received to date, since the 28th January there have been 5 accidents which the drivers responsible have not reported.

On 29th January, at 5.20 p.m. a witness reported having seen a pony hit at Vereley Hill by a white estate car driven by a male. The pony was knocked to the ground but was seen to get up and walk off. Nothing has been found injured.

Also on 29th January, at 9.21 p.m. at Howen Bottom, a brown cow was injured. A witness reported seeing the animal hit by a vehicle but unfortunately the witness was unable to give us further details.

On 7th February 4.55 p.m. at Bunkers Hill, Beaulieu, a grey filly wearing a collar was reportedly involved in an accident but fortunately escaped without injury.

On 14th February at 8.30 a.m. a sheep was killed outside Bramshaw Church. Once again the driver did not report the accident.

The final accident I have to report on today occurred on Sunday at a quarter to seven in the evening at Longcross on the B3078. This was a particularly nasty incident. There were no visible skid marks, but the blood, entrails and foetus found on the road indicate that the victim, an in-foal jenny donkey, was hit extremely hard by a vehicle travelling at some speed. She came to rest some 46 metres from the point of impact. It is to be hoped that she died instantly.

We know the vehicle was a Land Rover Defender because we have found the vehicle's badge and some bits of trim. The driver hasn't reported the accident and we would very much like to hear from anyone who has any information that might lead to him or her being identified. As usual, there is a reward of up to £1,000 for information that leads to the successful conviction of the driver. If anyone has any information they can either contact our office or the Police.

One thing that is definitely not helping the accident rate on the B3078, is that Black Gutter, immediately east of Deadmans corner on the B3078, seems to be a popular spot for feeding carrots on the verge. Carrots have been found scattered on the verge, and on the bank on the other side of the ditch. We would be extremely grateful if the person who is doing this would stop – now.

PRESENTMENT ON BEHALF OF THE DEPUTY SURVEYOR OF THE NEW FOREST

None

PRESENTMENTS

2014/7098 HLS RESTORATION
Presentment by Mrs Margaret Bunyard, commoner in the North West of the Forest

I would like to tell you my concern about the condition of the 'restorations' to streams which have been carried out as part of the Life 3, Pathfinder, and since 2010 – the HLS Scheme.

I have revisited both Amberslade and Buckherd Bottom in the last week, and am appalled to see the condition they are in.

Before 'restoration', Amberslade was deemed to be in 'favourable' condition.

In 2006/7 a section around the footbridge was in-filled with heather bales and imported clay and gravel. This in-fill was washed away in the first winter. What had been a minor 'nick-point' became a major source of erosion immediately downstream from the starting point of the works. I understand that there are plans for 'snagging' to take place, but since the entire in-fill has gone it is clear that any works will need to be far more than 'snagging'. (Indeed I understand that the term 'snagging' is no longer considered appropriate to describe the remedial work that has been necessary for so many 'restored' streams.)

In September 2013 a Freedom of Information request was sent to the Forestry Commission asking for details of the restoration plans for Amberslade, and for photographs of the stream before and after restoration. The response on October 10th was: 'we do not hold any information on file relating to the restoration at Amberslade Bottom'. This would seem to be an extraordinary reply considering that the works are part

of a costly, EU-funded series of projects.

The situation at Buckherd Bottom is, if anything, even worse. Here the initial works in 2011, had failed by the end of the first winter, leaving heather bales exposed and displaced, with string loose and dangerous to stock. The works were redone in August and September 2013. A huge stack of heather bales and quantities of imported clay and gravel were used to once more in-fill the stream. Within a month of finishing, the imported materials were starting to wash away. They continued to do so through the winter, leaving stretches of imported clay exposed in the heavily eroded sides of the stream.

It is not at all clear what the specific aims were for either 'restoration' in the first place, but neither can be called a success. Wildlife habitats, grazing and appearance have been disturbed at both sites - twice at Buckherd Bottom - with no discernable compensatory benefits. These 'restorations' have both been a shocking waste of money. Other sites have also suffered a similar fate.

I understand that both this winter and last have seen particularly heavy rainfall. However the erosion at both sites started well before the winter storms. We are told by the Head of the Meteorological Office that our climate is changing, we can expect more winters like this one. This should surely be taken into account. Increased rain will de-stabilise disturbed ground which has not had time to consolidate and cause greater flooding downstream. All future stream restorations will have to be able to cope with higher rates of flow.

The present condition of both these sites leads to the opinion that base line data was inadequate. The first step in any such work must be to analyse exactly what the hydrological conditions are. Both 'restorations' have significantly undermined rather than improved the condition of these streams. The conclusion is that the dynamics of neither stream were fully understood and an inappropriate methodology was chosen.

There are questions to be asked before the same methods are used elsewhere:

- What was the impact of infilling with foreign material?
- Why did it behave in that way?
- What lessons are being learnt from other projects and are all such failures being analysed?
- Will the results of these analyses be combined to suggest the best way forward?

It is vital that the hydrological changes caused by such failed 'restorations' are better analysed and understood before allowing further works and risking serious damage elsewhere.

The photographs Mrs Bunyard provided with her Presentment are held in the SSSI Restorations file in the Verderers' Office.

2014/7099 CATTLE – TB, PIGS, PANNAGE AND ACORN POISONING
Presentment by Mr Brian Tarnoff, New Forest Association, Chair of the Land Management Committee

The NFA would like to support the Commoners' Defence Association's January Presentment urging appropriate exemption from DEFRA's cattle movement rules which impose a prohibitive TB testing regime. Cattle grazing is vital to the habitat and heritage of the Forest. Their grazing and trampling patterns are distinctly different from other livestock on the Forest and so offer a unique and important contribution to the ecosystem. The loss of cattle from the Forest would be a blow to the biodiversity of this protected habitat, a factor that DEFRA should take into due consideration.

In addition to modified DEFRA rules, the NFA would also call for other measures to secure the future of cattle run on the Open Forest. We would welcome initiatives to encourage the practice for young commoners, and a review of the pannage system to make it more strategically effective to protect livestock from acorn poisoning.

The Official Verderer thanked the NFA for its input, contribution and support of the Court's views.

2014/7100 THE STATE OF THE WOODS - FALLEN TIMBER
Presentment by Mr Barry Topp – Practising Commoner from Burley

Mr Topp expressed his concern at the current state of the Forests woodlands which he felt have far too much fallen timber. He called for the return of the old system whereby local people were allowed to purchase fallen trees to cut up for fuelwood. Mr Topp said that despite having all the correct protective clothing, certification and insurance, people are no longer allowed to purchase wood. Slap Wood was described as a jungle with huge amounts of fallen beech left to rot.

Mr Topp said he fully understands Natural England's desire to ensure there is sufficient habitat for bugs and beetles but he suggested that there is now so much rot and fungus that it is transferring to living trees and making them die. He felt there must be a balance.

Mr Topp also suggested that by not allowing suitably qualified and insured people to buy the wood, the Forestry Commission may be accused of discrimination under EU law!

The Official Verderer thanked Mr Topp for his Presentment. He said the matter has been under discussion in Committee and the Court is trying to achieve a more liberal view by Natural England to allow the removal of more wood. With so many more fallen trees, the Official Verderer felt now is a good time to review the present policy.

IN COMMITTEE in the Library

CONSIDERATION OF PRESENTMENTS

2014/7101 HLS RESTORATION

The Court believes that the wetland restoration is a good thing. It has resulted in more and better quality grazing. It is felt that it is easy to select two sites out of the twenty where work has been undertaken which has not been as successful as was hoped and further work is necessary.

The general view is that at both sites mentioned by Mrs Bunyard, the situation is better than it was before the work was carried out albeit that further works are required and will be undertaken as soon as conditions permit.

The recent weather has demonstrated why the restoration of streams is so necessary. Putting meanders back into streams slows down the flow of water which is exactly what is required to prevent flooding downstream. Because of this winter's very wet weather it was inevitable that some previous restoration work would be tested to its limits, and would therefore require further work.

The Official Verderer advised the Court that within the HLS partnership, Wetland Restoration is delegated to the Forestry Commission. For that reason, the Deputy Surveyor will be asked to provide the response to Mrs Bunyard's presentment.

2014/7102 CATTLE – TB, PIGS, PANNAGE AND ACORN POISONING

The NFA's support is most welcome.

As respects the pannage season, it was felt that the system employed last year for agreeing the pannage dates worked well and will, therefore, be repeated this autumn. The date for the start of pannage was agreed well in advance and the timing turned out to be right. It was agreed, however, that it is difficult to encourage commoners to turn out more pigs because there are so many variables – such as the size of the acorn crop, the price of pigs and whether commoners' facilities permit them to keep larger numbers of pigs.

2014/7103 FALLEN TIMBER

It was agreed that Frame Old Wood behind Ladycross would be a good site to look at to see if the current policy on the removal of fallen timber is working.

Mr Street said that the priorities for clearing fallen timber are public safety/welfare, property/domestic accesses, rides and tracks. The Forestry Commission's teams have been working flat out to clear trees which are creating serious issues. Due to the weather this winter the volume of fallen timber has increased hugely.

The Official Verderer felt that it would be very helpful to liberate the licencing system so that more people can get out onto the Forest in a controlled way to clear wood. Mr Street said that Simon Smith (FC) is looking at the policy for sales but it is important to be consistent. There are local sales happening and the FC is looking at the volumes involved.

Mr Deakin was adamant that action is needed now. He asked what is the end point? He felt strongly that there must be a catch up plan and a likely time span for removing excessive amounts of fallen timber.

Mrs Westerhoff's views differed in that she felt that too much timber has been removed in the past under the old licencing system. She said there was concern about regeneration, particularly in Mark Ash where Natural England believed too much wood was removed.

However, Mrs Westerhoff's views were at odds with the other members of the Court who all felt there is too much fallen timber on the ground, some of which represents a serious hazard to stock.

The Official Verderer asked Mr Street to ask the Deputy Surveyor to make a response to Mr Topp's presentment. Mr Street acknowledged the need to keep the arteries of the Forest open.

NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION

2014/7103 SOUTHERN GAS NETWORKS LEAKING GAS MAIN – LATCHMOOR DISCHARGE
(a) BROCKENHURST

The main reason for this submission was to agree a policy on temporary fencing which may in some instances be necessary around soft dig areas to protect animals and the public from harm. SGN has asked for guidance on how long fencing should remain in place and what sort of fencing is acceptable.

The Court agreed the principle that temporary fencing is necessary where ground conditions are poor. However, such fencing must be post and rail

rather than Herras fencing which is not only very unsightly, but is also easily blown over and sometimes stolen! The Official Verderer said it is impossible to have a blanket policy for timescales because that will depend on the weather. However, it is likely temporary fencing around reinstated excavations may have to remain in place for some months and will need to be monitored.

It was agreed that prior to fencing being removed, an inspection should be carried out by the local Keeper and Agister.

2014/7103 IMPROVEMENTS TO THE WATER TREATMENT WORKS AT BANK DISCHARGE

The Court agreed the request for additional fencing and gate off the A35 which will allow large vehicles to access the site safely. Assurance was given that there will be a gate keeper on site at all times during working hours and that the entrance will be secured when work is not going on. A cabin in the form of a small shed to provide shelter for the gate keeper was also agreed.

Agreement was not, however, given in respect of the proposals to stabilise the bank of the stream into which the treatment works discharges. There is a serious problem with erosion which it is felt has been caused by the stream having been straightened in the past: the old meander is visible close by. Previous hard engineering (concrete sandbags and sheet piling) to stabilise the bank is visible in the stream. This will therefore be the third time that work has been carried out to prevent erosion and clearly the previous two attempts have been unsuccessful. There is no reason to think that the same thing won't happen again in 10 years' time.

The policy in the Forest is to restore meanders in streams and it was felt that there is no reason why this stream should be treated any differently. The Official Verderer felt that this may be a mini HLS project. Consent was not, therefore, given for further hard engineering at this location.

The Official Verderer said that during his inspection of the site, he found a huge amount of litter and other rubbish. This included a rusty spade, two plastic pipes, a quantity of plastic wrapping material and a number of old concrete pipes sticking out of the ground. All this is on the Open Forest and are a serious hazard to commoning stock. In addition, there are a quantity of drinks cans by the gate. The impression of the whole site is that it is very poorly maintained. Most of the jets in the treatment plant itself look blocked and the Official Verderer questioned the quality of the discharge although he accepted that is a matter for the Environment Agency. The fence around the site is also in a shocking state. This is an area which sees little public activity and therefore it is clear that the issues are all caused by the Water Company.

A proposal for resolving the problem of erosion of the stream is needed and the whole site must be cleared up.

Action
MSt

Mr Street was asked to take the Court's concerns back to the Water Company.

2014/7104	NETWORK RAIL – ACCESS FOR MAINTENANCE OF THE RAILWAY LINE	DISCHARGE
	<p>This submission is for information only. Mr Street advised the Court that Network Rail will be undertaking some general maintenance following on from the more extensive vegetation clearance exercise undertaken several years ago.</p> <p>The Forestry Commission will be granting access to NWR's contractors but all the works will be undertaken on railway property with no arisings being left on the Open Forest.</p> <p>The Court asked the Forestry Commission to stress the importance of not leaving any access points open and the Official Verderer commented that the fence itself is in places covered in vegetation. He expressed concern that once the vegetation has been removed and the fence exposed, it may be that the fence is found to be in poor condition. Mr Street was asked to make sure that NWR's contractors realise that they must ensure the fence is secure at all times in order the stock cannot get onto the railway line.</p>	Action MSt
2014/7105	SCOTTISH AND SOUTHERN ELECTRICITY – UNDERGROUND ELECTRICITY SUPPLY TO PICKET POST FOR NEW MCDONALDS	DISCHARGE
	<p>The new McDonalds is north of the east-bound carriageway, on the site of the former Little Chef.</p> <p>The application for the new electricity poles is south of the west-bound carriageway.</p> <p>It was pointed out that a double pole is already in situ. Mr Street will check to see what is already recorded.</p> <p>It was agreed that the present poles can be replaced with stouter, matching poles.</p> <p>In addition, the existing, redundant cable between points A and B on the plan which was provided must be removed.</p> <p>Subject to the above and the usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc., the Court was happy to approve the proposals.</p>	Action MSt
2014/7106	FENCING AT PICKET POST WEST BOUND & ENCROACHMENT	DISCHARGE
	<p>Concern was expressed that the post and rail fence behind the filling station on the A31 westbound is new, but the posts are not set far enough in the ground and there is no stock netting. The fence has also been constructed several inches outside the boundary and is therefore technically an encroachment. Mr Street will investigate.</p>	Action MSt
2014/7107	FENCING AT HILLTOP LODGE, PICKET POST	RESUME
	<p>The occupiers of this property appear to have erected a new wire netting fence supported by galvanised stays set out into the Forest. The stays are concreted into land belonging to the Crown. In addition the old green chain link fence has been left out on Open Forest where it is dangerous to stock. This is a significant encroachment and Mr Street will investigate.</p>	Action MSt

2014/7108 ESSO PIPELINE MAINTENANCE – DIBDEN (AND PLAITFORD DISCHARGE COMMON)

Esso are looking to undertake three digs along the oil pipeline at Dibden (and other digs on Plaitford Common), in the last two weeks of this month (February).

Esso needs access to the pipeline to check and replace wrapping around the pipe. Fischer German are managing the project. It is proposed that each dig site will be opened up in turn and upon completion of the repair will be backfilled and reinstated prior to moving onto the next site. There will therefore only be one excavation open at a time. Depending on ground conditions, it may be necessary to erect temporary fencing to protect the soft dig sites. The Court approved temporary fence for as long as necessary to allow the ground to properly consolidate. Such fencing must be post and rail and the local Keeper and Agister will inspect the sites prior to the fencing being removed.

The suggestion that red and white tape should be fixed to the fencing was felt to be unnecessary and is not agreed unless the Estates Keeper has a valid reason for its inclusion, in which case the Official Verderer asked to be informed.

Whilst trackway has been suggested as a way to protect the ground from damage from vehicles, it sometimes does more damage. For that reason it will be left to the contractors and the Forestry Commission to decide whether or not it should be used.

The same conditions will apply to the works on Plaitford Common.

MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION

2014/7109 FLOODING AT LATCHMORE DISCHARGE

Mr Street has inspected the discharge from the pipe that pumps water out from under the railway bridge. There is evidence of erosion where the pipe previously discharged. The pipe currently discharges into the ditch on the north side of the road but there is insufficient capacity for the water to be taken away satisfactorily. Hampshire County Highways is currently working on the culvert to try to improve the situation. Network Rail and Hampshire County Highways have been instructed to monitor the discharge and to ensure that it does not erode the Forest. The Forestry Commission will also monitor the situation.

Action
MSt

Network Rail has reported that the mainline railway bridge needs more work than was originally anticipated and the road will be closed until May.

2014/7110 VINNEY RIDGE DRIFTWAY RESUME

This matter will be resumed in March.

2014/7111	KINGS COPSE DITCH	DISCHARGE
	<p>Natural England has confirmed it is content with the proposals to reinstate the ditch so that it is safe. The Forestry Commission will undertake the works as soon as ground conditions permit and will charge the cost to the householder who dug out the ditch in the first place. This matter appears on the encroachments list so will be discharged from these minutes.</p>	<p>Action FC</p>
2014/7112	FINANCIAL LIABILITY FOR BREACHES OF HLS CROSS COMPLIANCE CONDITIONS	RESUME
	<p>Mr Street said he has a meeting arranged with the Golf Club next Wednesday. General matters concerning the management of the course will also be discussed.</p>	<p>Action MSt</p>
ENCROACHMENTS		
2014/7113	ENCROACHMENT LIST	RESUME
	<p>A new list was circulated. It included a new Hampshire County Highways fence which has been constructed well inside the original fence on Crown Land. Mr Street will take this up with HCC.</p>	<p>Action MSt</p>
2014/7114	OPEN REACH	DISCHARGE
	<p>Open Reach has put up temporary barriers around a hole dug opposite Gaza Avenue but the barriers have collapsed into the hole which appears to have been all but abandoned. Mr Street confirmed he had given the go-ahead for the works previously approved by the Court. He will chase up Open Reach as respects the barriers.</p>	
2014/7115	DAMAGE CAUSED BY OPEN REACH VEHICLE	DISCHARGE
	<p>An Open Reach van caused extensive damage to Stocks Cross when it was driven onto the soft ground. Mr Street will be taking this up with the company as well.</p>	
2014/7116	SOUTHERN WATER – WORKS AT SETLEY	DISCHARGE
	<p>The highway fence, damaged by Southern Water when they cut it to gain access for their works, is once more in a dangerous condition. Mr Street confirmed that Natural England has consented to the proposed works and restoration but they cannot proceed until the ground conditions improve.</p>	<p>Action MSt</p>
2014/7117	BALMER LAWN ROAD BRIDGE	DISCHARGE
	<p>The blue barriers used to close the road when it is flooded are now lying around in pieces on the verges and are a hazard to stock. The ground under the large slab of concrete on The Pig side, has been washed out by water and is in a dangerous condition. Also, the cable which was buried before Christmas has now been completely exposed again. The whole area is a frightful mess. Hampshire County Highways will be asked to tidy up the things that are its responsibility and efforts will be made to resolve any issues that aren't.</p>	<p>Action Clerk</p>

2014/7118	BROCKENHURST COLLEGE ILLEGAL PARKING	DISCHARGE
	<p>During a recent parents evening, cars were parked on Waters Green causing damage to the grazing. Mr Street said the Ranger Team went to the College and offered some signs for it to put up on parents evenings saying No Parking. The Official Verderer suggested some car free ditching or dragon's teeth would be appropriate. Mr Street said the FC is considering protection for the green.</p>	<p>Action MSt</p>
2014/7119	BURLEY MANOR GATE ONTO FOREST ROAD	DISCHARGE
	<p>A significant amount of damage has been done by someone accessing a field gate by driving across the Open Forest from the road to the property boundary. The damage is unacceptable and Mr Stride offered to speak with to the owner of the property. If the matter is not resolved, it will have to be dealt with formally.</p>	<p>Action RS</p>
ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION		
2014/7120	BRAMSHAW GOLF COURSE	DISCHARGE
	<p>Mrs Westerhoff and Mr Readhead recent met with Bramshaw Golf Club and a report of the meeting was circulated. The report contains some preliminary proposals for resolving various issues on the course. Anything that requires specific consent from the Court will appear on the agenda in due course.</p>	
2014/7121	DENNY LODGE DITCH	DISCHARGE
	<p>Mr Stride said he will look at resolving the issue of the ditch between Upper Holding and Trim Holly Pound.</p>	<p>Action RS</p>
2014/7122	KEYS & LOCKS ON THE A31 GATES	DISCHARGE
	<p>Some of the locks are difficult to open and a few are missing. The Forestry Commission has replaced several and has serviced some others.</p>	
2014/7123	CLEARANCE OF CULVERTS IN HONEY LANE AND AT WOODS CORNER	DISCHARGE
	<p>Miss Macnair wished to thank the Forestry Commission and complement it on the very good work it has carried out. Mr Stride said he will convey the Court's kind comments to the relevant team.</p>	<p>Action RS</p>
2014/7124	HIGHWAY DRAINAGE	DISCHARGE
	<p>The flooding of the road at South Weirs has become a serious issue. Mr Street said the matter has been referred to Hampshire County Highways by Brockenhurst Parish Council.</p>	

2014/7125	DEER MANAGEMENT PLAN	DISCHARGE
	Mr Dowsett thanked the Forestry Commission for addressing the Court's concerns about maintenance of inclosure fences and gates in order to prevent stock gaining access. The Clerk remarked that there are one or two cattle grids which give access to inclosures which also require regular maintenance. Mr Stride confirmed that the cattle grids have recently been cleaned out.	
2014/7126	LONG MEADOW	RESUME
	Mr Deakin advised Mr Street that the Long Meadow fence has been flattened by a large fallen tree. The fence has also been washed out. As a result there are now 20 or so Forest animals in the field and they have eaten it out. It was supposed to be available for the Stallion Bloodline Scheme, but unless the fencing is repaired soon there will be no keep left.	Action MSt
2014/7127	FALLEN TREES CLOSE TO WOODFIDLEY BRIDGE AND THE POUND	DISCHARGE
	Fallen trees are preventing access to the bridge and the Forestry Commission was asked to clear the track as soon as possible.	Action MSt
2014/7128	TARMAC PATCH AT FORMER BUS-STOP AT HATCHET POND	DISCHARGE
	The bus shelter has been removed, but the associated tarmac patch hasn't. The Court would like to see it removed.	Action MSt
2014/7129	BURNING PROGRAMME	DISCHARGE
	Mr Readhead suggested a 2 week extension to the burning programme should be approved. The Court indicated it would be willing to agree to such an extension. Natural England will need to advise. Mr Street confirmed the resources are available to undertake the burning programme but to date the weather has prevented much being done.	
2014/7130	CAMPING PROGRAMME FOR 2014	RESUME
	Mr Readhead advised the Court that the CDA has arranged a meeting with 'Camping in the Forest' on the 5 th March.	
	Mr Stride reported that the fencing around Holmsley Campsite, which is the responsibility of Camping in the Forest, is in a very bad state. It is dangerous to stock and needs attention. Mr Readhead said this will be raised in the forthcoming meeting.	Action DR

Mr Street left the meeting

OTHER MATTERS ARISING

2014/7131	SINGLE FARM PAYMENT	RESUME
	In the absence of Mr Mills, this item will be resumed in March.	

2014/7132 BOVINE TB RESUME

The Clerk circulated a paper containing proposals for reducing the risk of a TB breakdown in the Forest. The paper was written by the Head Agister and the Clerk at the request of the Official Verderer. Members of the Court were asked to let the Clerk have any comments as soon as possible. Once the paper is approved, it will be forwarded to AHVLA (the Animal Health & Veterinary Laboratories Agency) and if it is supported by the Agency, it will be sent on to Defra as a proposed way forward for the Forest. The alternative is that Defra may impose its proposed policy that all cattle will have to be TB tested prior to entering the Forest and prior to leaving the Forest. If that happens it will no longer be possible to depasture cattle onto the Forest.

2014/7133 NEW FOREST SHOW RESUME

It has been proposed that the Verderers move into the New Forest Corner. The Clerk requested a budget in order to improve the display. A budget of £10,000 was approved which will permit a new display to be purchased and a new short film to be produced; the display and film should be re-usable in future years. The Official Verderer and the Clerk will be visiting the Show to discuss a suitable site for Verderers' stand with members of the Show Society.

2014/7134 NEW FOREST (RIVERS) CATCHMENT PROJECT – BEAULIEU AND LYMINGTON RIVERS DISCHARGE

The Court has been asked for its input into this project and papers were circulated. Mrs Westerhoff kindly offered to collate a response and comments should therefore be sent to her.

2014/7135 NEW FOREST COMMUNITY ROUTES DISCHARGE

The Official Verderer was pleased to announce that all the routes to which the Verderers objected have been deleted from the map. Natural England had similar concerns. Concern was expressed that funds have been obtained by the New Forest National Park Authority before it had secured the agreement of other statutory bodies.

HIGHER LEVEL STEWARDSHIP SCHEME (HLS)

2014/7136 HLS AGM RESUME
April

The Official Verderer announced that the Annual General Meeting is to be held on Thursday 27th March commencing at 5.30 p.m. It is being held in the Verderers' Hall and a film of the successful wetland restoration at Fletchers Thorns will be shown. Several five minute reports will be heard on subjects including the Nightjar Survey, monitoring of small fleabane, southern damselfly, fairy shrimp and ecological quality of New Forest ponds. A presentation will also be given on the control of non-native plants. Canapés and drinks will be provided by members of the New Forest Marque.

VERDERERS GRAZING SCHEME (VGS)

2014/7137 RPA INSPECTION RESUME

The Natural England report for the RPA on poaching outside a farm in the north of the Forest is awaited.

MATTERS ARISING FROM EXTERNAL COMMITTEES & WORKING GROUPS

2014/7138 NATIONAL PARK AUTHORITY TRANQUILITY MAPPING PROJECT DISCHARGE

Mr Dowsett reported on the recent National Park Authority meeting on tranquillity mapping. Tranquillity criteria were discussed and it was agreed to appoint independent consultants to draw up a new tranquillity map of the New Forest. This will be a desk based study which should be completed by the end of March, with ground truthing taking place in early summer. The Tranquil Areas Study Map, produced by Ash Consulting Group in 1996, will be used as a template.

2014/7139 ROCKFORD FARM BACK-UP LAND DISCHARGE

Mrs Westerhoff reported that the New Forest Trust will be leasing Rockford Farm. A management plan is being prepared.

2014/7140 WILDLIFE FORUM DISCHARGE

Mrs Westerhoff reported that at a recent meeting, the Game & Wildlife Conservation Trust study shows that burning does not appear to have a detrimental effect on invertebrates or diversity, and is therefore not a problem.

A project is to be undertaken to control foxes, crows and magpies in order to protect ground nesting birds in the Avon Valley – chiefly Lapwing. This may have implications for the Forest.

2014/7141 WHITE LINES ON ROADS DISCHARGE

Miss Macnair pointed out that white lines painted along the edges of the carriageway have many benefits. They encourage motorists to drive a little further out from the edge of the road than they might otherwise and this means that vehicles may not pass quite so close to stock and may help to reduce road accidents. At the same time, road edge erosion may be reduced and it also gives cyclists, horse riders etc., more room. The white lines are also a help motorists to better judge where the edge of the road is at night.

FINANCIAL MATTERS

2014/7142 FINANCIAL STATEMENT FOR JANUARY 2014 RESUME

The financial statement was noted.

STAFF MATTERS

2014/7143	HIGHWAY FENCING AND LIABILITY	RESUME
	<p>Mr Deakin explained that the Agisters had expressed concern at who may be liable in the event of another accident such as that which happened on the A31 a few weeks ago when a motorcyclist died after a collision with a Forest pony. Mr Deakin said that he had made it clear that in his opinion the Verderers' staff simply pass on observations that they have made whilst carrying out their duties in the Forest and that they should feel good about reporting problems. Mr Deakin has asked the Clerk to draft some words to include in emails reporting problems to the highway authorities which makes it clear that the report is to assist them in their work in maintaining the fences and that in no way does the Court or any of its staff accept any responsibility for monitoring the fenced roads.</p>	Action Clerk
	<p>The Official Verderer asked the Clerk to draft a letter for him to sign, explaining that the Court's staff will report fencing problems that they may come across whilst going about their normal duties but that it is not up to the Court's staff to monitor the fences. It is up to the highway authorities to survey and prioritise defects. It will also be suggested that highway staff should be inspecting the fences from the Forest side and not only from the road as in many areas the fence is not visible from the road. The issue of marker posts only being visible from the road side will also be mentioned as for reasons on health and safety, it is unacceptable to expect the Court's staff to walk along the verges to obtain a marker post number.</p>	Action OV/Clerk
2014/7144	STALLION BLOODLINE SCHEME	DISCHARGE
	<p>A note will be included in the next newsletter explaining that the bloodline scheme is being run again this year and asking commoners to put forward suitable mares. Miss Macnair said she would welcome a discussion with Agister Robert Maton who has been tasked with managing the scheme this year, and the Clerk. The Clerk said she will arrange a meeting.</p>	Action SW
2014/7145	PYLEWELL ESTATE	DISCHARGE
	<p>The Clerk confirmed she has emailed the Agent regarding the unsatisfactory condition of a fence beside a cattle grid which gives access onto the Estate and through which it is possible for stock to escape from the Forest but so far she has not received a response. It was confirmed that the Agent has not changed. The Clerk will make a further attempt to contact the Agent.</p>	Action SW
2014/7146	BRAND DECLARATIONS	DISCHARGE
	<p>The Official Verderer asked the Clerk to check with the Verderers Grazing Scheme manager to find out which commoners have still not returned their brand declaration forms as he felt that VGS money should be withheld in those cases.</p>	

HEALTH & SAFETY & TRAINING

There were no health and safety or training issues to report or discuss.

ANY OTHER BUSINESS

2014/7147 NEOSPORA DISCHARGE

A recent Countryfile episode highlighted the risk of this disease to cattle in which it can cause abortion. It was reported that dogs may become infected when they consume infected cattle abortion material or placenta. Eggs are then produced in the dog's digestive tract and shed in the faeces, remaining stable in the environment for about six months.

When this infected material is ingested by cattle via contaminated feed or water, the animal will then become infected.

There is no evidence of adult cow to cow transmission, so when a farm is enclosed, with no dogs present, even when an infected cow is introduced to an unaffected herd, there is no risk of infection, although imported feed or water can pose a risk.

But if a recently infected dog is brought onto the farm or if a neospora-positive cow is introduced onto a farm with dogs, there is risk of the disease infecting the herd.

It is not thought that this is a problem on the Forest.

2014/7148 CYCLING DISCHARGE

Mr Dowsett said he has been approached by Minstead Parish Council to attend its annual assembly at which the topic of community cycle routes for residents of Minstead will be discussed. The National Park Authority, County Council Highways and the Forestry Commission have also been invited to send representatives.

The Court discussed the issues surrounding community routes along the fenced roads and it was pointed out that the verges are subject to common rights as well as being part of the SSSI. It was decided that Mr Dowsett would be unable to assist the Parish Council at its meeting but if in due course it wishes proposals to be considered, the Court will be happy to give them due consideration.

2014/7149 HOT BRANDING CODE OF PRACTICE RESUME

DEFRA's code of practice has now been published. It does require certain actions by the Court. It was agreed that Mr Deakin, the Head Agister and the Clerk will meet to discuss how to take this forward.

Action
RD/SW/JRG

2014/7150 A31 FENCING DISCHARGE

Some photographs of the A31 fence have been provided by commoner Mr Richard Deacon.

Mr Gerrelli expressed concern at a suggestion made some time ago that the VGS should provide funding for improvement to a stretch of the A31 fence. He was concerned about any future liability issues.

MINUTES of the Court of Verderers held on Wednesday 19th February 2014 in the Verderers' Hall and the Library, the Queen's House, Lyndhurst.

2014/7151 MANHOLE AT NORTH BENTLEY

DISCHARGE

Mr Stride advised the Official Verderer that the dangerous manhole cover that he had reported has now been repaired.

There was no further business and the meeting closed at 13:47 hrs.