

MINUTES of the Court of Verderers held on Wednesday, 19th January 2005 at 9.30 a.m. in the Library, The Queen's House, Lyndhurst.

PRESENT:	Mr O Crosthwaite Eyre	Official Verderer
	Mr A Gerrelli	Elected Verderer
	Mr P Frost	Countryside Agency Appointed Verderer
	Mrs K Heron	Appointed Hampshire County Council Verderer
	Mr J F Kitcher	Elected Verderer
	Miss D Macnair	Elected Verderer
	The Hon R Montagu	Appointed Forestry Commission Verderer
	Mr A H Pasmore	Elected Verderer
	Mrs P Thorne	Appointed DEFRA Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk
	Mr J R Gerrelli	Head Agister (first three items only)
APOLOGIES:	Mr J Adams	Elected Verderer & Chairman of the Staff Committee

IN COMMITTEE

The Head Agister was present for the first three items.

2005/1353 MINUTES OF THE LAST MEETING DISCHARGE

The Minutes of the Court held on Wednesday, 15th December 2004 were approved and signed.

2005/1354 ANNOUNCEMENTS & DECISIONS DISCHARGE

Mr Frost expressed concern at the Announcement concerning LIFE III. He felt the Court was being too hard on the Environment Agency in respect of its inability to offer a guarantee to reinstate work carried out on the Open Forest in the event that it proves to be detrimental. He added that there is no recognition of the work so far carried out which Mr Frost believes will result in a considerable increase in streamside lawns. Miss Macnair remarked that at the moment no-one knows what the long term effects of the works will be and therefore it is difficult to congratulate the agency. Mrs Heron agreed and said recognition will be given when the work is complete and the results are plain to see. She felt that as yet there is no positive side to the works. The Official Verderer said the announcement simply answers the earlier statement that the Court would seek guarantees. Mr Gerrelli proposed the Announcement be read out as drafted and this was seconded by Mr Kitcher. Mr Frost and Mr Montague however did not agree and the Official Verderer said he felt it would be preferable if the announcement was re-drafted in time for February's Court.

The remaining Announcements and Decisions were approved as was the Announcement prepared by the Stewardship Scheme Manager.

2005/1355 CONDITION OF STOCK RESUME

Report by the Head Agister

The Head Agister reported that he remains very pleased with the condition of stock. The majority of the animals look very well. The usual one or two mares with foals and a few young ponies are losing condition but none of the approximately 250 seen the day before the

Court gave any cause for concern.

The time of year is approaching when stock will begin to lose condition but things are definitely better than in previous years. No animals were removed because of concern about their condition in December.

Commoners seem to be happy to take animals in before they become poor. Those that are being removed are not poor but have simply just lost a little condition. Some commoners are catching their own animals and a small group regularly help the Agisters at weekends.

Mr Pasmore asked the Head Agister just to keep an eye on the Western Commons. A commoner in that area is in hospital and her animals are not being fed as they usually would be at this time of year.

There were no specific Welfare issues to report.

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

IN ATTENDANCE: Mr Mike Seddon Deputy Surveyor of the New Forest
Mr Will Parke Area Land Agent (New Forest)

ANNOUNCEMENTS & DECISIONS BY THE OFFICIAL VERDERER

2005/1356 NATIONAL PARK

Following my meeting with Alun Michael in London last November, the Minister has decided that, despite the Countryside Agency's recommendation to the contrary, the Verderers will not take any direct part in the selection process for the six members of the National Park Authority who are to be appointed by the Government.

We have written to the Minister to register our disappointment with the decision.

The need to ensure that all members of the future Authority fully understand the role and importance of Commoners and Commoning is of vital importance to the Park's long term success. To that end we intend to play a key role in the formal training of all new members of the Park Authority, and our future involvement has the support and encouragement of the Minister.

2005/1357 HOLLANDS WOOD AND ROUNDHILL CAMPSITES

The Deputy Surveyor made a formal Presentment in respect of the Forestry Commission's plans for the improvement of these two campsites at the November Court. Subject to considering any Presentments that may be made this morning, we intend to discuss the merits of the Commission's request for our consent in Committee today. If we reach a conclusion, one way or the other, we will issue a news release.

2005/1358 WELFARE TOUR

The Winter Welfare Tour took place on Friday 3rd December and was attended by representatives of Defra, the RSPCA, the British Horse Society, the International League for the Protection of Horses, the Blue Cross, the Donkey Sanctuary, the New Forest Commoners Defence Association and the New Forest Pony Breeding & Cattle Society. The good condition of the ponies, donkeys and cattle on the Forest was unanimously praised; indeed the representatives from the RSPCA and the ILPH described the standard of the stock as excellent. To hear these internationally respected welfare organisations praising the condition of the Forest's animals is the ultimate endorsement. Monitoring the welfare of the animals is a vital joint enterprise

between the Commoners and our Agisters, and the fruits of that effort have once again been suitably recognised and applauded.

I am also pleased to announce that the Blue Cross have very generously donated £1,000 towards the existing Stallion Scheme, for which we are most grateful.

2005/1359 ENFORCEMENT OF BYLAWS

The trial of the nine New Forest Commoners for alleged bylaw offences that was due to begin last July never took place due to the decision by the Deputy District Judge that the proceedings against all Defendants were void. We were, for the second time in this case, forced to lodge an appeal to the Administrative Court in London.

The appeal was heard in full on 1st December 2004, and the Judges ruled in the Verderers' favour and have allowed our appeal.

The Judges also ruled that the Verderers' own legal costs in bringing the appeal would be met from Government's central funds.

We have just been advised that the trial in the Magistrates Court has been scheduled for 4th to the 6th May 2005.

An entirely separate prosecution is underway against Thomas and James Penny for alleged bylaw offences in relation to a stallion, and a date for trial has been set for February 8th at Southampton Magistrates Court.

2005/1360 PRESENTMENTS AT THE NOVEMBER COURT

Mr Bob Cooper made a Presentment at the November Court specifically requesting that the Agenda for each Committee Meeting is published and that those making Presentments be allowed sufficient time to address the Court in public session.

Having considered Mr Cooper's verbal and written Presentment, we do not propose to alter our current procedure. We are entirely satisfied that, since all Presentments are ultimately made in written form for the Court's full consideration in Committee, the five minutes that are allowed for addressing the Verderers in public session is more than adequate. In addition if any member of the public wishes to address the Verderers in Committee in order to present a particularly complex and serious matter to the Court, then it is always open to that person to apply to do so. I have pointed this procedure out to Mr Cooper in the past, and we would welcome any application by him to address us in Committee in those circumstances.

2005/1361 PARKING AT QUEEN'S HOUSE:

Parking space for those who work at Queen's House appears to be being put under particular pressure on days when there are public meetings being held at the Queen's House, and especially on Verderers monthly Court days. The Deputy Surveyor has asked me to particularly encourage members of the public who attend the Verderers monthly Court to park in the Lyndhurst public car park and not the private Queen's House staff car park.

2005/1362 CYCLING ON THE FOREST

After consideration of the Forestry Commission's request for consent for the cycling network for a period of 3 years and having listened to the concerns of those who made Presentments in Open Court, we have decided to approve the network for a further period of one year only.

2005/1363 COMMONERS' HOUSING RESEARCH

The Court gave careful thought to how the important research that was requested by the New Forest Association could be carried out without compromising the confidentiality of the marking fee register. It was finally agreed that the papers should be despatched from the Verderers' Office under the control of the Clerk. This has now been done. Commoners will have the option to respond to the questionnaire if they so wish.

ANIMAL ACCIDENT REPORT

2005/1364 ACCIDENTS IN NOVEMBER, DECEMBER AND THE FULL YEAR 2004

The Clerk reported that....

In November the Agisters attended 32 accidents which compared with 10 for the same month in the previous year.

15 ponies and 2 cattle were killed and 5 ponies were injured.

In December there were 17 accidents compared with 14 in the previous year.

6 ponies were killed and 2 injured.

In 2004 the Agisters attended 167 accidents which compared with 134 for 2003. An increase of 33.

68 ponies, 9 cattle and 3 donkeys were killed. 31 ponies, 5 cattle and 2 donkeys were injured. Of the 99 ponies killed or injured, 5 were wearing reflective collars.

The total number of animals killed and injured in 2004 was 118, compared with 100 the previous year.

109 accidents occurred during the hours of darkness, 120 involved private cars or light commercials, 1 involved a motor cycle and 5 involved heavy vehicles. The previous year no heavy vehicles were involved.

88 accidents involved local motorists and 42 were not reported.

ANNOUNCEMENT BY THE VERDERERS' STEWARDSHIP SCHEME MANAGER

2005/1365 Payments to Scheme Members for the first year were sent out at the beginning of December. A total of 265 Commoners were sent cheques for sums ranging from £60 to £6,000.

It is vitally important, both for the welfare of the Forest and for the continued success of the Scheme, that the number of ponies, donkeys and cattle on the Forest does not exceed 7,000, - DEFRA will withhold payment if the number rises above this figure. It should also be noted that the maximum number of animals on which payments can be made under the Scheme, is limited by the Agreement with DEFRA, to 5,000. In 2004, the number of animals on the Forest rose to 6,159 – an increase of nearly 750 over the previous year. Accordingly, for the remaining 9 year period of the Agreement, Commoners will not be able to enter more animals in the Scheme, than they depastured in 2004. This will be kept under constant review and the Verderers reserve the right to change this baseline at any time, should that be considered necessary for any reason. Commoners who did not depasture stock in 2004, will still be able to join the Scheme in future years, but will not be able to join in their first year of commoning.

As for last year, Commoners will also be limited to a maximum of 100 ponies, donkeys and/or cattle which they can enter into the Scheme. This capped figure of 100 will be reduced if total applications are received for more than 5,000 animals.

I will shortly be writing to all active Commoners, and inviting them to submit applications for the current year. It is intended that the Terms and Conditions will be very much the same as for the first year. Payments will be a minimum of £60 each for ponies, donkeys and cattle, and £25 each for pigs, within the limits I have just described, provided they are kept on the Forest for the respective qualifying periods.

As next year's payment by DEFRA will be based on the percentage of animals in the Scheme this year, it is hoped that as many commoners as possible will support the Scheme to ensure that the maximum amount can be claimed.

I would just like to stress that membership of the Scheme does not affect the right of any Commoner to depasture as many animals as they want – it is only the number which can be entered into the Scheme that is limited.

PRESENTMENTS BY THE DEPUTY SURVEYOR OF THE NEW FOREST

There were no presentments by the Deputy Surveyor

PRESENTMENTS

2005/1366 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES
Presentment by Mr Clive Maton on behalf of Denny Lodge Parish Council

"I am Clive Maton, Chairman of Denny Lodge Parish Council, and I am here today to make a presentment regarding the Forestry Commission's proposals for Hollands Wood and Roundhills Campsites.

The scoping document fails to recognise that local planning and transport policies, emphasize the need to reduce traffic impacts on the Forest. Currently the volume of traffic serving Hollands Wood campsite comes direct from the fenced A337. It would be quite wrong and irresponsible to direct this significant volume of traffic from a category "A" road, onto an unfenced "B" road. The B3055 is notoriously difficult for local people to navigate, and they are fully aware of the dangers of hidden bends and animals on the road. One can only envisage the carnage that would ensue, to people and livestock should these proposals go ahead.

Furthermore, the Parish Council is concerned about any possible Private Finance Initiatives. Investors will always be looking for a higher return on their investments. Their guiding principle will always be at odds with the well being of the New Forest, its people and wildlife. The Parish Council believes these proposals are alien to the New Forest landscape. Increased infrastructure, roads, electrical hook-ups and modern stylistic buildings have no role in an Ancient Forest. If the Forestry Commission wishes to experiment with futuristic design of buildings, then they should restrict this activity to new community forests, where this type of architecture is more appropriate.

The New Forest is recognised by various Acts of Parliament, and is afforded additional protection, this immediately flags up the importance of the New Forest in terms of its nature conservation value at a national and international level. We note that campsite provision in other National Parks is generally not located in areas which are sensitive in terms of nature conservation such as Hollands Wood and Roundhill.

Unfortunately, creeping urbanisation is all around us to see. If we cannot prevent it from happening in an environmentally sensitive area such as the New Forest, then as

custodians we have failed in protecting this World Heritage Site for future generations. As a Parish Council, we acknowledge and appreciate that support the Forestry Commission has given to the cultural heritage of our area. Particularly the assistance given to New Forest Commoners in housing and back up grazing land, it is therefore disappointing to note that the same organisation is totally oblivious to the adverse impact these proposals will have on the New Forest as a whole.

Denny Lodge Parish Council is therefore opposed to any future redevelopment that is made in advance of the National Park. We feel that it would be unwise to deal with these types of proposals, before the National Park Authority has the opportunity to examine the whole philosophy of camping within the New Forest at a strategic level”.

2005/1367 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

Presentment by Mr Michael Cooper on behalf of the New Forest Association

“The New Forest Association (NFA) object to the Forestry Commission’s (FC’s) proposal to develop Hollands Wood. While recognising there is a reduction in the area or the campsite, we believe the changes proposed for the residue site siting arrangements and the use of electrical hook ups will result in increased urbanisation, and accelerate damage to a heavily protected site.

The NFA object to the FC’s proposal to develop Roundhill. We believe the use of electrical hook ups and resultant changes to the way the site is organised will result in increased urbanisation.

The NFA further object to this proposal on grounds of nature conservation and landscape. The campsite will move into an area that is in the heart of a National Park and proposed World Heritage site, and is covered by the following environmental designations:- SAC, SPA, Ramsar and SSSI. These regulations do not offer varying degrees of protection across a site. The same protection is afforded to that part of a site temporarily covered with fast-cropping conifers as to the ancient and ornamental woodland they replaced. The development is therefore contrary to DW-E13 and should be opposed by NFDC. If the FC needs to move campsites it should be to areas without these designations”.

Mr Cooper then advised the Court that the presentment continues citing the specific reasons for the NFA’s objections which he suggested the Court may wish to consider in committee. They are however, reproduced here in the minutes for completeness....

If the NFDC is likely not to object to these developments and thus provoke a public inquiry, then NFA will seek to have the matter called in by the Secretary of State. AT any subsequent public enquiry NFA will develop the following matters. The list is not intended to be exhaustive.

If the development proposals were delayed until 2006 the matter would not be subject to Crown immunity, but would require full planning consent.

If the development proposals were delayed until 2006 the matter would be subject to the consent of the New Forest National Park Authority.

Any development of two of the Brockenhurst sites should be undertaken subsequent to a review of all Forest campsites. Proper consideration could then be given to the following matters:-

Traffic Implications While Brockenhurst is Gateway town to the New Forest in respect of people arriving by train, its development as a tourist attraction for motorists clearly adds to existing traffic problems.

Visitor needs and aspirations It is not clear what visitors are seeking when they camp or caravan in the New Forest. The FC is currently undertaking a survey of some sort. Conclusions from this, perhaps coupled with other studies, should enable a more informed choice of location.

Social and Economic consequences Changes in the number and location of visitors will have some affect on some of Brockenhurst's traders. However there is no evidence to support the view that will somehow harm the town as a whole. The matter needs to be analysed and quantified, as does the relative value and differing needs of campers as opposed to caravanners. Further within the context of the Forest as a whole, some loss of trade in Brockenhurst is not as important as the retention of the last post office, store or public house in Bramshaw, Woodgreen, Pilley, Calshot etc.

Longer Term issues The Government is committed to internationally to have 95% of Ramsar sites at an acceptable standard by 2010. It is generally accepted that the 5% margin is reserved for sites, mainly coastal (such as our own marshes), where no solution can be found to continued deterioration. There must therefore, be a significant doubt that any camping will be allowed at Hollands Wood or Roundhills in the medium term. NFA understands that it is intended that a public/private partnership, in some form, will take over these sites. NFA has not as yet considered the implications of such a change to future site development, but will seek to present evidence at any public enquiry.

The following paragraph was read in Open Court...

"NFA urges the Verderers and and NFDC to use their influence to have the proposals withdrawn until the NPA has undertaken a long-term review of camping/caravanning in the New Forest and surrounding area. Failing this, NFA asks that the Verderers object to the proposals".

2005/1368 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES – HOLLANDS WOOD ELECTRICAL HOOK UPS
Presentment by Mr Michael Cooper on behalf of the New Forest Commoners' Defence Association

"Oh behalf of the Association I would like to present a scenario to you as guardians of the Forest to consider:

If you were to visit the local camping supplies shop and ask to purchase an electrical hook up lead – you would have to buy, as a minimum, one 10 metre lead.

This means that on a wet summers day there will be as a bare minimum, 1.65 kilometres of 240 volt cable traipsed over the ground at Hollands Wood when it is running at full capacity.

We are not electrical experts, but we do know that those 240 volts and ponies are inherently dangerous to one another".

2005/1369 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES
Presentment by Peter Sweet, Practising Commoner

"Mr Crosthwaite Eyre and members of the Court, I wish to object to the Deputy Surveyor's Presentment in November to change the facilities at Holland's Wood and Roundhill campsites for the following reasons:

First, environmental issues. The future National Park Authority will be responsible in the long term for the New Forest National Park in which both campsites are situated. I

find it quite wrong that the Forestry Commission should at this time seek to carry out such a major change in the facilities on these two campsites when I feel the whole question of camping in the National Park and its surroundings should be a priority issue for the new authority on recreational grounds and that this work should be put in hand as soon as possible by them, if possible if this can be arranged, before they take full powers in 2006.

In the meantime I feel that the Forestry Commission should reduce the size of Hollands Wood as they suggest and merely undertake such essential work as is necessary in both campsites to bring the present facilities up to a reasonable standard.

I object to the camping pitches at Roundhill being moved into Stockley Inclosure as it is well known that Stockley Inclosure and its surroundings are one of the nesting areas of the rare Nightjars and where the birds may be seen and heard annually in late June.

As the social and economic future of Brockenhurst is concerned I feel that the Verderers and the Local Authorities should encourage the farmers and commoners near the village to accept touring caravans as they are able to by law without planning permission to help to make up the reduction of campers shopping in the village.

I object also to the installation of more electrical hook ups on the Open Forest, as they are dangerous to our livestock, and out of keeping to the style of Forest camping.

Finally I object to the proposed design of the Forestry Commission's new buildings as they are not in keeping with the traditions of the New Forest. This has been born out recently by NFDC in the case of a Commoner wishing to have a porch and bay window on his commoner's dwelling which was turned down as it was not in keeping with the Forest. If modest modernisations are turned down for a commoner, then futuristic designs must be for the Forestry Commission".

2005/1370 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

Presentment by Mrs Olive Collins, Brockenhurst resident and resident of Balmer Lawn Road

Mrs Collins wished to support the presentments already made and went on to say:

"Affect on local businesses; The Forestry Commission's prediction of a 13% increase in business from Roundhill is pure speculation as the Campsite Managers are under no obligation to send custom to any specific local town or village and are just as likely to recommend Lymington as Brockenhurst.

Health and Safety; Holmsley and Setthorns campsites already have hook up points and I notice that the commoning animals are excluded from these sites when they are in use. Am I right in assuming that the commoning animals will also be excluded if hook up points are installed in Hollands Wood and Roundhill?

I was interested to note the intention to use hard-standing to protect the ground. Perhaps I am being a little dense but surely if you put down hard-standing you destroy the flora in the vicinity of the hard-standing while depriving animals of much needed grazing?

The existing byelaws can be used to curb any nuisance from noisy generators there is no need to install hook up points for this purpose. Indeed, because hook ups are quite likely to increase noise and light pollution, there is likely to be a greater disturbance to any resident wildlife, particularly bats, than there has been in the past.

Private sites on the fringes of the Forest offer a multitude of facilities for those who

want them but there is nowhere else that can offer anything like basic open forest camping. It is a unique opportunity for people living in urban and suburban areas to enjoy for a short period an experience that we are lucky enough to have available to us all year round and it should be marketed as such. Personally I would much rather see Hollands Wood and Roundhill remain as they are than see the Open Forest over commercialised in this way and I know that a lot of regular forest campers agree with me".

2005/1371 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES
Presentment by Mr Derek Bennett, Sway

"Although I can only speak as a private resident, I should like to object to the proposals concerning Hollands Wood and Roundhill. Other speakers have already raised most of the points I wished to make, but one point which bothers me a great deal is the proposal to improve the facilities at both sites. Does this mean that we shall have two holiday camps in the area? The last thing we need is a New Forest Theme Park.

My wife comes from West Dorset and we have seen the way that Charmouth, the village near where she lived, has been ruined by just such developments. Simple rural caravan sites were allowed to improve facilities, which resulted in shops, etc., on site, to the detriment of the village. Although it may not be true that all the changes have been due to the caravan sites, it is a fact that over the years shops, pubs and other businesses have closed, and the character of the village has been very much altered, sadly not for the better. We should hate to see the same happen here.

2005/1372 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES
Presentment by Mr John Wingham, Vice Chairman of Brockenhurst Parish Council

"On behalf of Brockenhurst Parish Council I wish to comment on the Forestry Commission's proposals for Hollands Wood and Roundhill Campsites. We have carefully considered the proposals and held public meetings to obtain as many opinions as possible.

Firstly we would wish to state our belief that it would be more appropriate for the statutory planning approval to be considered by the incoming National Park Authority. This new Authority may wish to preview the tourism and recreational policies in the Forest free of precedent.

Statement

Roundhill

We are seriously concerned that proposals for Roundhill site would cause further intensification of inappropriate recreation, such as off-route cycling. The nearby Ladycross Inclosure/Frame Wood areas comprise areas of A and O woodland, older than Hollands Wood. We believe the impact will be greater than is stated, both in terms of air quality and wildlife disturbance, and conclude the benefits of any improvement at Hollands Wood will be outweighed by the greater impact on Roundhill. The Parish Council would support the movement of pitches into Stockley/Perrywood Ironhill Inclosures to allow restoration of heathland areas.

It must be remembered that currently campers regularly walk in large numbers to Brockenhurst from Hollands Wood. The transfer of camping nights from Hollands Wood to Roundhill, would therefore lead to more traffic generation and risk more animal accidents as it creates a need for visitors to drive from Roundhill. This would particularly affect the unfenced Balmer Lawn / B3055 route which is already

overburdened in summer.

Hollands Wood

We are opposed to the proposed reduction in pitch numbers in Hollands Wood for the whole of the summer season. We call for the investigation of an option that the northern part of the campsite is opened for "low key" camping during the peak period to maintain capacity. This option was mentioned in discussions with English Nature in August 2002.

Hook Ups

Our residents have clearly expressed the view that the proposals to install "hook ups" on either site will lead to commercialisation inappropriate in the New Forest. Whilst we agree that many campers expect such facilities, we should emphasise that the New Forest is "special", for which low-key camping is appropriate. Residents have clearly expressed the view that this commercialisation is inappropriate within the New Forest SSSI/SAC. The hook ups encourage the larger caravans and motor homes.

This is a development which will further commercialise the Forest and increase pressures on commoning. We believe that with suitable marketing, it is possible to attract campers to the area who appreciate the New Forest for its natural unspoilt environment.

In addition, as a major Forest village, we have very serious concerns on the economic impact of these proposals which could, in time, lead to a reduction in business for our village shops.

In Summary

We believe the proposals will:

increase the risk of accidents to commoning stock and have a negative impact on wildlife and environment at Roundhill

lead to commercialisation of the New Forest by the introduction of hook ups

create more environmental problems than they solve and will have serious economic impact on the village of Brockenhurst".

2005/1373 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD CAMPSITE
Presentment by Mrs Brenda Picknell – Camper from out of the area

"I will have travelled a round trip of over 200 miles today to be here to tell you how important this campsite is to me, my family and the thousands of other people who regularly visit. I am sure many fellow campers would also have attended had they been aware of this opportunity.

We have been camping at this site for over 20 years and visit several times each year. It is a very special place, where we have been able to relax and feel really close to the beauty and changing face of nature. It is special for lots of reasons but mostly because of the way of the ponies, cattle and other wildlife wander by the caravans throughout the site. This is their territory and we are the visitors.

Over these years we, along with other campers who we meet frequently on site, have come to appreciate this place for the sights and the atmosphere of the Forest and the fact that we can learn about the animals and nature of the Forest being here and observing them in their environment. We respect the Forest and the surrounding area

for all it gives us.

The proposed development of Hollands Wood is definitely needed for a few reasons:

- Campers today are used to excellent facilities.
- The toilet and show blocks require modernising.
- The introduction of electric hook up points will also be an advantage – a much more environmentally friendly way to run fridges and water heaters than the use of generators, which are noisy, smelly and detract from the peaceful habitat.

These alterations would, I am sure, be done with the environment in mind, tastefully and to blend in as much as possible with the surroundings.

If the campsite were to be removed from the Forest and resited then the campers would use their cars to travel in and this would cause more pollution and damage to the Forest as more car parks would be required.

The vast majority of people who come to Hollands Wood do so for the peace and enjoyment of the environment and use their bicycles or walk in the Forest. They are conscious of the habitat and want to preserve it.

We understand the concerns about the environment, but feel really strongly that 99% of campers are very responsible people and taking away this pleasure from the thousands of visitors and putting the survival of the village at risk is surely not necessary.

Brockenhurst would inevitably be badly hit if the campsite were to close or be much reduced. Most campers shop locally and use the tea rooms and other facilities. The fact that it is within walking distance of the campsite makes this a really suitable site for people of all ages and abilities. A leisurely stroll to the village, watching the cricket on the green, sitting by the stream as children play, ponies grazing alongside, this is Hollands Wood magic and no other site we have ever visited can compare. Please do not take this away”.

2005/1374 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES
Presentment by Mr Jack Sturgess on behalf of the Hampshire Field Club, New Forest Section

“Under the Environment Act of 1995, the Verderers must have regard to National Park purposes in carrying out their functions. The formal establishment of a New Forest park is imminent. One of the park purposes referred to by the Act is conserving and enhancing cultural heritage. A primary constituent of cultural heritage is archaeology.

This Society has carried out a detailed study of the Roundhill area and from this it is clear that the Forestry Commission's proposals would be extremely damaging to the cultural heritage of that archaeologically rich part of the Forest. Similar damage is already being caused by camping at both Roundhill and Hollands Wood. Full details have been provided to the planning authority and can be made available to the Court if required.

We accordingly ask the Verderers to reject the Commission's application for development at Roundhill. We believe that the damage being done at both sites is unacceptable and that in the medium term camping facilities should be removed to less sensitive sites outside the commonable land of the New Forest”.

2005/1375 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

Presentment by Kate Lane, non practising commoner and co-owner of camping shop in Lyndhurst

"It has recently been reported, that the Forestry Commission, is planning to reduce the number of camping pitches available at Hollands Wood from 600 to 300. I am here to ask you to really consider what this means, not just to our visitors, but also to the long term survival of the New Forest itself.

Visitors to the Forest campsites come expressly to sample the sheer delight of the New Forest. They bring their families to learn about and fully appreciate this very special environment and the Commoning traditions that have created it.

Removing 300 camping pitches, just over the six week summer holiday period alone amounts to a staggering 12,600 individual family days wiped out. 12,600 days for "out of area" families to learn to enjoy and care for the New Forest and its long traditions.

During the 2005 season alone, the halving of the number of pitches at Hollands Wood will result in the loss of 55,800 family days (186 days x 300).

I would ask the Verderers rigorously oppose these reductions.

Visiting families regard the New Forest as a very special place. Their children never ever forget the wonderful times spent here and in the future, when they are the adults in control of government al policy, their love of this area is the New Forest's best long term protection.

If retaining these sites means that a little of our Forest is well used, for what is, in actuality, only half of the year, I think we can afford to be generous and should welcome this.

Those of you who can remember Hollands Wood forty years ago will know that it was actually a fly tip and dumping ground – the Forestry Commission have rescued this environmental and commoning disaster area and turned it into a clean, healthy and useable part of the Forest – improving both the ecology and the available winter grazing. Environmentalists who have newly arrived on the scene seem to be unaware that the Forestry Commission's camping sites were generally reclaimed from dumps, airfields and other damaged areas left behind from the last war. These sites are, in reality, environmental triumphs and should be acknowledged as that.

Central Government constantly dicate that families should be fitter and healthier and should take more exercise. This is not too difficult for us who live here, with the whole of the Forest on our doorsteps. The Forestry Commission must not be allowed to arbitrarily remove nearly 56,000 family days a year, from those who are actually trying to do the "right thing" but don't have the good fortune to live in an area that makes this easy.

The newly created, New Forest National Park, needs all the friends it can get, to ensure that it's long traditions are preserved for the future. To remove a large number of our greatest and most ardent supported by preventing them and their families from coming here is a fearful risk. Lose them and we lose the New Forest's wider public voice which it desperately needs to survive without its traditions being slowly eroded and lost.

I am a partner in the Lyndhurst Camping Shops and some here may think I am here out of self interest. I am actually here because I have known very many visiting families over the years. I have seen some visit as children and then eventually bring

children of their own. I want you to save something of enormous value to the very many ordinary people who are passionate about the New Forest and give us their support, interest and protection. They will, sadly, be unaware of this proposal to exclude them and I am ashamed of this move to deprive them. I hope that you, the Verderers of the New Forest, will take steps to prevent this closure, once you have had the chance to fully consider the real implications of this proposal”.

2005/1376 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

Presentment by Mr Mike Warburton, Manager of Hollands Wood Campsite for the last eight years

“Hollands Wood is the most popular of the New Forest sites being central within the Forest and within easy reach of Brockenhurst.

Our visitors enjoy being able to walk to the village for their shopping requirements and are able to eat and drink out in the evenings without the worry of taking their vehicles out. If you were to estimate that each camper night accounts for £20.00 spend in the local community you are probably looking at over £350,000 spent in 2003. With added business from our Roundhill site this would have been almost £600,000.

With good rail and bus services visitors without transport gain access to the New Forest and enjoy the Forest environment of the campsite and the surrounding area as well as those campers who visit by car.

Our aim at Hollands Wood is to ensure our campers enjoy their stay with us, providing them with beautiful surroundings and facilities that they require. As camping and caravanning equipment has evolved so should our facilities. The majority of campers come to walk and cycle throughout the Forest, families enjoy the freedom for their children to play within the Forest, but they demand up to date toilet and shower facilities, along with electrical hook ups for those who love the environment but require that extra bit of comfort that a hook up brings.

As Hollands Wood is such a popular site it is very disappointing that the number of pitches has to be reduced by so many due to environmental pressure, but to alleviate this our sister site at Roundhill will be able to accommodate the overflow of campers.

My staff and I have always had a good rapport with the local businesses in Brockenhurst and have always recommended the village to our campers as their first port of call for good food and provisions and hope that this link will remain between Hollands Wood and Brockenhurst for the foreseeable future.

When considering the proposed changes to Hollands Wood and Roundhill campsites may I ask the Verderers to take into consideration the pleasure that camping in the New Forest brings to hundreds of thousands of people each year, not forgetting the economic contribution that camping makes to local businesses and the wider well being of the Forest. May I also ask that the Verderers consider your own responsibilities towards people's enjoyment and the economical viability of the area, alongside your environmental responsibilities.

2005/1377 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

Presentment by Mr Richard Reeves, Calshot, Southampton

Mr Reeves gave a précis of his written Presentment which he handed to the Clerk and which is set out below.

“I strongly urge the Verderers to reject the campsite proposals on principle. The plans

do not fit into any strategic overview. The statement that the proposals are being made on conservation grounds is clearly unsustainable as the proposals place certain parts of the Forest into an even worse situation than they are at present. The Sandford principle, which an incoming National Park Authority would use, makes it clear that if there is a conflict between conservation and recreation then conservation should take priority.

Furthermore, the wish to protect the economic interests of the local community is also clearly flawed from a strategic viewpoint. That the Forest's economy relies in a large part on tourism is not in dispute. However, the bias towards Brockenhurst is clearly to the disadvantage of communities elsewhere in the Forest, which would benefit from a redistribution of camping. Smaller sites on private land, which would not interfere with the exercise of common rights, to replace the larger sites on sensitive Forest habitats, would clearly be the way forward. In this way the local community, including commoners and small farmers, would directly benefit from providing such sites, while the acquisition of suitable sites by Forest Holidays would not necessarily be ruled out.

The present bias towards Brockenhurst also presents traffic management problems in and around Lyndhurst, which often leads to calls for a bypass, however it is the cause that needs to be dealt with and not the effect. Also the undesirable impacts of large concentrations of visitors on other aspects of the local community are rarely heard, over the din of those who have largely moved in to exploit the visitors for their own benefit.

I therefore urge the Verderers to object to any major capital expenditure, such as electric hook-ups, new facility blocks, etc., until the likely incoming National Park Authority has carried out a strategic overview. The narrow approach taken by the Forestry Commission fails to take into account the wide-ranging impact of its proposals, and ignores the benefits that may arise from a strategic review of the entire situation".

2005/1378 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

Presentment by Mr Peter Maltby, Member of the Camping and Caravanning Club

"I am a member of the Camping and Caravanning Club which is the oldest Camping Club in the world. It has a membership of 400,000 and is recognised as a leading authority on recreational camping.

I am an honorary advisor to one of the Club's Committees with a remit to regulate our members camping as individuals, or in small social groups, particularly in National Parks and other environmentally sensitive areas.

I am concerned that the current proposals for Hollands Wood and Roundhill seem to have provoked a re-appraisal of camping generally in the Forest. I believe that you may receive representations about the economic benefits the two sites bring to the area. I would just say that together, the two sites probably contribute about £6M to the local economy and support around 120 jobs.

In the New Forest, camping is not just another element in the local tourist scene. The New Forest is, above all other destinations in the UK, seen by many as a destination for camping (and caravanning) as a pastime in itself.

Recreational camping in the Forest became increasingly popular over the first half of the 20th Century and for many years it was possible to camp wild in the Forest. Many people brought up to enjoy camping by various youth movements or (perversely) following periods of military service, have found their experience of camping in the New Forest to be a stimulating, affordable and uplifting one. Many people who seek the removal of the campsites from the Forest also prepared to agree on the character-

building attributes of such organisations as the Scouts or Guides, or Duke of Edinburgh's Award Scheme where camping is the core activity. Apparently at some stage in the development of a young person, camping is somehow transformed from an activity to be encouraged to something unacceptable! Same person, same activity, different reaction.

I accept that for very good reasons, it was necessary to bring about an end to wild camping in the Open Forest and to draw campers into the designated campsites. The New Forest, however, is still unique in offering an ideal combination of freedom of access with, a sense of wilderness and the opportunity of getting close to nature. It truly meets one of the National Park criteria of "providing a markedly superior recreational experience" if not an outstanding one. It is still possible to encounter a couple of deer, or ponies or suchlike, just outside one's tent or awning in the early morning.

Removal of the campsites from the Open Forest and their relocation elsewhere on the periphery of the Forest might be thought to be a suitable alternative to the sites on the Open Forest. It is my opinion, however, that such sites would prove to have little popularity with recreational campers and caravanners who would not longer be able to enjoy what I would call the "New Forest Experience" from such sites.

In their report (New Forest Camping; A Review and Options for the Future – January 1995), the Forestry commission found that a large proportion of people using their sites regarded the "New Forest Experience" as an important consideration in the choice of destination and site.

The very first of the objects of my Club contained in its Memorandum of Association is the encouragement to greater knowledge, love and care of the countryside. The discouragement of recreational camping and caravanning by the removal of campsites from the Open Forest would alienate one of the very groups of people who are more likely than most to subscribe to National Park principles and ideals.

Designation of the New Forest as a National Park is not just about protection of landscape and wildlife. The new Park Authority will also have a duty to promote opportunities for the enjoyment and understanding of its special qualities, as well as consideration of cultural and economic factors.

I would therefore submit that the present proposals relating to the improvements to Hollands Wood and Round hill should be considered on their own merits rather than as an opportunity to remove camping from the New Forest altogether".

IN COMMITTEE in the Library

The Deputy Surveyor introduced Mr Chris Clarke from Terence O-Rourke, Planning Consultants, who had come to assist in answering further queries on the on Hollands Wood and Roundhill Campsites Planning Application

2005/1379 DECLARATIONS OF INTEREST

RESUME

All the Elected Verderers, together with Mrs Thorne declared they have an interest in the Countryside Stewardship Scheme.

The Official Verderer declared an interest as someone with licensed premises in the Forest.

Mr A Gerrelli declared an interest as someone with a small campsite (licensed for 5 touring caravans) just outside the Forest.

2005/1380 FINANCIAL STATEMENT

RESUME

The Financial Statements for December had been circulated in advance of the meeting and was approved.

2005/1381 BYELAW ENFORCEMENT

RESUME

There are no additional byelaw offences ongoing at present.

2005/1382 PROSECUTIONS FOR NON-PAYMENT OF MARKING FEES

RESUME

As reported in Open Court, the trial dates have been set for 4th, 5th and 6th May 2005.

CONSIDERATION OF PRESENTMENTS

2005/1383 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

RESUME

The Deputy Surveyor reiterated that there are a number of matters to be considered as respects the proposals. Some, but not all require Verderers consent.

The voltage in the hook up cables, which is thought to be less than 240 volts, and will be clarified.

The Verderers are not required to consider the reduction in capacity at Hollands Wood as that is undoubtedly advantageous to the environment. They will however need to consider the Roundhill extension and the upgrading of the facilities on both sites. The switch to camping activities from Open Forest into the inclosures at Roundhill is of environmental interest rather than commoning.

It was confirmed that the Manager at Hollands Wood is contracted by the Forestry Commission's camping unit – Forest Holidays. There is no direct link with Queen's House.

The public/private partnership is still under consideration. A short list of companies has been drawn up. The Forestry Commission will retain a stake in the sites especially in the Forest because of legal constraints under the New Forest Acts. The partnership may or may not come into existence. A similar exercise in the 1990's did not proceed. Mr Kitcher expressed concern that a campsite run by a commercial company may be more difficult to control. The Deputy Surveyor, however, assured the Court that the Forestry Commission is not trying to abdicate responsibility through the proposed partnership. The powers and duties of the Verderers would not be altered and legal documentation between the Forestry Commission and its commercial partners would very clearly state what is and is not allowed under the Acts. Mr Kitcher asked if the contract could be made available to which the Deputy Surveyor replied not at the moment. Mr Montagu commented that the important part of the contract would be the conditions and he felt they would not be confidential. Cllr Mrs Heron asked if the Forestry Commission needs permission to enter into a partnership concerning land which it is managing on behalf of the Secretary of State. The Deputy Surveyor advised that the Minister is aware of the implications. Mr Parke said from a legal point of view the Forestry Commission does have the power to enter into a partnership.

Mr Pasmore asked what is the Forestry Commission's view on the National Park Authority conducting an overall camping review. The Deputy Surveyor said he thought the Forestry Commission would support a review but that the present proposals are intended to manage the site now and in the interim period until a review is carried out. There is a need to do something now for environmental and sustainability reasons and also to ensure basic customer satisfaction. There are day to day issues in keeping the current sites going whilst addressing some of the management issues. A review will take several years, especially with such diametrically opposing views as respects camping in the Forest. The current package of proposals are supposed to address the issues without affecting the outcome of any future review.

The Deputy Surveyor said he does not think the Verderers statutory requirements include looking after Brockenhurst's traders. They may consider them but the issue should not be a major part of their decision. He added there are definitely some environmental issues and the Verderers may have regard to socio-economic matters. The Verderers primary concern should be commoning interests whilst English Nature should take the lead on environmental issues.

Mr Frost commented that the Verderers must also have regard for National Park purposes which include helping people to enjoy the area.

The Deputy Surveyor returned to the public/private partnership issue and said it is a requirement of Government that it be explored for the New Forest as part of the GB Forest Holidays business sites which include the Forest. Leasing arrangements would be for a number of years but the relationship between the management of the site and the local Forestry Commission should not alter much.

The question of whether there will be less income for the Forest as a result of the partnership was raised. The Deputy Surveyor replied that it is likely any capital for improvements would come from the PPP.

The Forestry Commission was then asked if there are any health and safety reasons for the proposed refurbishments. The Deputy Surveyor said the present facilities have been patched up for some years. There are no over-riding health and safety reasons for replacing the blocks but having said that, the facilities do not meet modern standards in terms of today's requirements for catering for the disabled etc. The condition of the toilet blocks is declining and they are really beyond the end of their economic life. They were originally built in the 1970's and they can't be kept going for ever.

The Official Verderer thanked the Deputy Surveyor for his helpful comments and said the Verderers would consider the proposals later in the meeting. The Deputy Surveyor urged the Court to focus on the key issues which include commoning.

Mr Clarke left the meeting.

SUBMISSIONS BY THE FORESTRY COMMISSION

There were no new submissions.

MATTERS ARISING FROM THE MINUTES OF PREVIOUS COURTS OF CONCERN TO THE FORESTRY COMMISSION AND ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2005/1384 HERPETOLOGICAL RESEARCH DISCHARGE

The Official Verderer ran through the response that has been received from the Forestry Commission. The tins in current use will be removed by the end of 2005 and replaced by pony friendly materials only. A very full report on the reptile survey has kindly been provided by the Commission and is available in the Verderers' Office for anyone wishing to read it.

2005/1385 UPRATED UNDERGROUND ELECTRICITY SUPPLY TO FRITHAM NURSING HOME RESUME

Mr Parke reported he is awaiting a further response from the Electricity Board.

2005/1386 DAMAGE TO FRITHAM GREEN & TRAILERS ON THE OPEN FOREST RESUME

Mr Parke and the local Keeper are of the view that the matter is under control. Mr Pasmore disagreed and said that no-one has the right to cause the sort of damage that is occurring in the area - the triangular piece of Forest with the pond. Mr Parke said he will look again.

The problems in the vicinity of the Public House are not all the pub's fault. It is the overall popularity of the area which is creating damage from over use and the unwillingness of people to use the nearby car park because of thefts from vehicles. Mr Parke said he hopes to come back to the Court in February with some preliminary thoughts as to how to resolve the problems.

2005/1387 ASHURST FENCE RESUME

The fence is due to be removed shortly and hopefully by the end of January. To correct the statement made by Mr Parke in the last committee meeting, the Minister has given approval for the Ashurst exchange but the delay was due to a legal argument with the farmer. This matter has now been resolved but a request has been made for the old pound posts to be retained as part of the history of the site.

2005/1388 SELLING OF ANIMALS OUTSIDE THE RING AT BEAULIEU ROAD SALE YARD DISCHARGE

The responsibility of enforcing the byelaws and managing the sale yard rests with the Livestock Society. The Official Verderer said he will write to the Society accordingly. The Police say the problem is finding people willing to act as witnesses to illegal activities. Without witnesses, nothing can be done. After February, Trading Standards and the Police intend to assist with enforcing a rule that animals may only be unloaded on the ramp and they must be accompanied by passports. If they do not have the proper documentation they will not

be allowed into the sale.

To correct the previous minutes it is noted that the New Forest Trust holds the Lease on the site whilst the Livestock Society is responsible for running the sales.

2005/1389 FALLEN STOCK RESUME

The Official Verderer reported that a meeting of interested parties was held before Christmas at Rhinefield House Hotel. No firm conclusions were reached. It was agreed at the meeting that it is pointless to analyse the problem and look at solutions until it is known what private stock collectors will cost and what service they can offer. The Clerk said she wrote to a number of companies and has received replies from all of them. The Official Verderer will look at the responses.

2005/1390 DANGEROUS HOLES ON THE EDGE OF PITTSWOOD RESUME

Mr Parke said he has been unable to locate the holes. Mr Pasmore gave a better description of their whereabouts.

2005/1391 FURZEY LAWN CULVERT RESUME

Mr Parke confirmed he has passed this on to a colleague for action.

2005/1392 BRAMSHAW TO WINDYEATS ROAD RUBBISH RESUME

Cllr Mrs Heron reported she has again spoken to the Site Manager. He claims the lumps of concrete are not theirs! He maintains they are the remains of the old concrete road edging. Some members of the Court disagreed. Mrs Heron said she would see if the County Council can help with removing the concrete. In the old Pound View car park there is a quantity of the plastic that is stripped off wire. Also there is plastic on the road to Godshill. It is suspected the origin is the same in both instances. Lorries travelling to and from the Tip also use the Godshill road. Hampshire Highways were intending to have a clear-up the day before the Court.

The general view is that the business at Pound Bottom is exploiting the Forest for commercial profit and should be made to clear up any debris which may fall from lorries using the site. The Forestry Commission was asked to enforce its byelaws. Wiltshire County Council should also enforce the transport regulations regarding safe loading of vehicles. Again in the case of byelaw offences, witnesses are required.

Mr Parke undertook to write to Southern Cleansing Services which operates from the site and also to seek out the appropriate legislation.

2005/1393 INCLOSURE FENCES DISCHARGE

A number of inclosure fences are due to be thrown open or re-aligned. In the case of Ipley it has been requested that when the inclosure is opened up, some of the fencing is retained for drifting purposes. The Forestry Commission asked whether the fence is likely to be needed on a long term basis because of the cost of ongoing maintenance. It was remarked that 30 years ago the fence was not there. In response, the Verderers commented that 30 years ago there were no trees to get in the way of the Agisters and commoners driving ponies.

2005/1394 HIGH CORNER INN MARQUEE APPEAL RESUME

Mr Parke and the Clerk are to consider the Inn's Appeal and respond accordingly.

2005/1395 BLUE WATER MAIN MARKERS RESUME

Miss Macnair remarked that the markers are still in situ. Mr Parke replied that he has asked the Keepers for a list of the most offensive markers and he will in turn ask the Water Board to remove them as soon as possible.

2005/1396 SETTHORNS CAMPSITE HOOK UPS RESUME

The Deputy Surveyor said he will write to the Official Verderer concerning the hook ups on Open Forest at Setthorns. It is thought there is reference to them in the Court minutes in the 1970's. It was also queried whether consent has been given for the one by the pond at Roundhill. This will also be investigated.

2005/1397 BEAULIEU TURN-PIKE PIT DISCHARGE

Mr Gerrelli thanked the Forestry Commission for the work in cleaning out the pit.

2005/1398 LIFE III - STONEY MOORS PROPOSALS & MARKWAY LAWN RESUME

Miss Macnair was the only Verderer able to attend the site meeting. The proposals were broadly agreed.

However, the issue of Markway Lawn was raised again. At a meeting held at Markway, many of those present felt no further LIFE works should be approved until something is done to resolve the flooding of the lawn. Guarantees are now wanted and a bit of goodwill from English Nature. It was suggested that the immediate problems could be resolved in the short-term with minimal work. Mr Frost, however, felt that any work on the lawn itself would be a waste of time and that work further upstream is required in order to resolve the flooding of the lawn. Unfortunately there appears to be no money available in the current LIFE Project for this although English Nature is reportedly trying to find some funds to resolve the problems properly.

The Deputy Surveyor said that in view of the strength of feeling about Markway Lawn he will make it known to English Nature that the Verderers are unwilling to approve any further work under the LIFE Project until Markway is resolved.

2005/1399 VEHICLE TOURS DISCHARGE

The Forestry Commission sought the Verderers' advice on a proposal for vehicle tours in the Forest. These tours would allow members of the public the opportunity of experiencing the Forest in a controlled way and would be restricted to gravel tracks only. The vehicle is an 8-seater Landrover that would be adapted for the less able and disabled to allow those with physical disabilities access to enjoy areas they would otherwise find it difficult to reach. Its operation would be similar to the current permission for horse drawn wagon rides.

There are 4 proposed routes to be used in rotation and plans were provided. The intention is that the tour would provide an education service, informing users about the Forest, its culture and heritage and all guides would be subject to annual training with FC staff, commoners and Agisters.

The tour operator is not well known to the Forestry Commission and if the Court agrees the proposal, a one year only permission would be issued on a trial basis.

The Deputy Surveyor said he felt this may come under the heading where consent may not be unreasonably withheld in the memorandum of understanding between the Forestry Commission and the Verderers.

The Deputy Surveyor said at this stage the Commission is seeking the advice of the Verderers as to whether the proposal is something for further discussion or whether they don't like it at all. The routes are all on the cycle network.

The Court felt the problem is that it may establish a precedent and the suggestion was not favourably received.

Mr Montagu commented that the Court needs to be clear in its reasons why it would not give consent. In discussion it was evident that even though a number of licences are already issued for use of vehicles on the Crown Lands this is clearly commercial recreation which may turn out to be the "thin end of the wedge".

The Deputy Surveyor and Mr Parke left the meeting

OTHER MATTERS ARISING FROM THE MINUTES OF THE LAST COURT AND PREVIOUS COURTS

2005/1400 LYBURN ESTATE CATTLE GRID

DISCHARGE

The Official Verderer wrote again to Mr Newman of Lyburn Estate repeating the Verderers' offer to assist with the repair of his cattle grid together with necessary groundwork. The letter made it clear that the Court is trying to help resolve an ongoing problem.

No reply has been received from Mr Newman and ponies getting onto his land are continuing to annoy his neighbours.

The Official Verderer suggested that Mr Newman should be told to sort out the problems. He should also be advised that there is the potential for a very serious accident if animals escape through Lyburn Estate or the adjoining Hamptworth Estate onto the A36.

The Official Verderer proposed a simple instruction be issued to the Agisters that they are not to spend any more time going into Lyburn or Hamptworth Estates, save as to establish the whereabouts and identity of ponies that are reported to have gained access to the properties. This course of action was agreed.

2005/1401 SUB STANDARD CATTLE GRIDS AT IBSLEY

RESUME

Cllr Mrs Heron apologised that she had not had time to look at the grids. The matter will be resumed at the February meeting.

2005/1402 SCHEME FOR NEW FOREST COLTS

RESUME

The Agisters' comments have been circulated to all Verderers. The Sub-committee will now consider the Agister's remarks and it is necessary to wait to see if the New Forest Show Society is able to make sufficient land available in New Park for the Scheme to be viable.

2005/1403 TWO YEAR OLD COLTS

RESUME

The Court's Solicitor, Miss Sarah Bell, sought preliminary advice from Professor Peachey who is based in Lincolnshire but was born in the Forest and has family in Minstead. He is an Equestrian and Animal Litigation Consultant.

The Clerk will circulate a précis of Miss Bell's and Professor Peachey's initial comments together with an indication of the cost of seeking further advice. The matter will be resumed in February and the Official Verderer asked members of the Court to consider the content of the précis and decide whether to proceed.

2005/1404 PIGS

RESUME

No further problems with unrung pigs have been reported. However, concern was expressed about other pigs which appear to have remained on the Forest beyond the pannage season. 2 gilts were seen at Balmer Lawn at Christmas and several young store pigs were seen at Fritham and Gorley Bushes. None of these pigs are sows with the privilege of remaining on the Forest beyond the pannage season. Other pigs have been seen in different parts of the Forest.

The Agisters should have made a note of any pig that is at large when it should not be and they will be asked to check their diaries. The ownership of such pigs must be established as their owners will lose payment under the Stewardship Scheme for being in breach of the Verderers' byelaws.

2005/1405 POLICY REVIEW

RESUME

Mr Montagu expressed the wish to join the sub-committee which is due to meet on Wednesday, 9th February 2005. As the Queen's House Library is unavailable on that date, Mr Montagu kindly offered to host the meeting in the John Montagu building in Beaulieu. The meeting will commence at 10.00 a.m.

At the earlier meeting of the sub-committee which took place on Monday, 4th January, it was agreed that an interim policy covering recreation should be put in place, pending completion of the review of the Verderers' policies. Following the meeting, the Official Verderer drafted the policy and circulated it by memorandum dated 6th January 2005. All members of the Court were asked to consider the draft policy with a view to approving it at the January Court:-

The draft policy read as follows:-

"To support recreational use or development that does not conflict with the ecological or other scientific qualities of the Forest, or its natural beauty and traditional character, including its peacefulness, unique cultural heritage and agricultural/commoning practices".

After a short discussion, all members of the Court approved this interim policy which was therefore formally adopted.

2005/1406 COUNTRYSIDE AGENCY GRANT RESUME

The Official Verderer has written formally seeking a grant but to date a response has not been received.

2005/1407 SINGLE FARM PAYMENTS RESUME

The Official Verderer and Mr Pasmore met with DEFRA officials in London.

The object of the meeting was to secure a scheme for the Forest which will give commoners reasonable, but not excessive, returns on their rights. The problem is the legal constraints of the scheme. In principle there needs to be a close link between the land with common rights and those who actually exercise those rights. Applicants will have to be "farmers" and so people who occupy land with common rights but do not work the land or exercise their rights (i.e. someone who owns property in or around the Forest with rights but works in London and does not turn out stock) should not be able to claim. DEFRA is working hard on finding a solution which will work in the Forest.

Anyone who wishes to claim the single farm payment MUST register their land with the Rural Payments Agency without delay.

VERDERERS' COUNTRYSIDE STEWARDSHIP SCHEME

2005/1408 YEAR TWO OF THE COUNTRYSIDE STEWARDSHIP SCHEME DISCHARGE

The Official Verderer said there was little further to add to the announcement made by the Scheme Manager earlier, save to say that he is working very hard to get the application forms for year two out to commoners.

Because of the concern about rising stock numbers, the Clerk was asked to ensure the Court reports on the number of stock turned out from March onwards.

NATIONAL PARK

2005/1409 APPOINTMENTS TO THE NATIONAL PARK AUTHORITY RESUME

There was nothing to add to the Announcement made in Open Court except to say that the appointment process is proceeding. The Court was pleased to hear that Mr Clive Maton, practicing commoner has been appointed Parish representative for the South East area.

REPORTS FROM EXTERNAL COMMITTEES AND WORKING GROUPS

2005/1410 NEW FOREST CONSULTATIVE PANEL DISCHARGE

At the last Panel meeting, the National Park and associated matters took up much of the discussion.

STAFF MATTERS (including the Staff Committee)

2005/1411 REFLECTIVE PONY COLLARS

RESUME
November

The Commoners' Defence Association has agreed to donate £2,000 towards the purchase of a supply of reflective collars. The Clerk was asked to write a letter of thanks.

The CDA would like commoners to contribute towards the cost of the collars. Mr Gerrelli proposed that commoners should pay £1 towards each collar fitted to their ponies. Mr Kitcher seconded the proposal which was carried. A discussion then took place on how the money can be collected. A system needs to be devised that will not cost more than the amount being received! It was suggested payment could be made retrospectively, for example if a commoner has 10 ponies fitted with collars on the drifts, the £10 could be collected with the marking fees the following year.

HEALTH AND SAFETY AT WORK

There were no health and safety matters to report at this meeting.

TRAINING

No training is currently taking place or required at the present time.

ANY OTHER BUSINESS

2005/1412 IBSLEY VERGE

RESUME
March

Cllr Mrs Heron raised the issue of the verge at Ibsley which has been concreted over. The Commoners' Defence Association has looked at the verge and the matter is to be raised at the next Parish meeting. The Clerk reported that a letter has already been written to the Parish Clerk complaining that the concrete is an encroachment and seeking reinstatement of the grazing. It is understood attempts will be made to cover the concrete with topsoil and reseed, however, it is doubtful whether the depth of soil will be sufficient for vegetation to be successful. The matter is being dealt with in the Verderers' office.

2005/1413 FREEDOM OF INFORMATION ACT

RESUME

The Official Verderer has asked the Court's solicitor for a simple guide to the Freedom of Information Act and in particular how it may affect the work of the Court.

2005/1414 VERDERERS' WEBSITE

DISCHARGE

A request was made that the website be kept up to date as far as possible as a comment has been received from outside the Court from someone who felt it wasn't. The Clerk asked if the person had looked at the site just after Christmas as she agreed that at that time there were a number of things such as the drift list and court dates which had not been updated. This has now been done.

The Official Verderer asked the Clerk to ensure the interim policy on recreation is added to the website as soon as possible.

The next Court Committee meeting will be held in the Verderers' Hall immediately after the Open session as the Library is not available due to redecoration. The Announcements and Decisions will be circulated in good time before the Court sits as it will not be possible to hold the usual pre-Open Court committee.

The Court adjourned for lunch. Mr Montagu gave his apologies for the remainder of the meeting.

2005/1416 FORESTRY COMMISSION PROPOSALS FOR HOLLANDS WOOD AND ROUNDHILL CAMPSITES

RESUME

The Official Verderer addressed members of the Court saying that the full planning application has been available for inspection in the office for over a month and he hoped all those who wished to see it had done so. The Verderers have visited the sites and presentations have been received on the application by Terence O-Rourke, Planning Consultants. The Court has been taken through the plans, diagrams, technical detail and all the other information prepared by the Consultants and Forestry Commission. Members of the Court will, therefore, have a good knowledge of the proposals.

The Court's consent is sought for certain aspects of the proposals in accordance with the New Forest Acts. The decision will be given in writing and may be challenged if the reasons given fall outside its duties under the New Forest Acts.

12 presentments were heard earlier in Open Court, all accompanied by written copies which were handed to the Clerk. The Official Verderer asked if members of the Court felt a need to go through the presentments one by one. It was generally felt this was unnecessary as most of the comments have been expressed before except perhaps the archaeological points. Mr Pasmore will send the Hampshire Field Club's paper to the Clerk so that it is available to anyone wishing to read it.

The Court then discussed and considered the presentments heard earlier in the morning as well as the several letters received in the past few weeks. The Clerk read out loud a letter received the day before the Court from the Hampshire and Isle of Wight Wildlife Trust – the attachment to the letter having been received and circulated prior to today's Court. Additionally a further letter has been received from a camper.

The Official Verderer said matters for the Verderers' consideration include the facilities on the sites – buildings, hook ups and hard standing and the effect of the proposals on commoning and the flora and fauna.

During their discussion it was evident that all members of the Court felt that a strategic review of camping throughout the Forest is required. The effect of the proposals on the environment also gave serious cause for concern as did the potential for an increase in animal accidents resulting from increased traffic travelling to and from Roundhill Campsite which is situated on, and only accessible, via un-fenced roads.

The Official Verderer had prepared a paper for consideration which set out the Verderers' policies as well as the statutory duties of the Court which are relevant as follows:

- The Verderers' Policy on Recreation and Development.
- The Verderers' Policy supporting the Declaration of Intent.
- The Wildlife and Countryside Act 1981 Section 28G
- Conservation (Natural Habitats) Regulations 1994
- Section 15 of the New Forest Act 1964.
- Section 23 of the New Forest Act 1877.
- Section 8 of the New Forest Act 1877.
- Section 11A(2) of the National Parks and Access to the Countryside Act 1949

Each of the above were considered and discussed at length.

After very careful deliberation, members of the Court finally decided they could not consent to the Forestry Commission's proposed developments at Hollands Wood and Roundhill Campsites and it was agreed the Official Verderer should draft a written decision. The draft will be circulated to all members of the Court for final consideration and agreement. In the meantime, it was agreed the Official Verderer should verbally communicate the decision of the Court to refuse the proposals to the Deputy Surveyor with the written decision provided by Monday 24th January 2005.

The paper as finally agreed is appended to these Minutes.

The matter will be resumed at the next Court for an update on the response from the Forestry Commission and the position as respects the formal planning application which has been submitted to New Forest District Council.

There being no further business, the meeting closed at 3.30 p.m.