

**MINUTES of the Court of Verderers held on Wednesday 20<sup>th</sup> July 2011 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 A Gerrelli	Elected Verderer
	Miss D Macnair MBE	Elected Verderer
	Mr C Maton	National Park Appointed Verderer
	Mr A H Pasmore	Elected Verderer
	Mr D Readhead	Co-opted Elected Verderer
	Mrs P Thorne	DEFRA Appointed Verderer
	Mrs D Westerhoff	Natural England Appointed Verderer
IN ATTENDANCE:	Miss S Westwood	Clerk to the Verderers
	Mr J R Gerrelli	Head Agister – until Minute 5540
	Mr C Draper	Verderers' Grazing Scheme Manager – from Minute 5527 to 5540
APOLOGIES:	The Hon R Montagu	Forestry Commission Appointed Verderer

**IN COMMITTEE in the Library**

2011/5573	MINUTES OF THE LAST MEETING	RESUME
	The Minutes of the Court held on Wednesday, 15 <sup>th</sup> June 2011 were approved.	
2011/5574	ANNOUNCEMENTS AND DECISIONS	RESUME
	It was agreed an announcement should be made about Home Farm Bartley. Subject to that amendment, the Announcements and Decisions were agreed.	
2011/5575	DECLARATIONS OF INTEREST	RESUME
	The Official Verderer, the Elected Verderers, including Mr Readhead, and Mrs Thorne all declared an interest in the Higher Level Stewardship Scheme.	
	Mr Deakin declared an interest in matters connected with the Beaulieu Road Sale Yard as he is a director and the treasurer of the New Forest Livestock Society. Mr Readhead also declared an interest in matters connected with the Beaulieu Road Sale Yard, and the Livestock Society as he is its Chairman.	
	Mr Gerrelli declared an interest in matters concerning campsites.	
2011/5576	CONDITION OF STOCK	RESUME
	The Head Agister reported that once again he is pleased with the condition of stock overall. The weather has not been good for hay making but the rain is making the grass grow and there is a lot of food available for stock on the Forest.	
	Mares with foals are not generally looking as well as empty mares. It is easy to pick out from a group, those mares with foals. Some are looking a little ribby and some have held on to their winter coats. Whilst there are no real concerns, some of these mares should look better.	

The drifts will soon commence and as usual any animals whose condition gives cause for concern will be taken off.

A lot of foals born this year have been sired off the Forest. Unfortunately this inevitably negates the overall effectiveness of the stallion scheme somewhat. A good proportion of these foals are coloured or spotted although some are pure New Forest.

The Chairman of the Staff Committee agreed with the Head Agister's report and also stressed the importance of looking carefully at mares with foals which come in on the drifts.

### Mr Draper joined the meeting

2011/5577 PANNAGE SEASON

DISCHARGE  
2011/5561

Concerns have been expressed for several years that the start of the pannage season is sometimes too late. The reason for this has been due to the belief that the pannage season dates must be announced in the Open Court before the commencement of the season. As there is no Court in August, this has resulted in an inevitable delay. It has, however, been determined that this is in fact not necessary and a Press announcement will suffice.

The Court agreed that in future the August Staff Committee will propose a start date which will be suggested to the Deputy Surveyor, who, following consultation with his Keepers, will hopefully agree. The date will then be announced in the Press. The Deputy Surveyor's usual Announcement in Open Court, in which he sets out the rules for the pannage season and any applications for privilege sows, can still take place in the September Court.

This new procedure is of course subject to the agreement of the Deputy Surveyor who will be consulted later in the morning.

The Official Verderer stressed that the byelaws must be adhered to. This means that pigs must be inspected and marked at least two weeks before they are turned out. Any commoner failing to obey this byelaw will lose any payments due under the Verderers' Grazing Scheme.

2011/5578 NATIONAL PARK AUTHORITY TRAINING DAY

RESUME

Mr Brian Ingram has confirmed he would be happy for representatives of the National Park Authority to visit his holding. The Court was happy to agree this suggestion.

The Clerk will therefore now prepare the itinerary for the day which will commence in the Verderers' Hall. A Tour round the Forest will then be arranged which will take in the Beaulieu Road Sale Yard, Mr Ingram's holding, a convenient place (yet to be decided) at which to see stock on the Forest, then on to the Commoners' Dwellings at Anderwood and back to the Verderers' Hall for a debrief and a buffet lunch. Mr Pasmore will give a presentation on the work of the Verderers' Court. The exact timing of this will be agreed between Mr Pasmore and the Clerk

Action  
Clerk  
Mr Pasmore

2011/5579 BEAULIEU ROAD SALE YARD GRAND OPENING THURSDAY, 11<sup>TH</sup> AUGUST 2011 RESUME

Mr Draper gave a brief run down of the proposed itinerary for the day. There will be approximately 27 guests. The Agisters will be on hand to meet and greet the guests and to take them round the Sale Yard.

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

IN ATTENDANCE: Mr Kevin Penfold, Acting Deputy Surveyor of the New Forest  
Mr Mark Street, Area Land Agent (New Forest)

**ANNOUNCEMENTS AND DECISIONS BY THE OFFICIAL VERDERER**

2011/5580 BEAULIEU ROAD SALE YARD UPGRADE

The project to upgrade the pony sale yard at Beaulieu Road is nearing completion. Work to install water and electricity around the holding pens is complete and the connection to the new water main is due to be made later this week. The new toilet block is on site and the vehicle washdown and underground slurry tank are in place. All being well, the project will be complete some time next week.

The upgraded facilities will be formally opened by Mr Richard Benyon MP, Minister for the Natural Environment, immediately before the start of the sale on 11 August. The event will also be attended by a number of guests including Mr Poul Christensen the Chairman of Natural England, and Dr Julian Lewis the Member of Parliament for New Forest West. Other invited guests include representatives of all the New Forest organisations that have contributed to the project.

2011/5581 DAVID GUY

Dave Guy, local Field Officer for the equine welfare charity, World Horse Welfare (formerly the International League for the Protection of Horses - ILPH) will shortly be retiring.

Prior to taking up his post with the ILPH, Dave had a very successful career in the Police Force which included 11 years with the Mounted Branch stationed at Great Scotland Yard in Whitehall. In 1979 he went to Imber Court, to train Police Horses. He was in the activity ride display team for 25 years and he had the honour of looking after Her Majesty the Queen's horse, 'Burmese'.

Dave joined the ILPH back in 1995 as Field Officer for Hampshire, the Isle of Wight, Dorset, Wiltshire, Berkshire and the Channel Islands. He quickly expressed an interest in learning about the commoning system here in the Forest.

The ILPH generously assisted in funding the purchase of reflective collars and Dave helped organise and run a fundraising campaign which included a competition in which we asked the public to think of ways of reducing road traffic accidents involving commoners livestock, and in particular the ponies.

Dave made a presentment supporting the reduction of the Stallions on the Forest and he has attended almost all of our twice-yearly Welfare Tours. He has also attended the pony sales at Beaulieu Road on a regular basis.

The Verderers thank Dave Guy for his help and support over the years and wish him a long and happy retirement.

2011/5582 ENCROACHMENT AT BARTLEY

The Verderers in conjunction with the Commoners Defence Association have been able to secure an agreement for the abatement of an encroachment in Cadnam. It is principally a ditch subject to common rights outside the Crown's control and this has important implications for all other parts of the New Forest where property owners are inclined to fence in ditches or other land subject to common rights.

**ANIMAL ACCIDENT REPORT**

2011/5583 ROAD TRAFFIC ACCIDENT REPORT FOR JUNE 2011

The Agisters attended 4 accidents in June, compared with 10 in June last year.

1 pony and 1 cow were killed.

2 accidents occurred in the hours of darkness.

3 involved private cars or light commercials.

1 accident was not reported and 3 accidents involved local motorists.

The total killed and injured to date is 40 compared with 32 for the same period last year.

**PRESENTMENTS BY THE ACTING DEPUTY SURVEYOR OF THE NEW FOREST**

There were no Presentments by the Deputy Surveyor

**PRESENTMENTS**

2011/5584 THE INDEPENDENT PANEL ON FORESTRY

Presentment by Mr Peter Roberts, Chairman and on behalf of the New Forest Association

1. The New Forest Association asks that the Verderers consider supporting the response of this Association when they respond to the Independent Panel on Forestry. Our submission is detailed so I will just highlight six points.
2. The New Forest Crown Estate should be kept intact because the back-up land and cottages are vital to commoning.
3. Remove intensive commercial forestry because the plantations sterilise bio-diversity. A return to broad leaved woodlands in some areas would reverse this. It would probably take 50-60 years to harvest existing plantations thereby allowing the timber extraction industry to adapt to the changes.
4. Replace Forestry Commission with landscape managers. It is difficult for the Commission to adhere to national policy whilst attempting to manage a unique area in an appropriate manner.
5. Retention of local expertise in any new body is vital because many Commission staff have great local knowledge.
6. The New Forest could be the basis of an Ecological Restoration Zone thereby fulfilling needs recognised in the Lawton report 'Making Space for Nature' and the recent Government White Paper.

7. Last but not least the retention of the New Forest Acts is of fundamental importance.

How the Forest is cared for matters more than who cares for it. The full submission may be found on our website.

2011/5585 LAND AT KINGS COPSE ROAD, BLACKFIELD  
Presentment by Mr Frank Tillyer, of Rowdown Cottage, Blackfield

Mr Tillyer made a presentment concerning a piece of land that he owns at Kings Copse Road, Blackfield. He referred to the New Forest District Council (NFDC) published the Sites and Development Management Development Plan document together with the draft Sustainability Appraisal Annex 2 Background Paper 40 in January 2011.

Mr Tillyer said that the following statement relating to this site is totally and utterly incorrect:- 'The development of this site would result in the loss of land which is part of the backup grazing resource for the New Forest' and the Detailed SA/SEA Assessment, Objective 6 states 'This site is currently / recently used as backup grazing land.'

Mr Tillyer said his issue is with the information provided by the local Agister stating that the land is being used for back-up grazing. He said the site is not currently or recently used for back-up grazing and added that the Agister has been asked to provide written evidence to support his statement.

In addition, Mr Tillyer referred to a letter written by an Elected Verderer on 17<sup>th</sup> June 2011, which he said is not sound credible evidence. He said he believes the letter is inconsistent, partly factually incorrect and that it should be disregarded. Mr Tillyer said the same Verderer also made a witness statement dated 21<sup>st</sup> June 2000 in support of Ms Sheena Thomas (Atkinson) when she attempted to unsuccessfully claim an Agricultural Tenancy on the land.

Mr Tillyer said the site is currently and recently used by the adjacent landowners under a legally written 'grazing licence' and it does not include back-up grazing.

In conclusion, Mr Tillyer requested the Verderers to consider writing to the NFDC confirming that upon further investigation the site has not currently or recently been used as back-up grazing.

Mr Tillyer thanked the Court for its time and patience in allowing him to make his Presentment. Background papers were included in the written copy of Mr Tillyer's presentment.

2011/5586 DOG ATTACKS  
Presentment by Sgt Louise Hubble, Hampshire Constabulary

'This presentment is made on behalf of Hampshire Constabulary in response to the issue raised by Mr Graham Ferris of the CDA last month in relation to dog attacks on livestock.

Of the incidents quoted by Mr Ferris last month, I am able to clarify the following:

The foal savaged near Burley was not reported to the Police.

The two year old filly bitten and clawed on the back legs was not reported to the Police.

The lambs killed by two dogs on the adjacent commons was not reported to the Police.

The ewe bitten on the leg by a dog was not reported to the Police.

The two donkeys chased and bitten by two large dogs, too powerful for the owner to control on a lead, was not formally reported to the Police.

The calf that died as a result of being attacked by dogs was reported to the Police.

However, the witness accounts were inaccurate and provided conflicting information. The Police were unable to proceed with the information provided, despite several Police hours being spent taking statements, and trying to identify witnesses and vehicles, and enquiries being conducted by Police in Bristol.

In 2010 eight reports were received of dog attacks on livestock. Nine chickens were killed on a farm by a dog – the dog owner was identified but the farmer would not support a Police prosecution. Eight ponies were chased across the forest – the dog owner was identified but the livestock owner would not support a Police prosecution. A dog was found in a field worrying ewes – the owner of the ewes would not support a Police prosecution. Four calves were chased across the forest – the witness who reported it to us would not support a Police prosecution. Four horses in a field chased by two dogs – the dog owner was visited by Police and reminded of their responsibilities. Repairs were also made to the fence to prevent the dogs getting in again. Chickens attacked in a back garden – not agricultural land so doesn't sit within livestock legislation. There was no evidence of the dogs being dangerously out of control so no offences that the Police can deal with. And finally the dog located in a field pinning a lamb to the floor. A lady from Salisbury was identified as the owner, was interviewed and received an adult caution.

In the first six months of 2011 we have had five reports of dogs attacking livestock. A dog running at and worrying ewes: the owner reported it to us but would not support any formal Police action. Two dogs entering farmland and attacking a ewe resulting in it being humanely destroyed: an investigation was launched with a significant area search being conducted by Police but the dogs were not located and there were no witnesses to provide any further information. A dog attacked cattle on the forest resulting in a minor injury to a cow: an investigation was conducted, the dog owner was located at a local campsite but returned home whilst enquiries were being made. He subsequently accepted our invitation to drive down from London to be interviewed and received an adult caution. As a regular camper and frequent visitor to the Forest he also received a one hour educational input from the Country Watch team in relation to his responsibilities as a dog owner. A dog attack on a sheep reported by the Agister. An investigation was launched and as a result of enquiries the owner has been identified and enquiries are ongoing. Finally two dogs chasing cattle on the forest – a vehicle registration number was recorded by a witness. The owner of the dog has been identified and the investigation is ongoing.

Hampshire Constabulary takes the issue of dogs attacking livestock very seriously indeed. When a report is made to us, we will follow all lines of enquiry and deal with offenders robustly. However, the Police cannot investigate incidents where these are not reported to us. Without information and cooperation we are powerless.

On behalf of Hampshire Constabulary I have had discussions with the Forestry Commission, the Dog Warden, the Commoners Defence Association and the National Park Authority in relation to dog attacks in the New Forest. I have visited livestock owners and dog owners. I have also spent a significant amount of time educating Police Officers on dog and livestock related legislation, and have tried to convince Control Room staff that dog attacks on livestock are indeed a Police matter. Please don't let them tell you otherwise.

If you witness a dog attacking livestock please report it to the Police. Ensure that you record as much information as possible including a description of the dog, a vehicle registration number and a description of the person in charge of the dog. This will greatly assist us in dealing with irresponsible dog owners in a robust manner.

We welcome the enthusiasm of our partner organisations in raising the profile of dog attacks and will, of course, assist in any way we can. I propose to convene a meeting of interested parties to look at how we can take this forward.

In return we need the users of the Forest to assist us by being our eyes and ears on the ground and by reporting these incidents to us. We need the owners of livestock on the forest to support Police prosecutions. Without reported incidents, witnesses willing to provide information and livestock owners willing to support formal action, the Police are powerless to act.'

### IN COMMITTEE in the Library

The following matters were dealt with in the presence of the Head Agister and Mr Draper

2011/5587	LONG MEADOW	RESUME
	<p>The fencing has been repaired and the water connected. Several Bloodline Scheme mares are in the field together with the filly impounded a few weeks ago.</p>	
	<p>The lease has not yet been signed as there is a possibility of it being included in the HLS. Discussions are continuing with the Forestry Commission and Natural England in this respect.</p>	Action Mr Draper
	<p>The ponies will be moved to the smaller section of the field during the New Forest Show as agreed with the New Forest Show Society. The larger part of the field may be used for over-flow parking. In return the Show Society is paying for the water for the field.</p>	Action Head Agister
	<p>The cost of the fencing materials and water connection can be re-claimed via the HLS as capital works if the land is accepted into the scheme.</p>	Action Mr Deakin/ Clerk
2011/5588	BYELAW ENFORCEMENT	RESUME
	<p>The Official Verderer reiterated the importance of all byelaws being enforced. He referred once again to pigs being inspected and marked at least two weeks before they are turned out.</p>	
	<p>Those who do not adhere to the byelaws are at risk of losing payments under the Verderers' Grazing Scheme. Commoners who are not in the VGS risk prosecution.</p>	
	<p>In the case of the rubbish at Ogdens, this has been cleared up although a serious accident has resulted in a delay in the removal of a load of aggregate.</p>	
	<p>A fence erected 18" outside a hedge at a commoners' property at Pondhead Farm just outside Lyndhurst is an encroachment. The occupier has agreed to return the fence to its correct position. Mr Street has 'before and after' photographs which he will copy to Mr Draper. The occupier has asked if he can wait until the Autumn to undertake the work because of the need to cut back the hedge. This was agreed.</p>	Action Mr Street & Mr Draper
	<p>At the last Staff Committee it was reported that a small number of commoners have yet to pay their marking fees. None are in the VGS. It is understood that all fees due have now been paid with the exception of the outstanding fees due from a commoner who has passed away. A letter has been sent to the solicitor who has been instructed to settle the estate and obtain Probate. An acknowledgement is expected and the outstanding marking fees should be received in due course.</p>	Action Clerk

**The Head Agister and Mr Draper left the meeting**

**CONSIDERATION OF PRESENTMENTS**

2011/5589 THE INDEPENDENT PANEL ON FORESTRY DISCHARGE  
Presentment by the NFA

The Court considered the NFA's request for the Court to support its response to the Independent Panel on Forestry.

The Court agreed with the NFA's suggestion that the New Forest Crown Estate should be kept intact. It was agreed the land and cottages are vital to commoning.

The Court did not agree to the removal of intensive commercial forestry. The reason being that the Court believes that the New Forest should continue to be a working forest.

The Court did not agree that Forestry Commission personnel should be replaced by Landscape Managers.

The Court did agree that the retention of local staff is essential due to their invaluable local knowledge.

The suggestion that the Forest should become an Ecological Restoration Zone was not supported.

It was agreed that the retention of the New Forest Acts is essential.

2011/5590 LAND AT KINGS COPSE ROAD, BLACKFIELD DISCHARGE

The Clerk explained that she had been asked by the National Park Authority to advise on a large number of separate parcels of land all round the Forest. The question was whether the land is currently, or has recently be used as back-up grazing, or whether it would be suitable as back-up grazing. The Clerk enlisted the help of the Agisters as she felt they would be the most likely to have this information. Following the publication of the NFDC's consultation papers, Mr Tillyer contacted the Clerk to object to his land having been described as being currently or recently used as back-up land. Mr Tillyer asked for written evidence. The Clerk requested the Agister for the area to provide the evidence to support his submission that the land had been used for back-up grazing and as a result a letter was written by Mr Readhead. Mr Tillyer then objected to that letter and again asked for further evidence from the Agister. The Clerk explained that regardless of further evidence, the view of the Verderers would be that the land is suitable back-up grazing. Remaining dissatisfied, Mr Tillyer advised the Clerk that he wished to make a Presentment. He also suggested that the Clerk should raise the matter with the Official Verderer. This she did. The Clerk added that marking fees were paid on stock turned out from this property as recently as 2001, and the Court decided that over the 900 years of the New Forest 10 years is recent. Those Verderers who know the land in question confirmed that it is suitable for back-up grazing.

The Court then discussed whether it should be providing such information to the National Park Authority or the District Council; the policy of the Court always having been not to get involved in individual planning

applications. It was agreed that the general policy should not change, however it was felt appropriate for the Court to advise on suitability of land as back-up grazing in respect of the NFDC's Sites and Development Management Development Plan but only in so far as providing facts, not opinions.

The Court was satisfied that the information given is factual and declined Mr Tillyer's request for the statements made to date to be retracted. The Official Verderer will advise Mr Tillyer of the Court's decision.

Action  
Official  
Verderer

2011/5591 DOG ATTACKS DISCHARGE

The Official Verderer had spoken to Sgt Hubble prior to her making her presentment. A lot of incidents have not been reported which is unhelpful. The Official Verderer will make an announcement at the next Court to say the Verderers are supporting the Police and the CDA. The Verderers Office staff are recording any incidents which are reported to them.

Action  
Official  
Verderer

**NEW SUBMISSIONS AND OTHER MATTERS RAISED BY THE FORESTRY COMMISSION**

2011/5592 SEMCORP BOURNEMOUTH WATER UNDERGROUND FIELD WATER SUPPLY – JEALOUS LANE, LYMINGTON DISCHARGE

There is an alleged encroachment at this property where a fence has been moved resulting in a loss of grazing. The Court decided it will not consider this application until the encroachment has been abated.

2011/5593 SEMCORP BOURNEMOUTH WATER PROPOSED WATER MAIN REPLACEMENT – FRITHAM PHASE 1 AND PHASE 2 DISCHARGE

An open trench method will need to be utilised in order to lay this main as the ground conditions dictate that it cannot be moled. The Court is keen to ensure that the reinstatement is carried out to a high standard. However, Mr Street said that generally, utility companies have a good record in that respect. The Court therefore granted consent for the main subject to the usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

2011/5594 LYNDHURST PARISH COUNCIL CIRCULAR WALK – SURFACE IMPROVEMENTS RESUME

More time is needed to consider this application. Mrs Westerhoff and Mr Pasmore offered to visit the site and report back to the September Court. The Official Verderer asked the Forestry Commission to be sure in future to mark the site clearly on any maps attached to such applications as this one is not clear.

Action  
Mrs  
Westerhoff  
Mr Pasmore

2011/5595 NEW FOREST CAMPSITES – ALDRIDGE HILL OPENING TIMES RESUME

The Court decided it needs more time to consider the application from the Camping and Caravanning Club (via the Forestry Commission) to extend the opening time of Aldridge Hill campsite in return for reducing the time that Longbeech remains open.

There was considerable controversy over Aldridge Hill back in the 1970's. Concern was expressed that as there is a lot of grazing at Aldridge Hill but very little at Longbeech, opening Aldridge Hill for longer would result in a

loss of grazing which would not be mitigated by reducing the season at Longbeech. This item will be resumed in September. In the meantime, the Clerk was requested to see what information is held in the Verderers' Office which may be helpful.

Action  
Clerk

2011/5596 ENVIRONMENTAL MONITORING WORK ON THE NEW FOREST SAC CONNECTED WITH FAWLEY REFINERY RESUME

Fawley Power Station is required by the Environment Agency to undertake a monitoring programme to assess changes in acidification and eutrophication deposition and ecological effects at appropriate Natura 2000 sites. The New Forest SAC has been identified as one of seven locations across England and Wales where this monitoring should take place. Monitoring of vegetation and build soil sampling is required in July/August 2011 and then again in the summer of 2014, plus soil water sampling every 4 weeks for 4 years. An application was received from Kevin Brown of E.ON New Build and Technology and Centre for Ecology & Hydrology (CEH).

A paper setting out the method of sampling was provided to the Court. The survey area has yet to be finalised but whilst some will be on private land, some will be on heathland at any of the following locations:- North east and south east of Hilltop, south of Decoy Pond Farm, east of Ipley Manor, west of Holbury Purlieu or north west of Culverley Farm. Precise location will be confirmed to the Verderers once agreement with a private land owner is secured.

The Court was keen to ensure that any covers that are required over equipment such as small pipes set into the ground are safe for stock and further information is requested. A good description or drawing was requested. The Court approved the proposal subject to agreement over the covers, subject to agreement from E.ON that it will provide a copy of the Monitoring Reports to the Verderers, and the usual conditions regarding satisfactory reinstatement, safe working conditions, compensation for loss of grazing etc.

Action  
Mr Street  
/Clerk

#### **MATTERS ARISING OF CONCERN TO THE FORESTRY COMMISSION**

2011/5597 DOG ATTACKS DISCHARGE

This was partly dealt with earlier in the meeting. However, the Deputy Surveyor added that he is engaging with New Forest Dog which is reportedly frustrated with irresponsible dog owners. A partnership approach is considered to be the best way forward.

A member of the Court suggested that a voluntary agreement with dog owners to keep their dogs on leads from 1<sup>st</sup> April to the 1<sup>st</sup> August would go a long way towards reducing incidents where livestock and wildlife is disturbed or attacked. However, it was felt that dog owners are unlikely to comply. It was also pointed out that those with well behaved dogs who like to take them out riding would be unable to.

Mr Penfold said the Forestry Commission is promoting the voluntary code of conduct for dog walkers. All the organisations involved want dogs to be kept under control but not necessarily on leads. It was suggested that a representative of the Court could attend a Dog Forum meeting but unfortunately they are always on the same day as the Court. Mr Penfold

added that in the Forestry Commission's view it is about promoting co-operation. Dogs on leads is impractical as it cannot be policed.

2011/5598	BRAMSHAW GOLF CLUB REVISED MANAGEMENT PLAN	RESUME
	Natural England's approval for the sprays that the Club wishes to use on the course is awaited. The Plan is then ready for printing. Mrs Westerhoff suggested that prior to the Plan being produced in its final form, a copy in Word format would be useful for checking in case there are any problems. Mr Street undertook to obtain a copy for Mrs Westerhoff to check through.	Action Mr Street & Mrs Westerhoff
2011/5599	GRIT BINS	RESUME
	Hampshire Highways has promised the bins will be removed in the next couple of weeks.	
2011/5600	HIGHWAY MAINTENANCE PLAN	RESUME
	Work on the maintenance plan is underway. However, the Court still insists that the existing encroachments must be removed (Blissford, Hale and Burley). Hampshire Highways has promised that the excess tarmac that was laid very recently at Setley will also be removed. Mr Pasmore and the Clerk will draft a suitable letter in this respect.	Action Mr Pasmore & Clerk
2011/5601	FORESTRY TRACKS	DISCHARGE
	The Forestry Commission was asked to ensure that its contractors do not allow gravel tracks to be widened when repairs are undertaken. An example where this has happened is the track from Fritham to Hampton Ridge and the Court asked that the verges be reinstated along that track.	
2011/5602	NETWORK RAIL BEAULIEU ROAD VEGETATION CLEARANCE	DISCHARGE
	All the brash has now been removed and the fence has been made safe, with the chainlink fencing having now been replaced. It was reported that there had been a problem with stock gaining access to the railway line but the incident had not been reported to the Agisters. Work on an electricity connection is outstanding.	
2011/5603	TRACK AT HOME FARM, BARTLEY	DISCHARGE
	Mr Street said it has not been possible to establish who was responsible for resurfacing the track. A letter will be written reminding the owner of the property that resurfacing must not be undertaken without permission, particularly in relation to the type of materials used. It was suggested that the owner be asked directly if he was responsible for the resurfacing!	
2011/5604	RUBBISH ON THE OPEN FOREST AT OGDENS	DISCHARGE
	The trailer and wire has been removed and the Forestry Commission has resurfaced the track. A pile of aggregate has yet to be removed but will be shortly.	

2011/5605 LATCHMOOR BROOK DISCHARGE

The cut timber will be removed in the next few weeks. The large pieces of timber that were deliberately put in the stream will also be removed as the restoration work has now been delayed.

2011/5606 MILL LAWN DISCHARGE

The timber has been sold and will be removed soon.

2011/5607 CLAY HOLE ON THE APPROACH TO THE UNDERPASS AT CADNAM CRICKET PITCH DISCHARGE

This is on the Open Forest worksheet and will be repaired as soon as possible.

### SSSI RESTORATION WORKS

There are no new projects.

### ANY OTHER BUSINESS OF CONCERN TO THE FORESTRY COMMISSION

2011/5608 TRAFFIC MANAGEMENT, TILE BARN LANE DISCHARGE

The County Council's proposals to improve the junction with Tile Barn Lane at Latchmoor, Brockenhurst were considered. The Court objected to the additional signs. In addition, the build-out at the end of the road is likely to cause over-running of the opposite verge resulting in loss of grazing. The Official Verderer will write to object to the scheme.

Action  
Official  
Verderer

2011/5609 PANNAGE SEASON DISCHARGE

Mr Penfold agreed with the proposed system of agreeing the dates of the pannage season as suggested in Minute No. 5529 above.

### ENCROACHMENTS OF INTEREST TO THE FORESTRY COMMISSION

2011/5610 ENCROACHMENT LIST RESUME

An updated list was circulated however the Court asked for further details of the ditches and wicket gates that do not have consent. Mr Street agreed to provide addresses for all ditch encroachments in the Perambulation. Mr Street explained that nearly all the gate encroachments are predominantly off the Forest, and are therefore outwith the jurisdiction of the Verderers.

Action  
Mr Street

The Official Verderer explained that the Land Advice Service which provides funding for certain projects on private land within the Forest is financed by the HLS and may be a useful tool in ensuring land owners do not break the law. So addresses of gate encroachments would be useful so that the LAS can be aware of an encroachment before it agrees any grants to such land owners.

HLS funds can be used to fight encroachments.

2011/5611	HOLMSLEY GATEHOUSE	RESUME
	<p>The fence which has recently been erected is on land that was accessible to Forest stock but it is not on Crown Land. If there is a illegal encroachment it is something the Commoners' Defence Association would need to pursue, with the support of the Court. The Clerk suggested that in the first instance a copy of the title plan would be helpful to see exactly what the Crown Estate sold. The Forestry Commission has control over the sewer outfall.</p>	Action Mr Street / Clerk
	<p>Mr Deakin agreed to raise this encroachment at the next CDA meeting.</p>	Action Mr Deakin
2011/5612	PARKING ISSUES AT THE HIGH CORNER INN AND FRITHAM	DISCHARGE
	<p>These matters are ongoing and it was agreed they should be discharged from the Minutes for the time being.</p>	
2011/5613	ADVERTISING NOTICES AT BRAMSHAW TELEGRAPH	DISCHARGE
	<p>Advertising boards are being erected on a continuous basis at Bramshaw Telegraph. The Forestry Commission was once more requested to deal with this issue. Mr Penfold said he had issued instructions for the local Keeper to remove the notices. All Forestry Commission staff are authorised to remove illegal notices. Mr Penfold said he will personally speak to the Keeper. He also authorised Mr Pasmore to remove such notices.</p>	
2011/5614	OVERFLOWING SEPTIC TANK	DISCHARGE
	<p>Mrs Macnair reported an over flowing septic tank at Burley Croft. Mr Street noted the problem.</p>	
2011/5615	DUR HILL	DISCHARGE
	<p>Miss Macnair commented that the deep ruts on the junction of four tracks on Dur Hill have not been levelled. The Deputy Surveyor said he will ensure the work is carried out.</p> <p>An exposed cable which Miss Macnair reported to the Clerk who in turn reported it to the Forestry Commission has yet to be dealt with. It is believed to be a telephone cable. Miss Macnair expressed concern that it will be a serious hazard on the drift. She requested that if it cannot be removed or buried in time, for it to be clearly marked so as to warn riders. Mr Penfold agreed this would be done.</p>	

**The Deputy Surveyor and Mr Street left the meeting.**

#### **OTHER MATTERS ARISING**

2011/5616	HOME FARM BARTLEY	DISCHARGE
	<p>Agreement has been reached with the owner of Home Farm Bartley. He will be removing the whole of the encroachment and reinstating the land. i.e. the fence will be put back to the correct line and the ditch (up and downstream) reinstated. The Land Advice Service will advise and supervise the reinstatement. The owner has been given until 31<sup>st</sup> December to complete the work.</p>	

2011/5617	PUBLIC BODIES BILL	DISCHARGE																
	The Official Verderer wrote seeking a copy of the appendices that were missing from DEFRA's website.	Action Official Verderer/ Clerk																
	They have not been received and a reminder will be sent.																	
2011/5618	JACK DONKEYS	DISCHARGE																
	No evidence of jack donkeys acting mischievously has been found.																	
2011/5619	COMMONERS' DWELLING SCHEME REVIEW	DISCHARGE																
	The draft letter prepared by the Clerk in response to the National Park's Commoners' Dwelling Scheme Review and a few minor amendments were agreed. The amendments will be made and the response sent.	Action Clerk																
2011/5620	BLOODLINES SCHEME	RESUME April 2012																
	The Clerk reported that the mares have visited the stallions and most have now returned home or are in the grazing at New Park. Invoices in respect of stud fees and keep have been received from all but one stallion owner.																	
2011/5621	ANIMAL ACCIDENT REDUCTION GROUP	DISCHARGE																
	Mrs Westerhoff and the Clerk reported that judging of the competition posters has been completed. They will be displayed at the New Forest Show on the Verderers' Stand. The top twelve won some very nice prizes of lunches and afternoon tea at some top local restaurants.																	
2011/5622	THE INDEPENDENT PANEL ON FORESTRY	DISCHARGE																
	The draft response prepared by Mrs Westerhoff was considered and some amendments suggested. These will be incorporated and the response will be sent. Mrs Westerhoff was thanked for her hard work in preparing the draft.	Action Official Verderer																
2011/5623	FINANCIAL MATTERS	RESUME																
	The financial statement for June was approved.																	
2011/5624	MARKING FEES RECEIVED IN JUNE	RESUME																
	<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">Ponies</td> <td style="width: 20%;">4482</td> <td style="width: 30%;">Pigs</td> <td style="width: 20%;">24</td> </tr> <tr> <td>Cattle</td> <td>2362</td> <td>Sheep</td> <td>130</td> </tr> <tr> <td>Donkeys</td> <td>123</td> <td></td> <td></td> </tr> <tr> <td colspan="2">TOTAL 6967</td> <td colspan="2">TOTAL ALL ANIMALS 7121</td> </tr> </table>	Ponies	4482	Pigs	24	Cattle	2362	Sheep	130	Donkeys	123			TOTAL 6967		TOTAL ALL ANIMALS 7121		
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2011/5625	ANIMALS REMOVED FROM THE FOREST DUE TO POOR CONDITION	RESUME																
	5 mares with foals 2 mares																	
	TOTAL 7																	

### **VERDERERS' HIGHER LEVEL STEWARDSHIP SCHEME (HLS)**

2011/5626 HLS BOARD MEETING DISCHARGE

The Official Verderer reported on the recent Board meeting.

**Mr Maton apologised that he had to leave the meeting at this point.**

### **VERDERERS GRAZING SCHEME (VGS)**

2011/5627 VGS STAFF COSTS RESUME

The Clerk was asked to check through the Court minutes to ascertain when it was agreed that the sum of £40,000 per annum should be paid towards the cost of the Agisters who are required to help monitor the VGS. Action Clerk

### **NEW FOREST NATIONAL PARK**

2011/5628 CONSULTATION DRAFT GUIDELINES FOR HORSE RELATED DEVELOPMENT - SUPPLEMENTARY PLANNING DOCUMENT DISCHARGE

The Court had no comment to make on the consultation paper. The Clerk will write to thank the NPA for its invitation to respond. Action Clerk

### **MATTERS ARISING FROM EXTERNAL COMMITTEES AND WORKING GROUPS**

2011/5629 MEMBERSHIP OF OUTSIDE ORGANISATIONS DISCHARGE

The list of which Verderers sit on which groups is complete and a copy of the spreadsheet was circulated with a request that any amendments be advised to the Clerk.

### **STAFF MATTERS (including the Staff Committee)**

There were no staff matters to discuss at this meeting.

### **TRAINING**

2011/5630 FIRST AID TRAINING RESUME

Two Agisters have undertaken their training. Two others and the Assistant Clerk are booked on a day's course in August. The Head Agister's and the Clerk's First Aid Certificates do not expire until next year. Clerk

### **HEALTH AND SAFETY AT WORK**

There are no issues affecting health and safety at present.

### **ANY OTHER BUSINESS**

2011/5631 MEMORANDUM OF UNDERSTANDING WITH THE FORESTRY COMMISSION DISCHARGE

The Official Verderer asked if the MOU with the Forestry Commission concerning recreational facilities is still valid. The Court assured him it is. Mrs Westerhoff requested a copy which will be provide by the Clerk. Action Clerk

2011/5632	BUCKLAND CRUISER	DISCHARGE
	A commoner has questioned the authenticity of this stallion. The Clerk is in touch with the New Forest Pony Breeding and Cattle Society but it is not envisaged that there is a problem. A response will be sent to Mr Penny's letters of concern by the Official Verderer.	Action Clerk/ Official Verderer
2011/5633	LYNDHURST GOLF CLUB MANAGEMENT PLAN REVIEW	RESUME
	Mrs Westerhoff reported that she remains in touch with the Golf Club with respect to their management plan which is currently being reviewed. There are some matters outstanding of concern to Natural England. Mrs Westerhoff will bring the matter to the September Court.	Action Mrs Westerhoff
2011/5634	GATE ON THE A31 LEADING TO SHOBLEY	DISCHARGE
	Mrs Westerhoff reported that a defective gate leading from the A31 to Shobley which has been partially open for a considerable time despite reports to the Highways Agency, remains in the same state. The Clerk said she will chase this up again.	Action Clerk
2011/5635	STAFF COMMITTEE MEMBERSHIP	DISCHARGE
	The Court invited Mr Dave Readhead to take the place of the late Mr Jeff Kitcher on the Staff Committee. Mr Readhead accepted,	
2011/5636	SEPTEMBER COURT	DISCHARGE
	It was agreed that as a trial, and in view of the length of this meeting, the September Court committee will commence at 9.00 a.m.	

There was no further business and the meeting closed at 15:37 hrs